

1 AN ACT in relation to gambling.

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

4 Section 5. The Riverboat Gambling Act is amended by
5 changing Section 13 as follows:

6 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

11 From Beginning January 1, 1998 until July 1, 2002, a
12 privilege tax is imposed on persons engaged in the business
13 of conducting riverboat gambling operations, based on the
14 adjusted gross receipts received by a licensed owner from
15 gambling games authorized under this Act at the following
16 rates:

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

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

21 25% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 30% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 35% of annual adjusted gross receipts in excess of
26 \$100,000,000.

27 Beginning July 1, 2002, a privilege tax is imposed on
28 persons engaged in the business of conducting riverboat
29 gambling operations, based on the adjusted gross receipts
30 received by a licensed owner from gambling games authorized
31 under this Act at the following rates:

1 26% of annual adjusted gross receipts up to and
2 including \$25,000,000;

3 31% of annual adjusted gross receipts in excess of
4 \$25,000,000 but not exceeding \$50,000,000;

5 36% of annual adjusted gross receipts in excess of
6 \$50,000,000 but not exceeding \$75,000,000;

7 41% of annual adjusted gross receipts in excess of
8 \$75,000,000 but not exceeding \$100,000,000;

9 46% of annual adjusted gross receipts in excess of
10 \$100,000,000.

11 The taxes imposed by this Section shall be paid by the
12 licensed owner to the Board no net later than 3:00 o'clock
13 p.m. of the day after the day when the wagers were made.

14 (b) Until January 1, 1998, 25% of the tax revenue
15 deposited in the State Gaming Fund under this Section shall
16 be paid, subject to appropriation by the General Assembly, to
17 the unit of local government which is designated as the home
18 dock of the riverboat. From Beginning January 1, 1998 until
19 July 1, 2002, from the tax revenue deposited in the State
20 Gaming Fund under this Section, an amount equal to 5% of
21 adjusted gross receipts generated by a riverboat shall be
22 paid monthly, subject to appropriation by the General
23 Assembly, to the unit of local government that is designated
24 as the home dock of the riverboat. Beginning July 1, 2002,
25 from the tax revenue deposited in the State Gaming Fund under
26 this Section, an amount equal to 6% of adjusted gross
27 receipts generated by a riverboat shall be paid monthly,
28 subject to appropriation by the General Assembly, to the unit
29 of local government that is designated as the home dock of
30 the riverboat.

31 (b-5) Beginning July 1, 2002, from the tax revenue
32 deposited in the State Gaming Fund under this Section, an
33 amount equal to 10% of the adjusted gross receipts generated
34 by all riverboats shall be transferred monthly from the State

1 Gaming Fund to the General Revenue Fund.

2 (c) Appropriations, as approved by the General Assembly,
3 may be made from the State Gaming Fund to the Department of
4 Revenue and the Department of State Police for the
5 administration and enforcement of this Act.

6 (c-5) After the payments required under subsections (b)
7 and (c) have been made, each year the General Assembly shall
8 appropriate from the General Revenue Fund to the Education
9 Assistance Fund an amount equal to 15% of the adjusted gross
10 receipts of a riverboat (1) that relocates pursuant to
11 Section 11.2, or (2) for which an owners license is initially
12 issued after June 25, the effective date of this amendatory
13 Act of 1999, whichever comes first, shall be paid from the
14 State Gaming Fund into the Horse Racing Equity Fund.

15 ~~(c-10) Each year the General Assembly shall appropriate~~
16 ~~from the General Revenue Fund to the Education Assistance~~
17 ~~Fund an amount equal to the amount paid into the Horse Racing~~
18 ~~Equity Fund pursuant to subsection (c-5) in the prior~~
19 ~~calendar year.~~

20 (c-15) After the payments required under subsections (b)
21 and (c), ~~and (c-5)~~ have been made, an amount equal to 2% of
22 the adjusted gross receipts of a riverboat (1) that relocates
23 pursuant to Section 11.2, or (2) for which an owners license
24 is initially issued after the effective date of this
25 amendatory Act of 1999, whichever comes first, shall be paid,
26 subject to appropriation from the General Assembly, from the
27 State Gaming Fund to each home rule county with a population
28 of over 3,000,000 inhabitants for the purpose of enhancing
29 the county's criminal justice system.

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

1 (c-25) After the payments required under subsections
2 (b), (c), ~~(e-5)~~ and (c-15) have been made, an amount equal to
3 2% of the adjusted gross receipts of a riverboat (1) that
4 relocates pursuant to Section 11.2, or (2) for which an
5 owners license is initially issued after the effective date
6 of this amendatory Act of 1999, whichever comes first, shall
7 be paid from the State Gaming Fund into the State
8 Universities Athletic Capital Improvement Fund.

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

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

18 (f) To the extent practicable, the Board shall
19 administer and collect the wagering taxes imposed by this
20 Section in a manner consistent with the provisions of
21 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b,
22 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and
23 Section 3-7 of the Uniform Penalty and Interest Act.

24 (Source: P.A. 90-548, eff. 12-4-97; 91-40, eff. 6-25-99.)

25 (30 ILCS 105/5.490 rep.)

26 Section 10. The State Finance Act is amended by repealing
27 Section 5.490.

28 (230 ILCS 5/54 rep.)

29 Section 15. The Illinois Horse Racing Act of 1975 is
30 amended by repealing Section 54.

31 Section 99. Effective date. This Act takes effect July

1 1, 2002.