



Sen. Robert Peters

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10300SB1462sam001

LRB103 27258 RPS 58776 a

1 AMENDMENT TO SENATE BILL 1462

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1462 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is  
5 amended by adding Section 5-45.35 as follows:

6 (5 ILCS 100/5-45.35 new)

7 Sec. 5-45.35. Emergency rulemaking; occupational licenses.  
8 To provide for the expeditious and timely implementation of  
9 this amendatory Act of the 103rd General Assembly, emergency  
10 rules implementing the changes made to Section 9 of the  
11 Illinois Gambling Act may be adopted in accordance with  
12 Section 5-45 by the Illinois Gaming Board. The adoption of  
13 emergency rules authorized by Section 5-45 and this Section is  
14 deemed to be necessary for the public interest, safety, and  
15 welfare.

16 This Section is repealed one year after the effective date

1 of this amendatory Act of the 103rd General Assembly.

2 Section 10. The Illinois Gambling Act is amended by  
3 changing Section 9 as follows:

4 (230 ILCS 10/9) (from Ch. 120, par. 2409)

5 Sec. 9. Occupational licenses.

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

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

16 (2) not have been convicted of a felony offense, a  
17 violation of Article 28 of the Criminal Code of 1961 or the  
18 Criminal Code of 2012, or a similar statute of any other  
19 jurisdiction if the applicant will perform any function  
20 involved in gaming by patrons;

21 (2.5) not have been convicted of a crime, other than a  
22 crime described in item (2) of this subsection (a),  
23 involving dishonesty or moral turpitude if the applicant  
24 will perform any function involved in gaming by patrons,

1           except that the Board may, in its discretion, issue an  
2           occupational license to a person who has been convicted of  
3           a crime described in this item (2.5) more than 10 years  
4           prior to his or her application and has not subsequently  
5           been convicted of any other crime;

6           (3) have demonstrated a level of skill or knowledge  
7           which the Board determines to be necessary in order to  
8           operate gambling aboard a riverboat, in a casino, or at an  
9           organization gaming facility; and

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

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

1 and, if so, for what period of time.

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

9 (d) The Board may in its discretion refuse an occupational  
10 license to any person: (1) who is unqualified to perform the  
11 duties required of such applicant; (2) who fails to disclose  
12 or states falsely any information called for in the  
13 application; (3) who has been found guilty of a violation of  
14 this Act or whose prior gambling related license or  
15 application therefor has been suspended, restricted, revoked  
16 or denied for just cause in any other state; (4) who has a  
17 background, including a criminal record, reputation, habits,  
18 social or business associations, or prior activities, that  
19 poses a threat to the public interests of this State or to the  
20 security and integrity of gaming; or (5) ~~(4)~~ for any other just  
21 cause. When considering criminal convictions of an applicant,  
22 the Board shall consider the following factors:

23 (1) the length of time since the conviction;

24 (2) the number of convictions that appear on the  
25 conviction record;

26 (3) the nature and severity of the conviction and its

1       relationship to the safety and security of others or the  
2       integrity of gaming;

3       (4) the facts or circumstances surrounding the  
4       conviction;

5       (5) the age of the employee at the time of the  
6       conviction; and

7       (6) evidence of rehabilitation efforts.

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

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

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

20      (h) Nothing in this Act shall be interpreted to prohibit a  
21      licensed owner or organization gaming licensee from entering  
22      into an agreement with a public community college or a school  
23      approved under the Private Business and Vocational Schools Act  
24      of 2012 for the training of any occupational licensee. Any  
25      training offered by such a school shall be in accordance with a  
26      written agreement between the licensed owner or organization

1 gaming licensee and the school.

2 (i) Any training provided for occupational licensees may  
3 be conducted either at the site of the gambling facility or at  
4 a school with which a licensed owner or organization gaming  
5 licensee has entered into an agreement pursuant to subsection  
6 (h).

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