



Sen. Bill Cunningham

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10200HB3136sam002

LRB102 14595 AMC 30243 a

1 AMENDMENT TO HOUSE BILL 3136

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3136, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Horse Racing Act of 1975 is  
6 amended by changing Sections 19.5, 21, and 31 as follows:

7 (230 ILCS 5/19.5)

8 Sec. 19.5. Standardbred racetrack in Cook County.  
9 Notwithstanding anything in this Act to the contrary, in  
10 addition to organization licenses issued by the Board on the  
11 effective date of this amendatory Act of the 101st General  
12 Assembly, the Board shall issue an organization license  
13 limited to standardbred racing to a racetrack located in one  
14 of the following townships of Cook County: Bloom, Bremen,  
15 Calumet, Orland, Rich, Thornton, or Worth. This additional  
16 organization license shall not be issued within a 35-mile

1 radius of another organization license issued by the Board on  
2 the effective date of this amendatory Act of the 101st General  
3 Assembly, unless the person having operating control of such  
4 racetrack has given written consent to the organization  
5 licensee applicant, which consent must be filed with the Board  
6 at or prior to the time application is made. The organization  
7 license application shall be submitted to the Board and the  
8 Board may grant the organization license at any meeting of the  
9 Board. The Board shall examine the application within 21 days  
10 after receipt of the application with respect to its  
11 conformity with this Act and the rules adopted by the Board. If  
12 the application does not comply with this Act or the rules  
13 adopted by the Board, the application may be rejected and an  
14 organization license refused to the applicant, or the Board  
15 may, within 21 days after receipt of the application, advise  
16 the applicant of the deficiencies of the application under the  
17 Act or the rules of the Board and require the submittal of an  
18 amended application within a reasonable time determined by the  
19 Board; upon submittal of the amended application by the  
20 applicant, the Board may consider the application consistent  
21 with the process described in subsection (e-5) of Section 20.  
22 If the application is found to be in compliance with this Act  
23 and the rules of the Board, the Board shall then issue an  
24 organization license to the applicant. Once the organization  
25 license is granted, ~~shall be granted upon application, and the~~  
26 licensee shall have all of the current and future rights of

1 existing Illinois racetracks, including, but not limited to,  
2 the ability to obtain an inter-track wagering license, the  
3 ability to obtain inter-track wagering location licenses, the  
4 ability to obtain an organization gaming license pursuant to  
5 the Illinois Gambling Act with 1,200 gaming positions, and the  
6 ability to offer Internet wagering on horse racing.

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

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

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

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

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

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

1 Act.

2 (d) (Blank).

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

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

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

25 (h) All racing conducted under such organization license  
26 is subject to this Act and to the rules and regulations from

1 time to time prescribed by the Board, and every such  
2 organization license issued by the Board shall contain a  
3 recital to that effect.

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

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

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

13 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

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

24 (b) Each organization licensee conducting a harness racing  
25 meeting pursuant to this Act shall provide for at least two

1 races each race program limited to Illinois conceived and  
2 foaled horses. A minimum of 6 races shall be conducted each  
3 week limited to Illinois conceived and foaled horses. No  
4 horses shall be permitted to start in such races unless duly  
5 registered under the rules of the Department of Agriculture.

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

13 (b-10) Each organization licensee conducting a harness  
14 racing meeting pursuant to this Act shall provide an owner  
15 award to be paid from the purse account equal to 12% of the  
16 amount earned by Illinois conceived and foaled horses  
17 finishing in the first 3 positions in races that are not  
18 restricted to Illinois conceived and foaled horses. The owner  
19 awards shall not be paid on races below the \$10,000 claiming  
20 class.

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

1 (d) There is hereby created a special fund of the State  
2 Treasury to be known as the Illinois Standardbred Breeders  
3 Fund. Beginning on June 28, 2019 (the effective date of Public  
4 Act 101-31), the Illinois Standardbred Breeders Fund shall  
5 become a non-appropriated trust fund held separate and apart  
6 from State moneys. Expenditures from this Fund shall no longer  
7 be subject to appropriation.

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

13 (e) Notwithstanding any provision of law to the contrary,  
14 amounts deposited into the Illinois Standardbred Breeders Fund  
15 from revenues generated by gaming pursuant to an organization  
16 gaming license issued under the Illinois Gambling Act after  
17 June 28, 2019 (the effective date of Public Act 101-31) shall  
18 be in addition to tax and fee amounts paid under this Section  
19 for calendar year 2019 and thereafter. The Illinois  
20 Standardbred Breeders Fund shall be administered by the  
21 Department of Agriculture with the assistance and advice of  
22 the Advisory Board created in subsection (f) of this Section.

23 (f) The Illinois Standardbred Breeders Fund Advisory Board  
24 is hereby created. The Advisory Board shall consist of the  
25 Director of the Department of Agriculture, who shall serve as  
26 Chairman; the Superintendent of the Illinois State Fair; a

1 member of the Illinois Racing Board, designated by it; a  
2 representative of the largest association of Illinois  
3 standardbred owners and breeders, recommended by it; a  
4 representative of a statewide association representing  
5 agricultural fairs in Illinois, recommended by it, such  
6 representative to be from a fair at which Illinois conceived  
7 and foaled racing is conducted; a representative of the  
8 organization licensees conducting harness racing meetings,  
9 recommended by them; a representative of the Breeder's  
10 Committee of the association representing the largest number  
11 of standardbred owners, breeders, trainers, caretakers, and  
12 drivers, recommended by it; and a representative of the  
13 association representing the largest number of standardbred  
14 owners, breeders, trainers, caretakers, and drivers,  
15 recommended by it. Advisory Board members shall serve for 2  
16 years commencing January 1 of each odd numbered year. If  
17 representatives of the largest association of Illinois  
18 standardbred owners and breeders, a statewide association of  
19 agricultural fairs in Illinois, the association representing  
20 the largest number of standardbred owners, breeders, trainers,  
21 caretakers, and drivers, a member of the Breeder's Committee  
22 of the association representing the largest number of  
23 standardbred owners, breeders, trainers, caretakers, and  
24 drivers, and the organization licensees conducting harness  
25 racing meetings have not been recommended by January 1 of each  
26 odd numbered year, the Director of the Department of

1 Agriculture shall make an appointment for the organization  
2 failing to so recommend a member of the Advisory Board.  
3 Advisory Board members shall receive no compensation for their  
4 services as members but shall be reimbursed for all actual and  
5 necessary expenses and disbursements incurred in the execution  
6 of their official duties.

7 (g) Monies expended from the Illinois Standardbred  
8 Breeders Fund shall be expended by the Department of  
9 Agriculture, with the assistance and advice of the Illinois  
10 Standardbred Breeders Fund Advisory Board for the following  
11 purposes only:

12 1. To provide purses for races limited to Illinois  
13 conceived and foaled horses at the State Fair and the  
14 DuQuoin State Fair.

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

17 3. To provide purse supplements for races limited to  
18 Illinois conceived and foaled horses conducted by  
19 associations conducting harness racing meetings.

20 4. No less than 75% of all monies in the Illinois  
21 Standardbred Breeders Fund shall be expended for purses in  
22 1, 2, and 3 as shown above.

23 5. In the discretion of the Department of Agriculture  
24 to provide awards to harness breeders of Illinois  
25 conceived and foaled horses which win races conducted by  
26 organization licensees conducting harness racing meetings.

1 A breeder is the owner of a mare at the time of conception.  
2 No more than 10% of all monies appropriated from the  
3 Illinois Standardbred Breeders Fund shall be expended for  
4 such harness breeders awards. No more than 25% of the  
5 amount expended for harness breeders awards shall be  
6 expended for expenses incurred in the administration of  
7 such harness breeders awards.

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

10 7. To pay the expenses incurred in the administration  
11 of the Illinois Standardbred Breeders Fund.

12 8. To promote the sport of harness racing, including  
13 grants up to a maximum of \$7,500 per fair per year for  
14 conducting pari-mutuel wagering during the advertised  
15 dates of a county fair.

16 9. To pay up to \$50,000 annually for the Department of  
17 Agriculture to conduct drug testing at county fairs racing  
18 standardbred horses.

19 (h) The Illinois Standardbred Breeders Fund is not subject  
20 to administrative charges or chargebacks, including, but not  
21 limited to, those authorized under Section 8h of the State  
22 Finance Act.

23 (i) A sum equal to 13% of the first prize money of the  
24 gross purse won by an Illinois conceived and foaled horse  
25 shall be paid 50% by the organization licensee conducting the  
26 horse race meeting to the breeder of such winning horse from

1 the organization licensee's account and 50% from the purse  
2 account of the licensee. Such payment shall not reduce any  
3 award to the owner of the horse or reduce the taxes payable  
4 under this Act. Such payment shall be delivered by the  
5 organization licensee at the end of each quarter.

6 (j) The Department of Agriculture shall, by rule, with the  
7 assistance and advice of the Illinois Standardbred Breeders  
8 Fund Advisory Board:

9 1. Qualify stallions for Illinois Standardbred  
10 Breeders Fund breeding; ~~such stallion shall be owned by a~~  
11 ~~resident of the State of Illinois or by an Illinois~~  
12 ~~corporation all of whose shareholders, directors, officers~~  
13 ~~and incorporators are residents of the State of Illinois.~~

14 Such stallion shall stand for service at and within the  
15 State of Illinois at the time of a foal's conception, and  
16 such stallion must not stand for service at any place, ~~nor~~  
17 ~~may semen from such stallion be transported,~~ outside the  
18 State of Illinois during that calendar year in which the  
19 foal is conceived ~~and that the owner of the stallion was~~  
20 ~~for the 12 months prior, a resident of Illinois.~~ However,  
21 on and after ~~from~~ January 1, 2018, until January 1, 2022,  
22 semen from an Illinois stallion may be transported outside  
23 the State of Illinois. ~~The articles of agreement of any~~  
24 ~~partnership, joint venture, limited partnership,~~  
25 ~~syndicate, association or corporation and any bylaws and~~  
26 ~~stock certificates must contain a restriction that~~

1 ~~provides that the ownership or transfer of interest by any~~  
2 ~~one of the persons a party to the agreement can only be~~  
3 ~~made to a person who qualifies as an Illinois resident.~~

4 2. Provide for the registration of Illinois conceived  
5 and foaled horses and no such horse shall compete in the  
6 races limited to Illinois conceived and foaled horses  
7 unless registered with the Department of Agriculture. The  
8 Department of Agriculture may prescribe such forms as may  
9 be necessary to determine the eligibility of such horses.  
10 No person shall knowingly prepare or cause preparation of  
11 an application for registration of such foals containing  
12 false information. A mare (dam) must be in the State at  
13 least 30 days prior to foaling or remain in the State at  
14 least 30 days at the time of foaling. However, the  
15 requirement that a mare (dam) must be in the State at least  
16 30 days before foaling or remain in the State at least 30  
17 days at the time of foaling shall not be in effect from  
18 January 1, 2018 until January 1, 2022. Beginning with the  
19 1996 breeding season and for foals of 1997 and thereafter,  
20 a foal conceived by transported semen may be eligible for  
21 Illinois conceived and foaled registration provided all  
22 breeding and foaling requirements are met. The stallion  
23 must be qualified for Illinois Standardbred Breeders Fund  
24 breeding at the time of conception ~~and the mare must be~~  
25 ~~inseminated within the State of Illinois.~~ The foal must be  
26 dropped in Illinois and properly registered with the

1 Department of Agriculture in accordance with this Act.  
2 However, from January 1, 2018 until January 1, 2022, the  
3 requirement for a mare to be inseminated within the State  
4 of Illinois and the requirement for a foal to be dropped in  
5 Illinois are inapplicable.

6 3. Provide that at least a 5-day racing program shall  
7 be conducted at the State Fair each year, unless an  
8 alternate racing program is requested by the Illinois  
9 Standardbred Breeders Fund Advisory Board, which program  
10 shall include at least the following races limited to  
11 Illinois conceived and foaled horses: (a) a 2-year-old  
12 Trot and Pace, and Filly Division of each; (b) a  
13 3-year-old Trot and Pace, and Filly Division of each; (c)  
14 an aged Trot and Pace, and Mare Division of each.

15 4. Provide for the payment of nominating, sustaining  
16 and starting fees for races promoting the sport of harness  
17 racing and for the races to be conducted at the State Fair  
18 as provided in subsection (j) 3 of this Section provided  
19 that the nominating, sustaining and starting payment  
20 required from an entrant shall not exceed 2% of the purse  
21 of such race. All nominating, sustaining and starting  
22 payments shall be held for the benefit of entrants and  
23 shall be paid out as part of the respective purses for such  
24 races. Nominating, sustaining and starting fees shall be  
25 held in trust accounts for the purposes as set forth in  
26 this Act and in accordance with Section 205-15 of the

1 Department of Agriculture Law.

2 5. Provide for the registration with the Department of  
3 Agriculture of Colt Associations or county fairs desiring  
4 to sponsor races at county fairs.

