

1 AMENDMENT TO HOUSE BILL 1260

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1260 by replacing  
3 everything after the enacting clause with the following:

4 "Article 1. Sporting Contest Safety and Integrity Act

5 Section 1-1. Short title. This Article may be cited as the  
6 Sporting Contest Safety and Integrity Act. References in this  
7 Article to "this Act" mean this Article.

8 Section 1-5. Definitions. As used in this Act:

9 "Athlete" means any current, former, or prospective  
10 professional athlete.

11 "Board" means the Illinois Gaming Board.

12 "Covered persons" includes athletes; players (current and  
13 former); umpires, referees, and officials; personnel  
14 associated with players, clubs, teams, leagues, and athletic  
15 associations; medical professionals (including athletic

1 trainers) who provide services to athletes and players; and the  
2 family members and associates of these persons where required  
3 to serve the purposes of this Act.

4 "Person" means any individual, partnership, corporation,  
5 association, or other entity.

6 "Personal biometric data" means data, with respect to an  
7 athlete or player, that provides any information related to a  
8 player's heart rate, blood pressure, perspiration rate,  
9 internal or external body temperature, hormone levels, glucose  
10 levels, hydrations levels, vitamin levels, bone density, or  
11 muscle density. This term may be modified pursuant to an  
12 applicable collective bargaining agreement.

13 "Prohibited conduct" includes any statement, action, and  
14 other communication intended to influence, manipulate, or  
15 control a betting outcome of a sporting contest or of any  
16 individual occurrence or performance in a sporting contest in  
17 exchange for financial gain or to avoid financial or physical  
18 harm. "Prohibited conduct" includes statements, actions, and  
19 communications made to a covered person by a third party, such  
20 as a family member or through social media.

21 "Sporting contest" means a sports event or game on which  
22 the State allows sports wagering to occur under the Sports  
23 Wagering Act.

24 Section 1-10. Reporting prohibited conduct; investigations  
25 of prohibited conduct.

1 (a) The Board shall establish a hotline or other method of  
2 communication that allows any person to confidentially report  
3 information about prohibited conduct to the Board.

4 (b) The Board shall investigate all reasonable allegations  
5 of prohibited conduct and refer any allegations it deems  
6 credible to the appropriate law enforcement entity.

7 (c) The identity of any reporting person shall remain  
8 confidential unless that person authorizes disclosure of his or  
9 her identity or until such time as the allegation of prohibited  
10 conduct is referred to law enforcement.

11 (d) If the Board receives a complaint of prohibited conduct  
12 by an athlete, the Board shall notify the appropriate sports  
13 governing body of the athlete to review the complaint as  
14 provided by rule.

15 (e) The Board shall adopt emergency rules to administer  
16 this Section in accordance with Section 5-45 of the Illinois  
17 Administrative Procedure Act.

18 (f) The Board shall adopt rules governing investigations of  
19 prohibited conduct and referrals to law enforcement entities.

20 Section 1-15. Personal biometric data. A master sports  
21 wagering licensee under the Sports Wagering Act shall not  
22 purchase or use any personal biometric data of an athlete  
23 unless the master sports wagering licensee has received written  
24 permission from the athlete's exclusive bargaining  
25 representative.

1           Section 1-20. Preemption. Nothing in this Act shall be  
2 deemed to diminish the rights, privileges, or remedies of a  
3 person under any other federal or State law, rule, or  
4 regulation or under any collective bargaining agreement or  
5 employment contract.

6           Section 1-900. The Illinois Administrative Procedure Act  
7 is amended by changing Section 5-45 as follows:

8           (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

9           Sec. 5-45. Emergency rulemaking.

10          (a) "Emergency" means the existence of any situation that  
11 any agency finds reasonably constitutes a threat to the public  
12 interest, safety, or welfare.

13          (b) If any agency finds that an emergency exists that  
14 requires adoption of a rule upon fewer days than is required by  
15 Section 5-40 and states in writing its reasons for that  
16 finding, the agency may adopt an emergency rule without prior  
17 notice or hearing upon filing a notice of emergency rulemaking  
18 with the Secretary of State under Section 5-70. The notice  
19 shall include the text of the emergency rule and shall be  
20 published in the Illinois Register. Consent orders or other  
21 court orders adopting settlements negotiated by an agency may  
22 be adopted under this Section. Subject to applicable  
23 constitutional or statutory provisions, an emergency rule

1 becomes effective immediately upon filing under Section 5-65 or  
2 at a stated date less than 10 days thereafter. The agency's  
3 finding and a statement of the specific reasons for the finding  
4 shall be filed with the rule. The agency shall take reasonable  
5 and appropriate measures to make emergency rules known to the  
6 persons who may be affected by them.