5 6. Provide for the promotion of producing standardbred  
6 racehorses by providing a bonus award program for owners  
7 of 2-year-old horses that win multiple major stakes races  
8 that are limited to Illinois conceived and foaled horses.

9 (k) The Department of Agriculture, with the advice and  
10 assistance of the Illinois Standardbred Breeders Fund Advisory  
11 Board, may allocate monies for purse supplements for such  
12 races. In determining whether to allocate money and the  
13 amount, the Department of Agriculture shall consider factors,  
14 including, but not limited to, the amount of money  
15 appropriated for the Illinois Standardbred Breeders Fund  
16 program, the number of races that may occur, and an  
17 organization licensee's purse structure. The organization  
18 licensee shall notify the Department of Agriculture of the  
19 conditions and minimum purses for races limited to Illinois  
20 conceived and foaled horses to be conducted by each  
21 organization licensee conducting a harness racing meeting for  
22 which purse supplements have been negotiated.

23 (l) All races held at county fairs and the State Fair which  
24 receive funds from the Illinois Standardbred Breeders Fund  
25 shall be conducted in accordance with the rules of the United  
26 States Trotting Association unless otherwise modified by the

1 Department of Agriculture.

2 (m) At all standardbred race meetings held or conducted  
3 under authority of a license granted by the Board, and at all  
4 standardbred races held at county fairs which are approved by  
5 the Department of Agriculture or at the Illinois or DuQuoin  
6 State Fairs, no one shall jog, train, warm up or drive a  
7 standardbred horse unless he or she is wearing a protective  
8 safety helmet, with the chin strap fastened and in place,  
9 which meets the standards and requirements as set forth in the  
10 1984 Standard for Protective Headgear for Use in Harness  
11 Racing and Other Equestrian Sports published by the Snell  
12 Memorial Foundation, or any standards and requirements for  
13 headgear the Illinois Racing Board may approve. Any other  
14 standards and requirements so approved by the Board shall  
15 equal or exceed those published by the Snell Memorial  
16 Foundation. Any equestrian helmet bearing the Snell label  
17 shall be deemed to have met those standards and requirements.

18 (Source: P.A. 101-31, eff. 6-28-19; 101-157, eff. 7-26-19;  
19 102-558, eff. 8-20-21.)

20 Section 15. The Illinois Gambling Act is amended by  
21 changing Sections 8 and 13 and by adding Section 8.1 as  
22 follows:

23 (230 ILCS 10/8) (from Ch. 120, par. 2408)

24 Sec. 8. Suppliers licenses.

1           (a) The Board may issue a suppliers license to such  
2 persons, firms or corporations which apply therefor upon the  
3 payment of a non-refundable application fee set by the Board,  
4 upon a determination by the Board that the applicant is  
5 eligible for a suppliers license and upon payment of a \$5,000  
6 annual license fee. At the time of application for a supplier  
7 license under this Act, a person that holds a license as a  
8 manufacturer, distributor, or supplier under the Video Gaming  
9 Act or a supplier license under the Sports Wagering Act shall  
10 be entitled to licensure under this Act as a supplier without  
11 additional Board investigation or approval, except by vote of  
12 the Board; however, the applicant shall pay all fees required  
13 for a suppliers license under this Act.

14           (a-5) Except as provided by Section 8.1, the initial  
15 suppliers license shall be issued for 4 years. Thereafter, the  
16 license may be renewed for additional 4-year periods unless  
17 sooner canceled or terminated.

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

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

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

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

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

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

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

11           (5) the entity is one in which a person defined in (1),  
12 (2), (3) or (4), is an officer, director or managerial  
13 employee;

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

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

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

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

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

26 (g) Any gambling equipment, devices and supplies provided

1 by any licensed supplier may either be repaired on the  
2 riverboat, in the casino, or at the organization gaming  
3 facility or removed from the riverboat, casino, or  
4 organization gaming facility to a facility owned by the holder  
5 of an owners license, organization gaming license, or  
6 suppliers license for repair.

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

8 (230 ILCS 10/8.1 new)

9 Sec. 8.1. Harmonization of supplier category licenses.

10 (a) As used in this Section, "supplier category license"  
11 means a suppliers license issued under this Act, a supplier  
12 license issued under the Sports Wagering Act, or a  
13 manufacturer, distributor, or supplier license issued under  
14 the Video Gaming Act.

15 (b) If a holder of any supplier category license is  
16 granted an additional supplier category license, the initial  
17 period of the new supplier category license shall expire at  
18 the earliest expiration date of any other supplier category  
19 license held by the licensee. If a licensee holds multiple  
20 supplier category licenses on the effective date of this  
21 amendatory Act of the 102nd General Assembly, all supplier  
22 category licenses shall expire at the earliest expiration date  
23 of any of the supplier category licenses held by the licensee.

24 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

2           (a) Until January 1, 1998, a tax is imposed on the adjusted  
3 gross receipts received from gambling games authorized under  
4 this Act at the rate of 20%.

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

11           15% of annual adjusted gross receipts up to and  
12 including \$25,000,000;

13           20% of annual adjusted gross receipts in excess of  
14 \$25,000,000 but not exceeding \$50,000,000;

15           25% of annual adjusted gross receipts in excess of  
16 \$50,000,000 but not exceeding \$75,000,000;

17           30% of annual adjusted gross receipts in excess of  
18 \$75,000,000 but not exceeding \$100,000,000;

19           35% of annual adjusted gross receipts in excess of  
20 \$100,000,000.

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

1 at the following rates:

2 15% of annual adjusted gross receipts up to and  
3 including \$25,000,000;

4 22.5% of annual adjusted gross receipts in excess of  
5 \$25,000,000 but not exceeding \$50,000,000;

6 27.5% of annual adjusted gross receipts in excess of  
7 \$50,000,000 but not exceeding \$75,000,000;

8 32.5% of annual adjusted gross receipts in excess of  
9 \$75,000,000 but not exceeding \$100,000,000;

10 37.5% of annual adjusted gross receipts in excess of  
11 \$100,000,000 but not exceeding \$150,000,000;

12 45% of annual adjusted gross receipts in excess of  
13 \$150,000,000 but not exceeding \$200,000,000;

14 50% of annual adjusted gross receipts in excess of  
15 \$200,000,000.

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

23 15% of annual adjusted gross receipts up to and  
24 including \$25,000,000;

25 27.5% of annual adjusted gross receipts in excess of  
26 \$25,000,000 but not exceeding \$37,500,000;

1           32.5% of annual adjusted gross receipts in excess of  
2           \$37,500,000 but not exceeding \$50,000,000;

3           37.5% of annual adjusted gross receipts in excess of  
4           \$50,000,000 but not exceeding \$75,000,000;

5           45% of annual adjusted gross receipts in excess of  
6           \$75,000,000 but not exceeding \$100,000,000;

7           50% of annual adjusted gross receipts in excess of  
8           \$100,000,000 but not exceeding \$250,000,000;

9           70% of annual adjusted gross receipts in excess of  
10          \$250,000,000.

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

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

1 2003.

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

11 15% of annual adjusted gross receipts up to and  
12 including \$25,000,000;

13 22.5% of annual adjusted gross receipts in excess of  
14 \$25,000,000 but not exceeding \$50,000,000;

15 27.5% of annual adjusted gross receipts in excess of  
16 \$50,000,000 but not exceeding \$75,000,000;

17 32.5% of annual adjusted gross receipts in excess of  
18 \$75,000,000 but not exceeding \$100,000,000;

19 37.5% of annual adjusted gross receipts in excess of  
20 \$100,000,000 but not exceeding \$150,000,000;

21 45% of annual adjusted gross receipts in excess of  
22 \$150,000,000 but not exceeding \$200,000,000;

23 50% of annual adjusted gross receipts in excess of  
24 \$200,000,000.

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

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

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

14 15% of annual adjusted gross receipts up to and  
15 including \$25,000,000;

16 22.5% of annual adjusted gross receipts in excess of  
17 \$25,000,000 but not exceeding \$50,000,000;

18 27.5% of annual adjusted gross receipts in excess of  
19 \$50,000,000 but not exceeding \$75,000,000;

20 32.5% of annual adjusted gross receipts in excess of  
21 \$75,000,000 but not exceeding \$100,000,000;

22 37.5% of annual adjusted gross receipts in excess of  
23 \$100,000,000 but not exceeding \$150,000,000;

24 45% of annual adjusted gross receipts in excess of  
25 \$150,000,000 but not exceeding \$200,000,000;

26 50% of annual adjusted gross receipts in excess of

1           \$200,000,000.

2           The privilege tax for table games shall be at the  
3 following rates:

4                 15% of annual adjusted gross receipts up to and  
5 including \$25,000,000;

6                 20% of annual adjusted gross receipts in excess of  
7 \$25,000,000.

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

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

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

1 adjusted gross receipts up to and including \$25,000,000 to  
2 the City of Chicago;

3 16% of annual adjusted gross receipts in excess of  
4 \$25,000,000 but not exceeding \$50,000,000 to the State and  
5 14% of annual adjusted gross receipts in excess of  
6 \$25,000,000 but not exceeding \$50,000,000 to the City of  
7 Chicago;

8 20.1% of annual adjusted gross receipts in excess of  
9 \$50,000,000 but not exceeding \$75,000,000 to the State and  
10 17.4% of annual adjusted gross receipts in excess of  
11 \$50,000,000 but not exceeding \$75,000,000 to the City of  
12 Chicago;

13 21.4% of annual adjusted gross receipts in excess of  
14 \$75,000,000 but not exceeding \$100,000,000 to the State  
15 and 18.6% of annual adjusted gross receipts in excess of  
16 \$75,000,000 but not exceeding \$100,000,000 to the City of  
17 Chicago;

18 22.7% of annual adjusted gross receipts in excess of  
19 \$100,000,000 but not exceeding \$150,000,000 to the State  
20 and 19.8% of annual adjusted gross receipts in excess of  
21 \$100,000,000 but not exceeding \$150,000,000 to the City of  
22 Chicago;

23 24.1% of annual adjusted gross receipts in excess of  
24 \$150,000,000 but not exceeding \$225,000,000 to the State  
25 and 20.9% of annual adjusted gross receipts in excess of  
26 \$150,000,000 but not exceeding \$225,000,000 to the City of

1 Chicago;

2 26.8% of annual adjusted gross receipts in excess of  
3 \$225,000,000 but not exceeding \$1,000,000,000 to the State  
4 and 23.2% of annual adjusted gross receipts in excess of  
5 \$225,000,000 but not exceeding \$1,000,000,000 to the City  
6 of Chicago;

7 40% of annual adjusted gross receipts in excess of  
8 \$1,000,000,000 to the State and 34.7% of annual gross  
9 receipts in excess of \$1,000,000,000 to the City of  
10 Chicago.

11 The privilege tax for table games shall be at the  
12 following rates:

13 8.1% of annual adjusted gross receipts up to and  
14 including \$25,000,000 to the State and 6.9% of annual  
15 adjusted gross receipts up to and including \$25,000,000 to  
16 the City of Chicago;

17 10.7% of annual adjusted gross receipts in excess of  
18 \$25,000,000 but not exceeding \$75,000,000 to the State and  
19 9.3% of annual adjusted gross receipts in excess of  
20 \$25,000,000 but not exceeding \$75,000,000 to the City of  
21 Chicago;

22 11.2% of annual adjusted gross receipts in excess of  
23 \$75,000,000 but not exceeding \$175,000,000 to the State  
24 and 9.8% of annual adjusted gross receipts in excess of  
25 \$75,000,000 but not exceeding \$175,000,000 to the City of  
26 Chicago;

1           13.5% of annual adjusted gross receipts in excess of  
2           \$175,000,000 but not exceeding \$225,000,000 to the State  
3           and 11.5% of annual adjusted gross receipts in excess of  
4           \$175,000,000 but not exceeding \$225,000,000 to the City of  
5           Chicago;

6           15.1% of annual adjusted gross receipts in excess of  
7           \$225,000,000 but not exceeding \$275,000,000 to the State  
8           and 12.9% of annual adjusted gross receipts in excess of  
9           \$225,000,000 but not exceeding \$275,000,000 to the City of  
10          Chicago;

11          16.2% of annual adjusted gross receipts in excess of  
12          \$275,000,000 but not exceeding \$375,000,000 to the State  
13          and 13.8% of annual adjusted gross receipts in excess of  
14          \$275,000,000 but not exceeding \$375,000,000 to the City of  
15          Chicago;

16          18.9% of annual adjusted gross receipts in excess of  
17          \$375,000,000 to the State and 16.1% of annual gross  
18          receipts in excess of \$375,000,000 to the City of Chicago.

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

23          Notwithstanding the provisions of this subsection (a-5),  
24          for the first 10 years that the privilege tax is imposed under  
25          this subsection (a-5), the privilege tax shall be imposed on  
26          the modified annual adjusted gross receipts of a riverboat or

1 casino conducting gambling operations in the City of East St.  
2 Louis, unless:

3 (1) the riverboat or casino fails to employ at least  
4 450 people, except no minimum employment shall be required  
5 during 2020 and 2021 or during periods that the riverboat  
6 or casino is closed on orders of State officials for  
7 public health emergencies or other emergencies not caused  
8 by the riverboat or casino;

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

13 (3) the owners licensee is not an entity in which  
14 employees participate in an employee stock ownership plan  
15 or in which the owners licensee sponsors a 401(k)  
16 retirement plan and makes a matching employer contribution  
17 equal to at least one-quarter of the first 12% or one-half  
18 of the first 6% of each participating employee's  
19 contribution, not to exceed any limitations under federal  
20 laws and regulations.

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

23 (A) for calendar year 2020, the annual adjusted gross  
24 receipts for the current year minus the difference between  
25 an amount equal to the average annual adjusted gross  
26 receipts from a riverboat or casino conducting gambling

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

4 (B) for calendar year 2021, the annual adjusted gross  
5 receipts for the current year minus the difference between  
6 an amount equal to the average annual adjusted gross  
7 receipts from a riverboat or casino conducting gambling  
8 operations in the City of East St. Louis for 2014, 2015,  
9 2016, 2017, and 2018 and the annual adjusted gross  
10 receipts for 2019; and

11 (C) for calendar years 2022 through 2029, the annual  
12 adjusted gross receipts for the current year minus the  
13 difference between an amount equal to the average annual  
14 adjusted gross receipts from a riverboat or casino  
15 conducting gambling operations in the City of East St.  
16 Louis for 3 years preceding the current year and the  
17 annual adjusted gross receipts for the immediately  
18 preceding year.

19 (a-6) From June 28, 2019 (the effective date of Public Act  
20 101-31) until June 30, 2023, an owners licensee that conducted  
21 gambling operations prior to January 1, 2011 shall receive a  
22 dollar-for-dollar credit against the tax imposed under this  
23 Section for any renovation or construction costs paid by the  
24 owners licensee, but in no event shall the credit exceed  
25 \$2,000,000.

26 Additionally, from June 28, 2019 (the effective date of

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

18 (a-7) Beginning in the initial adjustment year and through  
19 the final adjustment year, if the total obligation imposed  
20 pursuant to either subsection (a-5) or (a-6) will result in an  
21 owners licensee receiving less after-tax adjusted gross  
22 receipts than it received in calendar year 2018, then the  
23 total amount of privilege taxes that the owners licensee is  
24 required to pay for that calendar year shall be reduced to the  
25 extent necessary so that the after-tax adjusted gross receipts  
26 in that calendar year equals the after-tax adjusted gross

1 receipts in calendar year 2018, but the privilege tax  
2 reduction shall not exceed the annual adjustment cap. If  
3 pursuant to this subsection (a-7), the total obligation  
4 imposed pursuant to either subsection (a-5) or (a-6) shall be  
5 reduced, then the owners licensee shall not receive a refund  
6 from the State at the end of the subject calendar year but  
7 instead shall be able to apply that amount as a credit against  
8 any payments it owes to the State in the following calendar  
9 year to satisfy its total obligation under either subsection  
10 (a-5) or (a-6). The credit for the final adjustment year shall  
11 occur in the calendar year following the final adjustment  
12 year.

13 If an owners licensee that conducted gambling operations  
14 prior to January 1, 2019 expands its riverboat or casino,  
15 including, but not limited to, with respect to its gaming  
16 floor, additional non-gaming amenities such as restaurants,  
17 bars, and hotels and other additional facilities, and incurs  
18 construction and other costs related to such expansion from  
19 June 28, 2019 (the effective date of Public Act 101-31) until  
20 June 28, 2024 (the 5th anniversary of the effective date of  
21 Public Act 101-31), then for each \$15,000,000 spent for any  
22 such construction or other costs related to expansion paid by  
23 the owners licensee, the final adjustment year shall be  
24 extended by one year and the annual adjustment cap shall  
25 increase by 0.2% of adjusted gross receipts during each  
26 calendar year until and including the final adjustment year.

1 No further modifications to the final adjustment year or  
2 annual adjustment cap shall be made after \$75,000,000 is  
3 incurred in construction or other costs related to expansion  
4 so that the final adjustment year shall not extend beyond the  
5 9th calendar year after the initial adjustment year, not  
6 including the initial adjustment year, and the annual  
7 adjustment cap shall not exceed 4% of adjusted gross receipts  
8 in a particular calendar year. Construction and other costs  
9 related to expansion shall include all project related costs,  
10 including, but not limited to, all hard and soft costs,  
11 financing costs, on or off-site ground, road or utility work,  
12 cost of gaming equipment and all other personal property,  
13 initial fees assessed for each incremental gaming position,  
14 and the cost of incremental land acquired for such expansion.  
15 Soft costs shall include, but not be limited to, legal fees,  
16 architect, engineering and design costs, other consultant  
17 costs, insurance cost, permitting costs, and pre-opening costs  
18 related to the expansion, including, but not limited to, any  
19 of the following: marketing, real estate taxes, personnel,  
20 training, travel and out-of-pocket expenses, supply,  
21 inventory, and other costs, and any other project related soft  
22 costs.

23 To be eligible for the tax credits in subsection (a-6),  
24 all construction contracts shall include a requirement that  
25 the contractor enter into a project labor agreement with the  
26 building and construction trades council with geographic

1 jurisdiction of the location of the proposed gaming facility.

2 Notwithstanding any other provision of this subsection  
3 (a-7), this subsection (a-7) does not apply to an owners  
4 licensee unless such owners licensee spends at least  
5 \$15,000,000 on construction and other costs related to its  
6 expansion, excluding the initial fees assessed for each  
7 incremental gaming position.

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

11 For purposes of this subsection (a-7):

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

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

21 (1) the commencement of gambling operations, either in  
22 a temporary or permanent facility, with respect to the  
23 owners license authorized under paragraph (1) of  
24 subsection (e-5) of Section 7 of this Act; or

25 (2) June 28, 2021 (24 months after the effective date  
26 of Public Act 101-31);

1 provided the initial adjustment year shall not commence  
2 earlier than June 28, 2020 (12 months after the effective date  
3 of Public Act 101-31).

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

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

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

15 (a-9) Beginning on January 1, 2020, the calculation of  
16 gross receipts or adjusted gross receipts, for the purposes of  
17 this Section, for a riverboat, a casino, or an organization  
18 gaming facility shall not include the dollar amount of  
19 non-cashable vouchers, coupons, and electronic promotions  
20 redeemed by wagerers upon the riverboat, in the casino, or in  
21 the organization gaming facility up to and including an amount  
22 not to exceed 20% of a riverboat's, a casino's, or an  
23 organization gaming facility's adjusted gross receipts.

24 The Illinois Gaming Board shall submit to the General  
25 Assembly a comprehensive report no later than March 31, 2023  
26 detailing, at a minimum, the effect of removing non-cashable

1 vouchers, coupons, and electronic promotions from this  
2 calculation on net gaming revenues to the State in calendar  
3 years 2020 through 2022, the increase or reduction in wagers  
4 as a result of removing non-cashable vouchers, coupons, and  
5 electronic promotions from this calculation, the effect of the  
6 tax rates in subsection (a-5) on net gaming revenues to this  
7 State, and proposed modifications to the calculation.

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

12 (a-15) If the privilege tax imposed under subsection (a-3)  
13 is no longer imposed pursuant to item (i) of the last paragraph  
14 of subsection (a-3), then by June 15 of each year, each owners  
15 licensee, other than an owners licensee that admitted  
16 1,000,000 persons or fewer in calendar year 2004, must, in  
17 addition to the payment of all amounts otherwise due under  
18 this Section, pay to the Board a reconciliation payment in the  
19 amount, if any, by which the licensed owner's base amount  
20 exceeds the amount of net privilege tax paid by the licensed  
21 owner to the Board in the then current State fiscal year. A  
22 licensed owner's net privilege tax obligation due for the  
23 balance of the State fiscal year shall be reduced up to the  
24 total of the amount paid by the licensed owner in its June 15  
25 reconciliation payment. The obligation imposed by this  
26 subsection (a-15) is binding on any person, firm, corporation,

1 or other entity that acquires an ownership interest in any  
2 such owners license. The obligation imposed under this  
3 subsection (a-15) terminates on the earliest of: (i) July 1,  
4 2007, (ii) the first day after the effective date of this  
5 amendatory Act of the 94th General Assembly that riverboat  
6 gambling operations are conducted pursuant to a dormant  
7 license, (iii) the first day that riverboat gambling  
8 operations are conducted under the authority of an owners  
9 license that is in addition to the 10 owners licenses  
10 initially authorized under this Act, or (iv) the first day  
11 that a licensee under the Illinois Horse Racing Act of 1975  
12 conducts gaming operations with slot machines or other  
13 electronic gaming devices. The Board must reduce the  
14 obligation imposed under this subsection (a-15) by an amount  
15 the Board deems reasonable for any of the following reasons:  
16 (A) an act or acts of God, (B) an act of bioterrorism or  
17 terrorism or a bioterrorism or terrorism threat that was  
18 investigated by a law enforcement agency, or (C) a condition  
19 beyond the control of the owners licensee that does not result  
20 from any act or omission by the owners licensee or any of its  
21 agents and that poses a hazardous threat to the health and  
22 safety of patrons. If an owners licensee pays an amount in  
23 excess of its liability under this Section, the Board shall  
24 apply the overpayment to future payments required under this  
25 Section.

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

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

5 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

20 The changes made to this subsection (a-15) by Public Act  
21 94-839 are intended to restate and clarify the intent of  
22 Public Act 94-673 with respect to the amount of the payments  
23 required to be made under this subsection by an owners  
24 licensee to the Board.

25 (b) From the tax revenue from riverboat or casino gambling  
26 deposited in the State Gaming Fund under this Section, an

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

1 amount the unit of local government received under this  
2 subsection (b) in calendar year 2018.

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

12 From the tax revenue from riverboat or casino gambling  
13 deposited in the State Gaming Fund under this Section, an  
14 amount equal to 5% of the adjusted gross receipts generated by  
15 a riverboat designated in paragraph (3) of subsection (e-5) of  
16 Section 7 shall be divided and remitted monthly, subject to  
17 appropriation, as follows: 70% to Waukegan, 10% to Park City,  
18 15% to North Chicago, and 5% to Lake County.

19 From the tax revenue from riverboat or casino gambling  
20 deposited in the State Gaming Fund under this Section, an  
21 amount equal to 5% of the adjusted gross receipts generated by  
22 a riverboat designated in paragraph (4) of subsection (e-5) of  
23 Section 7 shall be remitted monthly, subject to appropriation,  
24 as follows: 70% to the City of Rockford, 5% to the City of  
25 Loves Park, 5% to the Village of Machesney, and 20% to  
26 Winnebago County.

1 From the tax revenue from riverboat or casino gambling  
2 deposited in the State Gaming Fund under this Section, an  
3 amount equal to 5% of the adjusted gross receipts generated by  
4 a riverboat designated in paragraph (5) of subsection (e-5) of  
5 Section 7 shall be remitted monthly, subject to appropriation,  
6 as follows: 2% to the unit of local government in which the  
7 riverboat or casino is located, and 3% shall be distributed:  
8 (A) in accordance with a regional capital development plan  
9 entered into by the following communities: Village of Beecher,  
10 City of Blue Island, Village of Burnham, City of Calumet City,  
11 Village of Calumet Park, City of Chicago Heights, City of  
12 Country Club Hills, Village of Crestwood, Village of Crete,  
13 Village of Dixmoor, Village of Dolton, Village of East Hazel  
14 Crest, Village of Flossmoor, Village of Ford Heights, Village  
15 of Glenwood, City of Harvey, Village of Hazel Crest, Village  
16 of Homewood, Village of Lansing, Village of Lynwood, City of  
17 Markham, Village of Matteson, Village of Midlothian, Village  
18 of Monee, City of Oak Forest, Village of Olympia Fields,  
19 Village of Orland Hills, Village of Orland Park, City of Palos  
20 Heights, Village of Park Forest, Village of Phoenix, Village  
21 of Posen, Village of Richton Park, Village of Riverdale,  
22 Village of Robbins, Village of Sauk Village, Village of South  
23 Chicago Heights, Village of South Holland, Village of Steger,  
24 Village of Thornton, Village of Tinley Park, Village of  
25 University Park and Village of Worth; or (B) if no regional  
26 capital development plan exists, equally among the communities

1 listed in item (A) to be used for capital expenditures or  
2 public pension payments, or both.

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

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

17 (b-5) Beginning on June 28, 2019 (the effective date of  
18 Public Act 101-31), from the tax revenue deposited in the  
19 State Gaming Fund under this Section, an amount equal to 3% of  
20 adjusted gross receipts generated by each organization gaming  
21 facility located outside Madison County shall be paid monthly,  
22 subject to appropriation by the General Assembly, to a  
23 municipality other than the Village of Stickney in which each  
24 organization gaming facility is located or, if the  
25 organization gaming facility is not located within a  
26 municipality, to the county in which the organization gaming

1 facility is located, except as otherwise provided in this  
2 Section. From the tax revenue deposited in the State Gaming  
3 Fund under this Section, an amount equal to 3% of adjusted  
4 gross receipts generated by an organization gaming facility  
5 located in the Village of Stickney shall be paid monthly,  
6 subject to appropriation by the General Assembly, as follows:  
7 25% to the Village of Stickney, 5% to the City of Berwyn, 50%  
8 to the Town of Cicero, and 20% to the Stickney Public Health  
9 District.

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

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

20 (b-6) Beginning on June 28, 2019 (the effective date of  
21 Public Act 101-31), from the tax revenue deposited in the  
22 State Gaming Fund under this Section, an amount equal to 2% of  
23 adjusted gross receipts generated by an organization gaming  
24 facility located outside Madison County shall be paid monthly,  
25 subject to appropriation by the General Assembly, to the  
26 county in which the organization gaming facility is located

1 for the purposes of its criminal justice system or health care  
2 system.

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

6 (b-7) From the tax revenue from the organization gaming  
7 licensee located in one of the following townships of Cook  
8 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or  
9 Worth, an amount equal to 5% of the adjusted gross receipts  
10 generated by that organization gaming licensee shall be  
11 remitted monthly, subject to appropriation, as follows: 2% to  
12 the unit of local government in which the organization gaming  
13 licensee is located, and 3% shall be distributed: (A) in  
14 accordance with a regional capital development plan entered  
15 into by the following communities: Village of Beecher, City of  
16 Blue Island, Village of Burnham, City of Calumet City, Village  
17 of Calumet Park, City of Chicago Heights, City of Country Club  
18 Hills, Village of Crestwood, Village of Crete, Village of  
19 Dixmoor, Village of Dolton, Village of East Hazel Crest,  
20 Village of Flossmoor, Village of Ford Heights, Village of  
21 Glenwood, City of Harvey, Village of Hazel Crest, Village of  
22 Homewood, Village of Lansing, Village of Lynwood, City of  
23 Markham, Village of Matteson, Village of Midlothian, Village  
24 of Monee, City of Oak Forest, Village of Olympia Fields,  
25 Village of Orland Hills, Village of Orland Park, City of Palos  
26 Heights, Village of Park Forest, Village of Phoenix, Village

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

9 (b-8) In lieu of the payments under subsection (b) of this  
10 Section, from the tax revenue deposited in the State Gaming  
11 Fund pursuant to riverboat or casino gambling operations  
12 conducted by an owners licensee under paragraph (1) of  
13 subsection (e-5) of Section 7, an amount equal to the tax  
14 revenue generated from the privilege tax imposed by paragraph  
15 (2) of subsection (a-5) that is to be paid to the City of  
16 Chicago shall be paid monthly, subject to appropriation by the  
17 General Assembly, as follows: (1) an amount equal to 0.5% of  
18 the annual adjusted gross receipts generated by the owners  
19 licensee under paragraph (1) of subsection (e-5) of Section 7  
20 to the home rule county in which the owners licensee is located  
21 for the purpose of enhancing the county's criminal justice  
22 system; and (2) the balance to the City of Chicago and shall be  
23 expended or obligated by the City of Chicago for pension  
24 payments in accordance with Public Act 99-506.

25 (c) Appropriations, as approved by the General Assembly,  
26 may be made from the State Gaming Fund to the Board (i) for the

1 administration and enforcement of this Act and the Video  
2 Gaming Act, (ii) for distribution to the Department of State  
3 Police and to the Department of Revenue for the enforcement of  
4 this Act and the Video Gaming Act, and (iii) to the Department  
5 of Human Services for the administration of programs to treat  
6 problem gambling, including problem gambling from sports  
7 wagering. The Board's annual appropriations request must  
8 separately state its funding needs for the regulation of  
9 gaming authorized under Section 7.7, riverboat gaming, casino  
10 gaming, video gaming, and sports wagering.

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

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

24 (c-4) After payments required under subsections (b),  
25 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from  
26 the tax revenue from organization gaming licensees deposited

1 into the State Gaming Fund under this Section, all remaining  
2 amounts from organization gaming licensees shall be  
3 transferred into the Capital Projects Fund.

4 (c-5) (Blank).

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

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

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

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

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

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

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

26 (c-30) On July 1, 2013 or as soon as possible thereafter,

1 \$92,000,000 shall be transferred from the State Gaming Fund to  
2 the School Infrastructure Fund and \$23,000,000 shall be  
3 transferred from the State Gaming Fund to the Horse Racing  
4 Equity Fund.

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

9 (d) From time to time, through June 30, 2022, the Board  
10 shall transfer the remainder of the funds generated by this  
11 Act into the Education Assistance Fund, ~~created by Public Act~~  
12 ~~86-0018, of the State of Illinois.~~

13 (d-5) Beginning on July 1, 2022, on the last day of each  
14 month, or as soon thereafter as possible, after all the  
15 required expenditures, distributions and transfers have been  
16 made from the State Gaming Fund for the month pursuant to  
17 subsections (b) through (c-35), the Board shall transfer  
18 \$22,500,000, along with any deficiencies in such amounts from  
19 prior months, from the State Gaming Fund to the Education  
20 Assistance Fund; then the Board shall transfer the remainder  
21 of the funds generated by this Act, if any, from the State  
22 Gaming Fund to the Capital Projects Fund.

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

1 tax revenue.

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

8 (Source: P.A. 101-31, Article 25, Section 25-910, eff.  
9 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;  
10 101-648, eff. 6-30-20.)

11 Section 20. The Raffles and Poker Runs Act is amended by  
12 changing Sections 1 and 2 as follows:

13 (230 ILCS 15/1) (from Ch. 85, par. 2301)

14 Sec. 1. Definitions. For the purposes of this Act the  
15 terms defined in this Section have the meanings given them.

16 "Fire protection agency" means: (1) an agency of this  
17 State, unit of local government, or intergovernmental mutual  
18 aid entity that is vested by law or intergovernmental  
19 agreement with the duty and authority to provide public fire  
20 suppression, rescue, or emergency medical services; or (2) an  
21 organization that provides support or assistance to an agency  
22 of this State, unit of local government, or intergovernmental  
23 mutual aid entity that is vested by law or intergovernmental  
24 agreement with the duty and authority to provide public fire

1 suppression, rescue, or emergency medical services.

2 "Key location" means:

3 (1) For a poker run, the location where the poker run  
4 concludes and the prizes are awarded.

5 (2) For a raffle, the location where the winning  
6 chances in the raffle are determined.

7 "Law enforcement agency" means an agency of this State or  
8 a unit of local government in this State that is vested by law  
9 or ordinance with the duty to maintain public order and to  
10 enforce criminal laws or ordinances.

11 "Net proceeds" means the gross receipts from the conduct  
12 of raffles, less reasonable sums expended for prizes, local  
13 license fees and other operating expenses incurred as a result  
14 of operating a raffle or poker run.

15 "Poker run" means a prize-awarding event organized by an  
16 organization licensed under this Act in which participants  
17 travel to multiple predetermined locations, including a key  
18 location, to play a randomized game based on an element of  
19 chance. "Poker run" includes dice runs, marble runs, or other  
20 events where the objective is to build the best hand or highest  
21 score by obtaining an item or playing a randomized game at each  
22 location.

23 "Raffle" means a form of lottery, as defined in subsection  
24 (b) of Section 28-2 of the Criminal Code of 2012, conducted by  
25 an organization licensed under this Act, in which:

26 (1) the player pays or agrees to pay something of

1 value for a chance, represented and differentiated by a  
2 number or by a combination of numbers or by some other  
3 medium, one or more of which chances is to be designated  
4 the winning chance; and

5 (2) the winning chance is to be determined through a  
6 drawing or by some other method based on an element of  
7 chance by an act or set of acts on the part of persons  
8 conducting or connected with the lottery, except that the  
9 winning chance shall not be determined by the outcome of a  
10 publicly exhibited sporting contest.

11 "Raffle" does not include any game designed to simulate:  
12 (1) gambling games as defined in the Illinois Gambling Act,  
13 (2) any casino game approved for play by the Illinois Gaming  
14 Board, (3) any games provided by a video gaming terminal, as  
15 defined in the Video Gaming Act, or (4) a savings promotion  
16 raffle authorized under Section 5g of the Illinois Banking  
17 Act, Section 7008 of the Savings Bank Act, Section 42.7 of the  
18 Illinois Credit Union Act, Section 5136B of the National Bank  
19 Act, or Section 4 of the Home Owners' Loan Act.

20 (Source: P.A. 101-109, eff. 7-19-19; 102-558, eff. 8-20-21.)

21 (230 ILCS 15/2) (from Ch. 85, par. 2302)

22 Sec. 2. Licensing.

23 (a) The governing body of any county or municipality  
24 within this State may establish a system for the licensing of  
25 organizations to operate raffles. The governing bodies of a

1 county and one or more municipalities may, pursuant to a  
2 written contract, jointly establish a system for the licensing  
3 of organizations to operate raffles within any area of  
4 contiguous territory not contained within the corporate limits  
5 of a municipality which is not a party to such contract. The  
6 governing bodies of two or more adjacent counties or two or  
7 more adjacent municipalities located within a county may,  
8 pursuant to a written contract, jointly establish a system for  
9 the licensing of organizations to operate raffles within the  
10 corporate limits of such counties or municipalities. The  
11 licensing authority may establish special categories of  
12 licenses and promulgate rules relating to the various  
13 categories. The licensing system shall provide for limitations  
14 upon (1) the aggregate retail value of all prizes or  
15 merchandise awarded by a licensee in a single raffle, if any,  
16 (2) the maximum retail value of each prize awarded by a  
17 licensee in a single raffle, if any, (3) the maximum price  
18 which may be charged for each raffle chance issued or sold, if  
19 any, and (4) the maximum number of days during which chances  
20 may be issued or sold, if any. The licensing system may include  
21 a fee for each license in an amount to be determined by the  
22 local governing body. Licenses issued pursuant to this Act  
23 shall be valid for one raffle or for a specified number of  
24 raffles to be conducted during a specified period not to  
25 exceed one year and may be suspended or revoked for any  
26 violation of this Act. A local governing body shall act on a

1 license application within 30 days from the date of  
2 application. A county or municipality may adopt rules or  
3 ordinances for the operation of raffles that are consistent  
4 with this Act. Raffles shall be licensed by the governing body  
5 of the municipality with jurisdiction over the key location  
6 or, if no municipality has jurisdiction over the key location,  
7 then by the governing body of the county with jurisdiction  
8 over the key location. A license shall authorize the holder of  
9 such license to sell raffle chances throughout the State,  
10 including beyond the borders of the licensing municipality or  
11 county.

12 (a-5) The governing body of Cook County may and any other  
13 county within this State shall establish a system for the  
14 licensing of organizations to operate poker runs. The  
15 governing bodies of 2 or more adjacent counties may, pursuant  
16 to a written contract, jointly establish a system for the  
17 licensing of organizations to operate poker runs within the  
18 corporate limits of such counties. The licensing authority may  
19 establish special categories of licenses and adopt rules  
20 relating to the various categories. The licensing system may  
21 include a fee not to exceed \$25 for each license. Licenses  
22 issued pursuant to this Act shall be valid for one poker run or  
23 for a specified number of poker runs to be conducted during a  
24 specified period not to exceed one year and may be suspended or  
25 revoked for any violation of this Act. A local governing body  
26 shall act on a license application within 30 days after the

1 date of application.

2 (b) Raffle licenses shall be issued only: (1) to bona fide  
3 religious, charitable, labor, business, fraternal,  
4 educational, veterans', or other bona fide not-for-profit  
5 organizations that operate without profit to their members and  
6 which have been in existence continuously for a period of 5  
7 years immediately before making application for a raffle  
8 license and which have during that entire 5-year period been  
9 engaged in carrying out their objects, (2) ~~or~~ to a non-profit  
10 fundraising organization that the licensing authority  
11 determines is organized for the sole purpose of providing  
12 financial assistance to an identified individual or group of  
13 individuals suffering extreme financial hardship as the result  
14 of an illness, disability, accident, or disaster, (3) ~~or~~ to  
15 any law enforcement agencies and associations that represent  
16 law enforcement officials, or (4) to any fire protection  
17 agencies and associations that represent fire protection  
18 officials. Poker run licenses shall be issued only to bona  
19 fide religious, charitable, labor, business, fraternal,  
20 educational, veterans', or other bona fide not-for-profit  
21 organizations that operate without profit to their members and  
22 which have been in existence continuously for a period of 5  
23 years immediately before making application for a poker run  
24 license and which have during that entire 5-year period been  
25 engaged in carrying out their objects. Licenses for poker runs  
26 shall be issued for the following purposes: (i) providing

1 financial assistance to an identified individual or group of  
2 individuals suffering extreme financial hardship as the result  
3 of an illness, disability, accident, or disaster or (ii) to  
4 maintain the financial stability of the organization. A  
5 licensing authority may waive the 5-year requirement under  
6 this subsection (b) for a bona fide religious, charitable,  
7 labor, business, fraternal, educational, or veterans'  
8 organization that applies for a license to conduct a raffle or  
9 a poker run if the organization is a local organization that is  
10 affiliated with and chartered by a national or State  
11 organization that meets the 5-year requirement.

12 For purposes of this Act, the following definitions apply.  
13 Non-profit: An organization or institution organized and  
14 conducted on a not-for-profit basis with no personal profit  
15 inuring to any one as a result of the operation. Charitable: An  
16 organization or institution organized and operated to benefit  
17 an indefinite number of the public. The service rendered to  
18 those eligible for benefits must also confer some benefit on  
19 the public. Educational: An organization or institution  
20 organized and operated to provide systematic instruction in  
21 useful branches of learning by methods common to schools and  
22 institutions of learning which compare favorably in their  
23 scope and intensity with the course of study presented in  
24 tax-supported schools. Religious: Any church, congregation,  
25 society, or organization founded for the purpose of religious  
26 worship. Fraternal: An organization of persons having a common

1 interest, the primary interest of which is to both promote the  
2 welfare of its members and to provide assistance to the  
3 general public in such a way as to lessen the burdens of  
4 government by caring for those that otherwise would be cared  
5 for by the government. Veterans: An organization or  
6 association comprised of members of which substantially all  
7 are individuals who are veterans or spouses, widows, or  
8 widowers of veterans, the primary purpose of which is to  
9 promote the welfare of its members and to provide assistance  
10 to the general public in such a way as to confer a public  
11 benefit. Labor: An organization composed of workers organized  
12 with the objective of betterment of the conditions of those  
13 engaged in such pursuit and the development of a higher degree  
14 of efficiency in their respective occupations. Business: A  
15 voluntary organization composed of individuals and businesses  
16 who have joined together to advance the commercial, financial,  
17 industrial and civic interests of a community.

18 (Source: P.A. 101-109, eff. 7-19-19; 101-360, eff. 1-1-20;  
19 102-558, eff. 8-20-21.)

20 Section 30. The Video Gaming Act is amended by changing  
21 Sections 5, 25, 27, 30, 45, 50, and 65 and by adding Section 90  
22 as follows:

23 (230 ILCS 40/5)

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

1 "Board" means the Illinois Gaming Board.

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

4 "Distributor" means an individual, partnership,  
5 corporation, or limited liability company licensed under this  
6 Act to buy, sell, lease, or distribute video gaming terminals  
7 or major components or parts of video gaming terminals to or  
8 from terminal operators.

9 "Electronic card" means a card purchased from a licensed  
10 establishment, licensed fraternal establishment, licensed  
11 veterans establishment, licensed truck stop establishment, or  
12 licensed large truck stop establishment for use in that  
13 establishment as a substitute for cash in the conduct of  
14 gaming on a video gaming terminal.

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

18 "In-location bonus jackpot" means one or more video gaming  
19 terminals at a single licensed establishment that allows for  
20 wagers placed on such video gaming terminals to contribute to  
21 a cumulative maximum jackpot of up to \$10,000.

22 "Terminal operator" means an individual, partnership,  
23 corporation, or limited liability company that is licensed  
24 under this Act and that owns, services, and maintains video  
25 gaming terminals for placement in licensed establishments,  
26 licensed truck stop establishments, licensed large truck stop

1 establishments, licensed fraternal establishments, or licensed  
2 veterans establishments.

3 "Licensed technician" means an individual who is licensed  
4 under this Act to repair, service, and maintain video gaming  
5 terminals.

6 "Licensed terminal handler" means a person, including but  
7 not limited to an employee or independent contractor working  
8 for a manufacturer, distributor, supplier, technician, or  
9 terminal operator, who is licensed under this Act to possess  
10 or control a video gaming terminal or to have access to the  
11 inner workings of a video gaming terminal. A licensed terminal  
12 handler does not include an individual, partnership,  
13 corporation, or limited liability company defined as a  
14 manufacturer, distributor, supplier, technician, or terminal  
15 operator under this Act.

16 "Manufacturer" means an individual, partnership,  
17 corporation, or limited liability company that is licensed  
18 under this Act and that manufactures or assembles video gaming  
19 terminals.

20 "Supplier" means an individual, partnership, corporation,  
21 or limited liability company that is licensed under this Act  
22 to supply major components or parts to video gaming terminals  
23 to licensed terminal operators.

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

26 "Video gaming terminal" means any electronic video game

1 machine that, upon insertion of cash, electronic cards or  
2 vouchers, or any combination thereof, is available to play or  
3 simulate the play of a video game, including but not limited to  
4 video poker, line up, and blackjack, as authorized by the  
5 Board utilizing a video display and microprocessors in which  
6 the player may receive free games or credits that can be  
7 redeemed for cash. The term does not include a machine that  
8 directly dispenses coins, cash, or tokens or is for amusement  
9 purposes only.

10 "Licensed establishment" means any licensed retail  
11 establishment where alcoholic liquor is drawn, poured, mixed,  
12 or otherwise served for consumption on the premises, whether  
13 the establishment operates on a nonprofit or for-profit basis.

14 "Licensed establishment" includes any such establishment that  
15 has a contractual relationship with an inter-track wagering  
16 location licensee licensed under the Illinois Horse Racing Act  
17 of 1975, provided any contractual relationship shall not  
18 include any transfer or offer of revenue from the operation of  
19 video gaming under this Act to any licensee licensed under the  
20 Illinois Horse Racing Act of 1975. Provided, however, that the  
21 licensed establishment that has such a contractual  
22 relationship with an inter-track wagering location licensee  
23 may not, itself, be (i) an inter-track wagering location  
24 licensee, (ii) the corporate parent or subsidiary of any  
25 licensee licensed under the Illinois Horse Racing Act of 1975,  
26 or (iii) the corporate subsidiary of a corporation that is

1 also the corporate parent or subsidiary of any licensee  
2 licensed under the Illinois Horse Racing Act of 1975.  
3 "Licensed establishment" does not include a facility operated  
4 by an organization licensee, an inter-track wagering licensee,  
5 or an inter-track wagering location licensee licensed under  
6 the Illinois Horse Racing Act of 1975 or a riverboat licensed  
7 under the Illinois Gambling Act, except as provided in this  
8 paragraph. The changes made to this definition by Public Act  
9 98-587 are declarative of existing law.

10 "Licensed fraternal establishment" means the location  
11 where a qualified fraternal organization that derives its  
12 charter from a national fraternal organization regularly  
13 meets.

14 "Licensed veterans establishment" means the location where  
15 a qualified veterans organization that derives its charter  
16 from a national veterans organization regularly meets.

17 "Licensed truck stop establishment" means a facility (i)  
18 that is at least a 3-acre facility with a convenience store,  
19 (ii) with separate diesel islands for fueling commercial motor  
20 vehicles, (iii) that sells at retail more than 10,000 gallons  
21 of diesel or biodiesel fuel per month, and (iv) with parking  
22 spaces for commercial motor vehicles. "Commercial motor  
23 vehicles" has the same meaning as defined in Section 18b-101  
24 of the Illinois Vehicle Code. The requirement of item (iii) of  
25 this paragraph may be met by showing that estimated future  
26 sales or past sales average at least 10,000 gallons per month.

1 "Licensed large truck stop establishment" means a facility  
2 located within 3 road miles from a freeway interchange, as  
3 measured in accordance with the Department of Transportation's  
4 rules regarding the criteria for the installation of business  
5 signs: (i) that is at least a 3-acre facility with a  
6 convenience store, (ii) with separate diesel islands for  
7 fueling commercial motor vehicles, (iii) that sells at retail  
8 more than 50,000 gallons of diesel or biodiesel fuel per  
9 month, and (iv) with parking spaces for commercial motor  
10 vehicles. "Commercial motor vehicles" has the same meaning as  
11 defined in Section 18b-101 of the Illinois Vehicle Code. The  
12 requirement of item (iii) of this paragraph may be met by  
13 showing that estimated future sales or past sales average at  
14 least 50,000 gallons per month.

15 "Sales agent and broker" means an individual, partnership,  
16 corporation, limited liability company, or other business  
17 entity engaged in the solicitation or receipt of business from  
18 current or potential licensed establishments, licensed  
19 fraternal establishments, licensed veterans establishments,  
20 licensed truck stop establishments, or licensed large truck  
21 stop establishments either on an employment or contractual  
22 basis.

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

24 (230 ILCS 40/25)

25 Sec. 25. Restriction of licensees.

1           (a) Manufacturer. A person may not be licensed as a  
2 manufacturer of a video gaming terminal in Illinois unless the  
3 person has a valid manufacturer's license issued under this  
4 Act. A manufacturer may only sell video gaming terminals for  
5 use in Illinois to persons having a valid distributor's  
6 license.

7           (b) Distributor. A person may not sell, distribute, or  
8 lease or market a video gaming terminal in Illinois unless the  
9 person has a valid distributor's license issued under this  
10 Act. A distributor may only sell video gaming terminals for  
11 use in Illinois to persons having a valid distributor's or  
12 terminal operator's license.

13           (c) Terminal operator. A person may not own, maintain, or  
14 place a video gaming terminal unless he has a valid terminal  
15 operator's license issued under this Act. A terminal operator  
16 may only place video gaming terminals for use in Illinois in  
17 licensed establishments, licensed truck stop establishments,  
18 licensed large truck stop establishments, licensed fraternal  
19 establishments, and licensed veterans establishments. No  
20 terminal operator may give anything of value, including but  
21 not limited to a loan or financing arrangement, to a licensed  
22 establishment, licensed truck stop establishment, licensed  
23 large truck stop establishment, licensed fraternal  
24 establishment, or licensed veterans establishment as any  
25 incentive or inducement to locate video terminals in that  
26 establishment. Of the after-tax profits from a video gaming

1 terminal, 50% shall be paid to the terminal operator and 50%  
2 shall be paid to the licensed establishment, licensed truck  
3 stop establishment, licensed large truck stop establishment,  
4 licensed fraternal establishment, or licensed veterans  
5 establishment, notwithstanding any agreement to the contrary.  
6 A video terminal operator that violates one or more  
7 requirements of this subsection is guilty of a Class 4 felony  
8 and is subject to termination of his or her license by the  
9 Board.

10 (d) Licensed technician. A person may not service,  
11 maintain, or repair a video gaming terminal in this State  
12 unless he or she (1) has a valid technician's license issued  
13 under this Act, (2) is a terminal operator, or (3) is employed  
14 by a terminal operator, distributor, or manufacturer.

15 (d-5) Licensed terminal handler. No person, including, but  
16 not limited to, an employee or independent contractor working  
17 for a manufacturer, distributor, supplier, technician, or  
18 terminal operator licensed pursuant to this Act, shall have  
19 possession or control of a video gaming terminal, or access to  
20 the inner workings of a video gaming terminal, unless that  
21 person possesses a valid terminal handler's license issued  
22 under this Act.

23 (d-10) Solicitation of use agreements. A person may not  
24 solicit the signing of a use agreement on behalf of a terminal  
25 operator or enter into a use agreement as agent of a terminal  
26 operator unless that person either has a valid sales agent and

1 broker license issued under this Act or owns, manages, or  
2 significantly influences or controls the terminal operator.

3 (e) Licensed establishment. No video gaming terminal may  
4 be placed in any licensed establishment, licensed veterans  
5 establishment, licensed truck stop establishment, licensed  
6 large truck stop establishment, or licensed fraternal  
7 establishment unless the owner or agent of the owner of the  
8 licensed establishment, licensed veterans establishment,  
9 licensed truck stop establishment, licensed large truck stop  
10 establishment, or licensed fraternal establishment has entered  
11 into a written use agreement with the terminal operator for  
12 placement of the terminals. A copy of the use agreement shall  
13 be on file in the terminal operator's place of business and  
14 available for inspection by individuals authorized by the  
15 Board. A licensed establishment, licensed truck stop  
16 establishment, licensed veterans establishment, or licensed  
17 fraternal establishment may operate up to 6 video gaming  
18 terminals on its premises at any time. A licensed large truck  
19 stop establishment may operate up to 10 video gaming terminals  
20 on its premises at any time.

21 (f) (Blank).

22 (g) Financial interest restrictions. As used in this Act,  
23 "substantial interest" in a partnership, a corporation, an  
24 organization, an association, a business, or a limited  
25 liability company means:

26 (A) When, with respect to a sole proprietorship, an

1 individual or his or her spouse owns, operates, manages,  
2 or conducts, directly or indirectly, the organization,  
3 association, or business, or any part thereof; or

4 (B) When, with respect to a partnership, the  
5 individual or his or her spouse shares in any of the  
6 profits, or potential profits, of the partnership  
7 activities; or

8 (C) When, with respect to a corporation, an individual  
9 or his or her spouse is an officer or director, or the  
10 individual or his or her spouse is a holder, directly or  
11 beneficially, of 5% or more of any class of stock of the  
12 corporation; or

13 (D) When, with respect to an organization not covered  
14 in (A), (B) or (C) above, an individual or his or her  
15 spouse is an officer or manages the business affairs, or  
16 the individual or his or her spouse is the owner of or  
17 otherwise controls 10% or more of the assets of the  
18 organization; or

19 (E) When an individual or his or her spouse furnishes  
20 5% or more of the capital, whether in cash, goods, or  
21 services, for the operation of any business, association,  
22 or organization during any calendar year; or

23 (F) When, with respect to a limited liability company,  
24 an individual or his or her spouse is a member, or the  
25 individual or his or her spouse is a holder, directly or  
26 beneficially, of 5% or more of the membership interest of

1 the limited liability company.

2 For purposes of this subsection (g), "individual" includes  
3 all individuals or their spouses whose combined interest would  
4 qualify as a substantial interest under this subsection (g)  
5 and whose activities with respect to an organization,  
6 association, or business are so closely aligned or coordinated  
7 as to constitute the activities of a single entity.

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

1 licensed large truck stop establishment, licensed fraternal  
2 establishment, or licensed veterans establishment obtains its  
3 original liquor license. For the purpose of this subsection,  
4 "school" means an elementary or secondary public school, or an  
5 elementary or secondary private school registered with or  
6 recognized by the State Board of Education.

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

20 (h-5) Restrictions on licenses in malls. The Board shall  
21 not grant an application to become a licensed video gaming  
22 location if the Board determines that granting the application  
23 would more likely than not cause a terminal operator,  
24 individually or in combination with other terminal operators,  
25 licensed video gaming location, or other person or entity, to  
26 operate the video gaming terminals in 2 or more licensed video

1 gaming locations as a single video gaming operation.

2 (1) In making determinations under this subsection  
3 (h-5), factors to be considered by the Board shall  
4 include, but not be limited to, the following:

5 (A) the physical aspects of the location;

6 (B) the ownership, control, or management of the  
7 location;

8 (C) any arrangements, understandings, or  
9 agreements, written or otherwise, among or involving  
10 any persons or entities that involve the conducting of  
11 any video gaming business or the sharing of costs or  
12 revenues; and

13 (D) the manner in which any terminal operator or  
14 other related entity markets, advertises, or otherwise  
15 describes any location or locations to any other  
16 person or entity or to the public.

17 (2) The Board shall presume, subject to rebuttal, that  
18 the granting of an application to become a licensed video  
19 gaming location within a mall will cause a terminal  
20 operator, individually or in combination with other  
21 persons or entities, to operate the video gaming terminals  
22 in 2 or more licensed video gaming locations as a single  
23 video gaming operation if the Board determines that  
24 granting the license would create a local concentration of  
25 licensed video gaming locations.

26 For the purposes of this subsection (h-5):

1 "Mall" means a building, or adjoining or connected  
2 buildings, containing 4 or more separate locations.

3 "Video gaming operation" means the conducting of video  
4 gaming and all related activities.

5 "Location" means a space within a mall containing a  
6 separate business, a place for a separate business, or a place  
7 subject to a separate leasing arrangement by the mall owner.

8 "Licensed video gaming location" means a licensed  
9 establishment, licensed fraternal establishment, licensed  
10 veterans establishment, licensed truck stop establishment, or  
11 licensed large truck stop.

12 "Local concentration of licensed video gaming locations"  
13 means that the combined number of licensed video gaming  
14 locations within a mall exceed half of the separate locations  
15 within the mall.

16 (i) Undue economic concentration. In addition to  
17 considering all other requirements under this Act, in deciding  
18 whether to approve the operation of video gaming terminals by  
19 a terminal operator in a location, the Board shall consider  
20 the impact of any economic concentration of such operation of  
21 video gaming terminals. The Board shall not allow a terminal  
22 operator to operate video gaming terminals if the Board  
23 determines such operation will result in undue economic  
24 concentration. For purposes of this Section, "undue economic  
25 concentration" means that a terminal operator would have such  
26 actual or potential influence over video gaming terminals in

1 Illinois as to:

2 (1) substantially impede or suppress competition among  
3 terminal operators;

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

6 (3) negatively impact the purposes of the Video Gaming  
7 Act.

8 The Board shall adopt rules concerning undue economic  
9 concentration with respect to the operation of video gaming  
10 terminals in Illinois. The rules shall include, but not be  
11 limited to, (i) limitations on the number of video gaming  
12 terminals operated by any terminal operator within a defined  
13 geographic radius and (ii) guidelines on the discontinuation  
14 of operation of any such video gaming terminals the Board  
15 determines will cause undue economic concentration.

16 (j) The provisions of the Illinois Antitrust Act are fully  
17 and equally applicable to the activities of any licensee under  
18 this Act.

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

20 (230 ILCS 40/27)

21 Sec. 27. Prohibition of video gaming by political  
22 subdivision.

23 (a) A municipality may pass an ordinance prohibiting video  
24 gaming within the corporate limits of the municipality. A  
25 county board may, for the unincorporated area of the county,

1 pass an ordinance prohibiting video gaming within the  
2 unincorporated area of the county.

3 (b) On and after July 1, 2022, a qualified fraternal  
4 organization that derives its charter from a national  
5 fraternal organization and a qualified veterans organization  
6 that derives its charter from a national veterans organization  
7 shall be eligible to apply to the Board for a license allowing  
8 video gaming as a licensed fraternal establishment or a  
9 licensed veterans establishment if the proposed fraternal  
10 establishment or veterans establishment is located in:

11 (1) a municipality having a population of not more  
12 than 1,000,000 that has enacted an ordinance prohibiting  
13 video gaming within the corporate limits; or

14 (2) a county having a population of not more than  
15 1,000,000 that has enacted an ordinance prohibiting video  
16 gaming within the unincorporated area of the county.

17 If the license is granted by the Board, then the licensed  
18 fraternal establishment or licensed veterans establishment may  
19 operate video gaming terminals pursuant to this Act.

20 (Source: P.A. 96-34, eff. 7-13-09.)

21 (230 ILCS 40/30)

22 Sec. 30. Multiple types of licenses prohibited. A video  
23 gaming terminal manufacturer may not be licensed as a video  
24 gaming terminal operator or own, manage, or control a licensed  
25 establishment, licensed truck stop establishment, licensed

1 large truck stop establishment, licensed fraternal  
2 establishment, or licensed veterans establishment, and shall  
3 be licensed to sell only to persons having a valid  
4 distributor's license or, if the manufacturer also holds a  
5 valid distributor's license, to sell, distribute, lease, or  
6 market to persons having a valid terminal operator's license.  
7 A video gaming terminal distributor may not be licensed as a  
8 video gaming terminal operator or own, manage, or control a  
9 licensed establishment, licensed truck stop establishment,  
10 licensed large truck stop establishment, licensed fraternal  
11 establishment, or licensed veterans establishment, and shall  
12 only contract with a licensed terminal operator. A video  
13 gaming terminal operator may not be licensed as a video gaming  
14 terminal manufacturer or distributor or own, manage, or  
15 control a licensed establishment, licensed truck stop  
16 establishment, licensed large truck stop establishment,  
17 licensed fraternal establishment, or licensed veterans  
18 establishment, and shall be licensed only to contract with  
19 licensed distributors and licensed establishments, licensed  
20 truck stop establishments, licensed large truck stop  
21 establishments, licensed fraternal establishments, and  
22 licensed veterans establishments. An owner or manager of a  
23 licensed establishment, licensed truck stop establishment,  
24 licensed large truck stop establishment, licensed fraternal  
25 establishment, or licensed veterans establishment may not be  
26 licensed as a video gaming terminal manufacturer, distributor,

1 or operator, and shall only contract with a licensed operator  
2 to place and service this equipment. A sales agent and broker  
3 may not be licensed as a manufacturer, distributor, supplier,  
4 licensed establishment, licensed fraternal establishment,  
5 licensed veterans establishment, licensed truck stop  
6 establishment, or licensed large truck stop establishment.

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

8 (230 ILCS 40/45)

9 Sec. 45. Issuance of license.

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

19 (a-5) The Board shall not grant a license to a person who  
20 has facilitated, enabled, or participated in the use of  
21 coin-operated devices for gambling purposes or who is under  
22 the significant influence or control of such a person. For the  
23 purposes of this Act, "facilitated, enabled, or participated  
24 in the use of coin-operated amusement devices for gambling  
25 purposes" means that the person has been convicted of any

1 violation of Article 28 of the Criminal Code of 1961 or the  
2 Criminal Code of 2012. If there is pending legal action  
3 against a person for any such violation, then the Board shall  
4 delay the licensure of that person until the legal action is  
5 resolved.

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

25 (c) Each person seeking and possessing a license as a  
26 video gaming terminal manufacturer, distributor, supplier,

1 operator, handler, licensed establishment, licensed truck stop  
2 establishment, licensed large truck stop establishment,  
3 licensed fraternal establishment, or licensed veterans  
4 establishment shall disclose the identity of every person,  
5 association, trust, corporation, or limited liability company  
6 having a greater than 1% direct or indirect pecuniary interest  
7 in the video gaming terminal operation for which the license  
8 is sought. If the disclosed entity is a trust, the application  
9 shall disclose the names and addresses of the beneficiaries;  
10 if a corporation, the names and addresses of all stockholders  
11 and directors; if a limited liability company, the names and  
12 addresses of all members; or if a partnership, the names and  
13 addresses of all partners, both general and limited.

14 (d) No person may be licensed as a video gaming terminal  
15 manufacturer, distributor, supplier, operator, handler,  
16 licensed establishment, licensed truck stop establishment,  
17 licensed large truck stop establishment, licensed fraternal  
18 establishment, or licensed veterans establishment if that  
19 person has been found by the Board to:

20 (1) have a background, including a criminal record,  
21 reputation, habits, social or business associations, or  
22 prior activities that pose a threat to the public  
23 interests of the State or to the security and integrity of  
24 video gaming;

25 (2) create or enhance the dangers of unsuitable,  
26 unfair, or illegal practices, methods, and activities in

1 the conduct of video gaming; or

2 (3) present questionable business practices and  
3 financial arrangements incidental to the conduct of video  
4 gaming activities.

5 (e) Any applicant for any license under this Act has the  
6 burden of proving his or her qualifications to the  
7 satisfaction of the Board. The Board may adopt rules to  
8 establish additional qualifications and requirements to  
9 preserve the integrity and security of video gaming in this  
10 State.

11 (f) A non-refundable application fee shall be paid at the  
12 time an application for a license is filed with the Board in  
13 the following amounts:

- 14 (1) Manufacturer ..... \$5,000
- 15 (2) Distributor..... \$5,000
- 16 (3) Terminal operator ..... \$5,000
- 17 (4) Supplier ..... \$2,500
- 18 (5) Technician ..... \$100
- 19 (6) Terminal Handler ..... \$100
- 20 (7) Licensed establishment, licensed truck stop  
21 establishment, licensed large truck stop establishment,  
22 licensed fraternal establishment, or licensed  
23 veterans establishment ..... \$100
- 24 (8) Sales agent and broker ..... \$100

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

1	(1) Manufacturer .....	\$10,000
2	(2) Distributor.....	\$10,000
3	(3) Terminal operator .....	\$5,000
4	(4) Supplier .....	\$2,000
5	(5) Technician .....	\$100
6	(6) Licensed establishment, licensed truck stop	
7	establishment, licensed large truck stop establishment,	
8	licensed fraternal establishment, or licensed	
9	veterans establishment .....	\$100
10	(7) Video gaming terminal .....	\$100
11	(8) Terminal Handler .....	\$100
12	<u>(9) Sales agent and broker .....</u>	<u>\$100</u>

13 (h) A terminal operator and a licensed establishment,  
 14 licensed truck stop establishment, licensed large truck stop  
 15 establishment, licensed fraternal establishment, or licensed  
 16 veterans establishment shall equally split the fees specified  
 17 in item (7) of subsection (g).

18 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

19 (230 ILCS 40/50)

20 Sec. 50. Distribution of license fees.

21 (a) All fees collected under Section 45 shall be deposited  
 22 into the State Gaming Fund.

23 (b) Fees collected under Section 45 shall be used as  
 24 follows:

25 (1) Twenty-five percent shall be paid, subject to

1 appropriation by the General Assembly, to the Department  
2 of Human Services for administration of programs for the  
3 treatment of compulsive gambling.

4 (2) Seventy-five percent shall be used for the  
5 administration of this Act.

6 (c) All initial terminal handler, technician, sales agent  
7 and broker, licensed establishment, licensed truck stop  
8 establishment, licensed large truck establishment, licensed  
9 fraternal establishment, and licensed fraternal establishment  
10 licenses issued by the Board under this Act shall be issued for  
11 2 years and are renewable for additional 2-year periods  
12 annually unless sooner cancelled or terminated. Except as  
13 provided by Section 8.1 of the Illinois Gambling Act, all  
14 initial manufacturer, distributor, supplier, and terminal  
15 operator licenses issued by the Board under this Act shall be  
16 issued for 4 years and are renewable for additional 4-year  
17 periods unless sooner cancelled or terminated. No license  
18 issued under this Act is transferable or assignable.

19 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

20 (230 ILCS 40/65)

21 Sec. 65. Fees. ~~A Except as provided in this Section, a~~  
22 non-home rule unit of government may not impose any fee for the  
23 operation of a video gaming terminal in excess of \$250 ~~\$25~~ per  
24 year. ~~The City of Rockford may not impose any fee for the~~  
25 ~~operation of a video gaming terminal in excess of \$250 per~~

1 ~~year.~~

2 The cost of any fee imposed under this Section by any home  
3 rule unit of government or non-home rule unit of government  
4 shall be shared equally between the terminal operator and the  
5 applicable licensed establishment, licensed veterans  
6 establishment, licensed truck stop establishment, licensed  
7 large truck stop establishment, or licensed fraternal  
8 establishment under this Act.

9 (Source: P.A. 101-337, eff. 1-1-20.)

10 (230 ILCS 40/90 new)

11 Sec. 90. Regulation by State.

12 (a) The licensure, registration, and regulation of  
13 manufacturers, distributors, terminal operators, licensed  
14 technicians, licensed terminal handlers, licensed  
15 establishments, licensed veterans establishments, licensed  
16 truck stop establishments, licensed large truck stop  
17 establishments, and licensed fraternal establishments under  
18 this Act, and the imposition of fees and other charges under  
19 this Act in connection with such licensure, registration, and  
20 regulation, are powers and functions of the State. No non-home  
21 rule unit may license, register, or otherwise regulate, or  
22 impose any type of fee or any other charge upon, a  
23 manufacturer, distributor, terminal operator, licensed  
24 technician, licensed terminal handler, licensed establishment,  
25 licensed veterans establishment, licensed truck stop

1 establishment, licensed large truck stop establishment, or  
2 licensed fraternal establishment.

3 (b) The licensure, registration, and regulation of video  
4 gaming terminals under this Act are powers and functions of  
5 the State. No non-home rule unit may license, register, or  
6 otherwise regulate video gaming terminals.

7 (c) No home rule municipality or non-home rule unit may  
8 impose any type of tax upon a: (i) manufacturer, distributor,  
9 terminal operator, licensed technician, licensed terminal  
10 handler, licensed establishment, licensed veterans  
11 establishment, licensed truck stop establishment, licensed  
12 large truck stop establishment, or licensed fraternal  
13 establishment or their respective authorized activities under  
14 this Act; (ii) video gaming terminal; (iii) user or player of  
15 any video gaming terminals; or (iv) other use, play, or  
16 operation of video gaming terminals authorized under this Act  
17 by any person or entity. This subsection (c) is a denial and  
18 limitation of home rule powers and functions under subsection  
19 (g) of Section 6 of Article VII of the Illinois Constitution.

20 (d) Any home rule municipality that has adopted an  
21 ordinance imposing an amusement tax on persons who participate  
22 in the playing of video gaming terminals on or before November  
23 1, 2021 may continue to impose such amusement tax pursuant to  
24 such ordinance but shall not increase, expand, or extend the  
25 tax or tax rate on such persons participating in playing video  
26 gaming terminals in excess of that tax or rate set forth in

1 such ordinance and shall not otherwise impose any other tax  
2 upon any entity or person identified in subsection (c). This  
3 subsection (d) is a denial and limitation of home rule powers  
4 and functions under subsection (g) of Section 6 of Article VII  
5 of the Illinois Constitution.

6 Section 35. The Sports Wagering Act is amended by changing  
7 Sections 25-10, 25-15, 25-25, 25-30, 25-35, 25-40, and 25-50  
8 as follows:

9 (230 ILCS 45/25-10)

10 Sec. 25-10. Definitions. As used in this Act:

11 "Adjusted gross sports wagering receipts" means a master  
12 sports wagering licensee's gross sports wagering receipts,  
13 less winnings paid to wagerers in such games.

14 "Athlete" means any current or former professional athlete  
15 or collegiate athlete.

16 "Board" means the Illinois Gaming Board.

17 "Covered persons" includes athletes; umpires, referees,  
18 and officials; personnel associated with clubs, teams,  
19 leagues, and athletic associations; medical professionals  
20 (including athletic trainers) who provide services to athletes  
21 and players; and the family members and associates of these  
22 persons where required to serve the purposes of this Act.

23 "Department" means the Department of the Lottery.

24 "Gaming facility" means a facility at which gambling

1 operations are conducted under the Illinois Gambling Act,  
2 pari-mutuel wagering is conducted under the Illinois Horse  
3 Racing Act of 1975, or sports wagering is conducted under this  
4 Act.

5 "Official league data" means statistics, results,  
6 outcomes, and other data related to a sports event obtained  
7 pursuant to an agreement with the relevant sports governing  
8 body, or an entity expressly authorized by the sports  
9 governing body to provide such information to licensees, that  
10 authorizes the use of such data for determining the outcome of  
11 tier 2 sports wagers on such sports events.

12 "Organization licensee" has the meaning given to that term  
13 in the Illinois Horse Racing Act of 1975.

14 "Owners licensee" means the holder of an owners license  
15 under the Illinois Gambling Act.

16 "Person" means an individual, partnership, committee,  
17 association, corporation, or any other organization or group  
18 of persons.

19 "Personal biometric data" means an athlete's information  
20 derived from DNA, heart rate, blood pressure, perspiration  
21 rate, internal or external body temperature, hormone levels,  
22 glucose levels, hydration levels, vitamin levels, bone  
23 density, muscle density, and sleep patterns.

24 "Prohibited conduct" includes any statement, action, and  
25 other communication intended to influence, manipulate, or  
26 control a betting outcome of a sporting contest or of any

1 individual occurrence or performance in a sporting contest in  
2 exchange for financial gain or to avoid financial or physical  
3 harm. "Prohibited conduct" includes statements, actions, and  
4 communications made to a covered person by a third party, such  
5 as a family member or through social media. "Prohibited  
6 conduct" does not include statements, actions, or  
7 communications made or sanctioned by a team or sports  
8 governing body.

9 "Qualified applicant" means an applicant for a license  
10 under this Act whose application meets the mandatory minimum  
11 qualification criteria as required by the Board.

12 "Sporting contest" means a sports event or game on which  
13 the State allows sports wagering to occur under this Act.

14 "Sports event" means a professional sport or athletic  
15 event, a collegiate sport or athletic event, a motor race  
16 event, or any other event or competition of relative skill  
17 authorized by the Board under this Act.

18 "Sports facility" means a facility that hosts sports  
19 events and holds a seating capacity greater than 17,000  
20 persons, except in a county with a population of more than  
21 1,000,000, a seating capacity greater than 10,000 persons.

22 "Sports governing body" means the organization that  
23 prescribes final rules and enforces codes of conduct with  
24 respect to a sports event and participants therein.

25 "Sports wagering" means accepting wagers on sports events  
26 or portions of sports events, or on the individual performance

1 statistics of athletes in a sports event or combination of  
2 sports events, by any system or method of wagering, including,  
3 but not limited to, in person or over the Internet through  
4 websites and on mobile devices. "Sports wagering" includes,  
5 but is not limited to, single-game bets, teaser bets, parlays,  
6 over-under, moneyline, pools, exchange wagering, in-game  
7 wagering, in-play bets, proposition bets, and straight bets.

8 "Sports wagering account" means a financial record  
9 established by a master sports wagering licensee for an  
10 individual patron in which the patron may deposit and withdraw  
11 funds for sports wagering and other authorized purchases and  
12 to which the master sports wagering licensee may credit  
13 winnings or other amounts due to that patron or authorized by  
14 that patron.

15 "Tier 1 sports wager" means a sports wager that is  
16 determined solely by the final score or final outcome of the  
17 sports event and is placed before the sports event has begun.

18 "Tier 2 sports wager" means a sports wager that is not a  
19 tier 1 sports wager.

20 "Wager" means a sum of money or thing of value risked on an  
21 uncertain occurrence.

22 "Winning bidder" means a qualified applicant for a master  
23 sports wagering license chosen through the competitive  
24 selection process under Section 25-45.

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

1 (230 ILCS 45/25-15)

2 Sec. 25-15. Board duties and powers.

3 (a) Except for sports wagering conducted under Section  
4 25-70, the Board shall have the authority to regulate the  
5 conduct of sports wagering under this Act.

6 (b) The Board may adopt any rules the Board considers  
7 necessary for the successful implementation, administration,  
8 and enforcement of this Act, except for Section 25-70. Rules  
9 proposed by the Board may be adopted as emergency rules  
10 pursuant to Section 5-45 of the Illinois Administrative  
11 Procedure Act.

12 (c) The Board shall levy and collect all fees, surcharges,  
13 civil penalties, and monthly taxes on adjusted gross sports  
14 wagering receipts imposed by this Act and deposit all moneys  
15 into the Sports Wagering Fund, except as otherwise provided  
16 under this Act.

17 (d) The Board may exercise any other powers necessary to  
18 enforce the provisions of this Act that it regulates and the  
19 rules of the Board.

20 (e) The Board shall adopt rules for a license to be  
21 employed by a master sports wagering licensee when the  
22 employee works in a designated gaming area that has sports  
23 wagering or performs duties in furtherance of or associated  
24 with the operation of sports wagering by the master sports  
25 wagering licensee (occupational license), which shall require  
26 an annual license fee of \$250. However, occupational licenses

1 issued under the Illinois Gambling Act for employees of an  
2 owners license or organization gaming licensee, once granted,  
3 are considered equivalent licenses to work in sports wagering  
4 positions located at the same gaming facility. License fees  
5 shall be deposited into the State Gaming Fund and used for the  
6 administration of this Act.

7 (f) The Board may require that licensees share, in real  
8 time and at the sports wagering account level, information  
9 regarding a wagerer, amount and type of wager, the time the  
10 wager was placed, the location of the wager, including the  
11 Internet protocol address, if applicable, the outcome of the  
12 wager, and records of abnormal wagering activity. Information  
13 shared under this subsection (f) must be submitted in the form  
14 and manner as required by rule. If a sports governing body has  
15 notified the Board that real-time information sharing for  
16 wagers placed on its sports events is necessary and desirable,  
17 licensees may share the same information in the form and  
18 manner required by the Board by rule with the sports governing  
19 body or its designee with respect to wagers on its sports  
20 events subject to applicable federal, State, or local laws or  
21 regulations, including, without limitation, privacy laws and  
22 regulations. Such information may be provided in anonymized  
23 form and may be used by a sports governing body solely for  
24 integrity purposes. For purposes of this subsection (f),  
25 "real-time" means a commercially reasonable periodic interval.

26 (g) A master sports wagering licensee, professional sports

1 team, league, or association, sports governing body, or  
2 institution of higher education may submit to the Board in  
3 writing a request to prohibit a type or form of wagering if the  
4 master sports wagering licensee, professional sports team,  
5 league, or association, sports governing body, or institution  
6 of higher education believes that such wagering by type or  
7 form is contrary to public policy, unfair to consumers, or  
8 affects the integrity of a particular sport or the sports  
9 betting industry. The Board shall grant the request upon a  
10 demonstration of good cause from the requester and  
11 consultation with licensees. The Board shall respond to a  
12 request pursuant to this subsection (g) concerning a  
13 particular event before the start of the event or, if it is not  
14 feasible to respond before the start of the event, as soon as  
15 practicable.

16 (h) The Board and master sports wagering licensees may  
17 cooperate with investigations conducted by sports governing  
18 bodies or law enforcement agencies, including, but not limited  
19 to, providing and facilitating the provision of account-level  
20 betting information and audio or video files relating to  
21 persons placing wagers.

22 (i) A master sports wagering licensee shall make  
23 commercially reasonable efforts to promptly notify the Board  
24 any information relating to:

25 (1) criminal or disciplinary proceedings commenced  
26 against the master sports wagering licensee in connection

1 with its operations;

2 (2) abnormal wagering activity or patterns that may  
3 indicate a concern with the integrity of a sports event or  
4 sports events;

5 (3) any potential breach of the relevant sports  
6 governing body's internal rules and codes of conduct  
7 pertaining to sports wagering that a licensee has  
8 knowledge of;

9 (4) any other conduct that corrupts a wagering outcome  
10 of a sports event or sports events for purposes of  
11 financial gain, including match fixing; and

12 (5) suspicious or illegal wagering activities,  
13 including use of funds derived from illegal activity,  
14 wagers to conceal or launder funds derived from illegal  
15 activity, using agents to place wagers, and using false  
16 identification.

17 A master sports wagering licensee shall also make  
18 commercially reasonable efforts to promptly report information  
19 relating to conduct described in paragraphs (2), (3), and (4)  
20 of this subsection (i) to the relevant sports governing body.

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

22 (230 ILCS 45/25-25)

23 Sec. 25-25. Sports wagering authorized.

24 (a) Notwithstanding any provision of law to the contrary,  
25 the operation of sports wagering is only lawful when conducted

1 in accordance with the provisions of this Act and the rules of  
2 the Illinois Gaming Board and the Department of the Lottery.

3 (b) A person placing a wager under this Act shall be at  
4 least 21 years of age.

5 (c) A licensee under this Act may not accept a wager on a  
6 minor league sports event.

7 (d) Except as otherwise provided in this Section, a ~~A~~  
8 licensee under this Act may not accept a wager for a sports  
9 event involving an Illinois collegiate team.

10 (d-5) Beginning on the effective date of this amendatory  
11 Act of the 102nd General Assembly until July 1, 2023, a  
12 licensee under this Act may accept a wager for a sports event  
13 involving an Illinois collegiate team if:

14 (1) the wager is a tier 1 wager;

15 (2) the wager is not related to an individual  
16 athlete's performance; and

17 (3) the wager is made in person instead of over the  
18 Internet or through a mobile application.

19 (e) A licensee under this Act may only accept a wager from  
20 a person physically located in the State.

21 (f) Master sports wagering licensees may use any data  
22 source for determining the results of all tier 1 sports  
23 wagers.

24 (g) A sports governing body headquartered in the United  
25 States may notify the Board that it desires to supply official  
26 league data to master sports wagering licensees for

1 determining the results of tier 2 sports wagers. Such  
2 notification shall be made in the form and manner as the Board  
3 may require. If a sports governing body does not notify the  
4 Board of its desire to supply official league data, a master  
5 sports wagering licensee may use any data source for  
6 determining the results of any and all tier 2 sports wagers on  
7 sports contests for that sports governing body.

8 Within 30 days of a sports governing body notifying the  
9 Board, master sports wagering licensees shall use only  
10 official league data to determine the results of tier 2 sports  
11 wagers on sports events sanctioned by that sports governing  
12 body, unless: (1) the sports governing body or designee cannot  
13 provide a feed of official league data to determine the  
14 results of a particular type of tier 2 sports wager, in which  
15 case master sports wagering licensees may use any data source  
16 for determining the results of the applicable tier 2 sports  
17 wager until such time as such data feed becomes available on  
18 commercially reasonable terms; or (2) a master sports wagering  
19 licensee can demonstrate to the Board that the sports  
20 governing body or its designee cannot provide a feed of  
21 official league data to the master sports wagering licensee on  
22 commercially reasonable terms. During the pendency of the  
23 Board's determination, such master sports wagering licensee  
24 may use any data source for determining the results of any and  
25 all tier 2 sports wagers.

26 (h) A licensee under this Act may not accept wagers on a

1 kindergarten through 12th grade sports event.

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

3 (230 ILCS 45/25-30)

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

6 (a) An organization licensee may apply to the Board for a  
7 master sports wagering license. To the extent permitted by  
8 federal and State law, the Board shall actively seek to  
9 achieve racial, ethnic, and geographic diversity when issuing  
10 master sports wagering licenses to organization licensees and  
11 encourage minority-owned businesses, women-owned businesses,  
12 veteran-owned businesses, and businesses owned by persons with  
13 disabilities to apply for licensure. Additionally, the report  
14 published under subsection (m) of Section 25-45 shall impact  
15 the issuance of the master sports wagering license to the  
16 extent permitted by federal and State law.

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

22 (b) Except as otherwise provided in this subsection (b),  
23 the initial license fee for a master sports wagering license  
24 for an organization licensee is 5% of its handle from the  
25 preceding calendar year or the lowest amount that is required

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

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

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

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

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

25 (3) over the Internet or through a mobile application.

26 (e) The sports wagering offered over the Internet or

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

6 (f) Until issuance of the first license under Section  
7 25-45 or March 5, 2022, whichever occurs first, an individual  
8 must create a sports wagering account in person at a facility  
9 under paragraph (1) or (2) of subsection (d) to participate in  
10 sports wagering offered over the Internet or through a mobile  
11 application.

12 (Source: P.A. 101-31, eff. 6-28-19; 101-648, eff. 6-30-20.)

13 (230 ILCS 45/25-35)

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

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

1 extent permitted by federal and State law.

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

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

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

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

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

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

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

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

11 (f) Until issuance of the first license under Section  
12 25-45 or March 5, 2022, whichever occurs first, an individual  
13 must create a sports wagering account in person at a facility  
14 under paragraph (1) of subsection (d) to participate in sports  
15 wagering offered over the Internet or through a mobile  
16 application.

17 (Source: P.A. 101-31, eff. 6-28-19; 101-648, eff. 6-30-20.)

18 (230 ILCS 45/25-40)

19 Sec. 25-40. Master sports wagering license issued to a  
20 sports facility.

21 (a) As used in this Section, "designee" means a master  
22 sports wagering licensee under Section 25-30, 25-35, or 25-45  
23 or a management services provider licensee.

24 (b) A sports facility or a designee contracted to operate  
25 sports wagering at or within a 5-block radius of the sports

1 facility may apply to the Board for a master sports wagering  
2 license. To the extent permitted by federal and State law, the  
3 Board shall actively seek to achieve racial, ethnic, and  
4 geographic diversity when issuing master sports wagering  
5 licenses to sports facilities or their designees and encourage  
6 minority-owned businesses, women-owned businesses,  
7 veteran-owned businesses, and businesses owned by persons with  
8 disabilities to apply for licensure. Additionally, the report  
9 published under subsection (m) of Section 25-45 shall impact  
10 the issuance of the master sports wagering license to the  
11 extent permitted by federal and State law.

12 For the purposes of this subsection (b), "minority-owned  
13 business", "women-owned business", and "business owned by  
14 persons with disabilities" have the meanings given to those  
15 terms in Section 2 of the Business Enterprise for Minorities,  
16 Women, and Persons with Disabilities Act.

17 (c) The Board may issue up to 7 master sports wagering  
18 licenses to sports facilities or their designees that meet the  
19 requirements for licensure as determined by rule by the Board.  
20 If more than 7 qualified applicants apply for a master sports  
21 wagering license under this Section, the licenses shall be  
22 granted in the order in which the applications were received.  
23 If a license is denied, revoked, or not renewed, the Board may  
24 begin a new application process and issue a license under this  
25 Section in the order in which the application was received.

26 (d) The initial license fee for a master sports wagering

1 license for a sports facility is \$10,000,000. The master  
2 sports wagering license is valid for 4 years.

3 (e) The sports facility or its designee may renew the  
4 master sports wagering license for a period of 4 years by  
5 paying a \$1,000,000 renewal fee to the Board.

6 (f) A sports facility or its designee issued a master  
7 sports wagering license may conduct sports wagering at or  
8 within a 5-block radius of the sports facility.

9 (g) A sports facility or its designee issued a master  
10 sports wagering license may conduct sports wagering over the  
11 Internet within the sports facility or within a 5-block radius  
12 of the sports facility.

13 (h) The sports wagering offered by a sports facility or  
14 its designee over the Internet or through a mobile application  
15 shall be offered under the same brand as the sports facility is  
16 operating under, the brand the designee is operating under, or  
17 a combination thereof.

18 (i) Until issuance of the first license under Section  
19 25-45 or March 5, 2022, whichever occurs first, an individual  
20 must register in person at a sports facility or the designee's  
21 facility to participate in sports wagering offered over the  
22 Internet or through a mobile application.

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

24 (230 ILCS 45/25-50)

25 Sec. 25-50. Supplier license.

1 (a) The Board may issue a supplier license to a person to  
2 sell or lease sports wagering equipment, systems, or other  
3 gaming items to conduct sports wagering and offer services  
4 related to the equipment or other gaming items and data to a  
5 master sports wagering licensee while the license is active.

6 (b) The Board may adopt rules establishing additional  
7 requirements for a supplier and any system or other equipment  
8 utilized for sports wagering. The Board may accept licensing  
9 by another jurisdiction that it specifically determines to  
10 have similar licensing requirements as evidence the applicant  
11 meets supplier licensing requirements.

12 (c) An applicant for a supplier license shall demonstrate  
13 that the equipment, system, or services that the applicant  
14 plans to offer to the master sports wagering licensee conforms  
15 to standards established by the Board and applicable State  
16 law. The Board may accept approval by another jurisdiction  
17 that it specifically determines have similar equipment  
18 standards as evidence the applicant meets the standards  
19 established by the Board and applicable State law.

20 (d) Applicants shall pay to the Board a nonrefundable  
21 license and application fee in the amount of \$150,000. Except  
22 as provided by Section 8.1 of the Illinois Gambling Act, the  
23 initial supplier license shall be issued for 4 years unless  
24 sooner canceled or terminated. After the initial period 4-year  
25 term, the Board shall renew supplier licenses for additional  
26 4-year periods unless sooner canceled or terminated annually

1 ~~thereafter~~. Renewal of a supplier license shall be granted to  
2 a renewal applicant who has continued to comply with all  
3 applicable statutory and regulatory requirements, ~~upon~~  
4 ~~submission of the Board issued renewal form and payment of a~~  
5 ~~\$150,000 renewal fee.~~ Beginning 4 years after issuance of the  
6 initial supplier license, a holder of a supplier license shall  
7 pay a \$150,000 annual license fee.

8 (e) A supplier shall submit to the Board a list of all  
9 sports wagering equipment and services sold, delivered, or  
10 offered to a master sports wagering licensee in this State, as  
11 required by the Board, all of which must be tested and approved  
12 by an independent testing laboratory approved by the Board. A  
13 master sports wagering licensee may continue to use supplies  
14 acquired from a licensed supplier, even if a supplier's  
15 license expires or is otherwise canceled, unless the Board  
16 finds a defect in the supplies.

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

18 Section 97. Severability. The provisions of this Act are  
19 severable under Section 1.31 of the Statute on Statutes.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."