7 (c) An emergency rule may be effective for a period of not  
8 longer than 150 days, but the agency's authority to adopt an  
9 identical rule under Section 5-40 is not precluded. No  
10 emergency rule may be adopted more than once in any 24-month  
11 period, except that this limitation on the number of emergency  
12 rules that may be adopted in a 24-month period does not apply  
13 to (i) emergency rules that make additions to and deletions  
14 from the Drug Manual under Section 5-5.16 of the Illinois  
15 Public Aid Code or the generic drug formulary under Section  
16 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)  
17 emergency rules adopted by the Pollution Control Board before  
18 July 1, 1997 to implement portions of the Livestock Management  
19 Facilities Act, (iii) emergency rules adopted by the Illinois  
20 Department of Public Health under subsections (a) through (i)  
21 of Section 2 of the Department of Public Health Act when  
22 necessary to protect the public's health, (iv) emergency rules  
23 adopted pursuant to subsection (n) of this Section, (v)  
24 emergency rules adopted pursuant to subsection (o) of this  
25 Section, or (vi) emergency rules adopted pursuant to subsection  
26 (c-5) of this Section. Two or more emergency rules having

1 substantially the same purpose and effect shall be deemed to be  
2 a single rule for purposes of this Section.

3 (c-5) To facilitate the maintenance of the program of group  
4 health benefits provided to annuitants, survivors, and retired  
5 employees under the State Employees Group Insurance Act of  
6 1971, rules to alter the contributions to be paid by the State,  
7 annuitants, survivors, retired employees, or any combination  
8 of those entities, for that program of group health benefits,  
9 shall be adopted as emergency rules. The adoption of those  
10 rules shall be considered an emergency and necessary for the  
11 public interest, safety, and welfare.

12 (d) In order to provide for the expeditious and timely  
13 implementation of the State's fiscal year 1999 budget,  
14 emergency rules to implement any provision of Public Act 90-587  
15 or 90-588 or any other budget initiative for fiscal year 1999  
16 may be adopted in accordance with this Section by the agency  
17 charged with administering that provision or initiative,  
18 except that the 24-month limitation on the adoption of  
19 emergency rules and the provisions of Sections 5-115 and 5-125  
20 do not apply to rules adopted under this subsection (d). The  
21 adoption of emergency rules authorized by this subsection (d)  
22 shall be deemed to be necessary for the public interest,  
23 safety, and welfare.

24 (e) In order to provide for the expeditious and timely  
25 implementation of the State's fiscal year 2000 budget,  
26 emergency rules to implement any provision of Public Act 91-24

1 or any other budget initiative for fiscal year 2000 may be  
2 adopted in accordance with this Section by the agency charged  
3 with administering that provision or initiative, except that  
4 the 24-month limitation on the adoption of emergency rules and  
5 the provisions of Sections 5-115 and 5-125 do not apply to  
6 rules adopted under this subsection (e). The adoption of  
7 emergency rules authorized by this subsection (e) shall be  
8 deemed to be necessary for the public interest, safety, and  
9 welfare.

10 (f) In order to provide for the expeditious and timely  
11 implementation of the State's fiscal year 2001 budget,  
12 emergency rules to implement any provision of Public Act 91-712  
13 or any other budget initiative for fiscal year 2001 may be  
14 adopted in accordance with this Section by the agency charged  
15 with administering that provision or initiative, except that  
16 the 24-month limitation on the adoption of emergency rules and  
17 the provisions of Sections 5-115 and 5-125 do not apply to  
18 rules adopted under this subsection (f). The adoption of  
19 emergency rules authorized by this subsection (f) shall be  
20 deemed to be necessary for the public interest, safety, and  
21 welfare.

22 (g) In order to provide for the expeditious and timely  
23 implementation of the State's fiscal year 2002 budget,  
24 emergency rules to implement any provision of Public Act 92-10  
25 or any other budget initiative for fiscal year 2002 may be  
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that  
2 the 24-month limitation on the adoption of emergency rules and  
3 the provisions of Sections 5-115 and 5-125 do not apply to  
4 rules adopted under this subsection (g). The adoption of  
5 emergency rules authorized by this subsection (g) shall be  
6 deemed to be necessary for the public interest, safety, and  
7 welfare.

8 (h) In order to provide for the expeditious and timely  
9 implementation of the State's fiscal year 2003 budget,  
10 emergency rules to implement any provision of Public Act 92-597  
11 or any other budget initiative for fiscal year 2003 may be  
12 adopted in accordance with this Section by the agency charged  
13 with administering that provision or initiative, except that  
14 the 24-month limitation on the adoption of emergency rules and  
15 the provisions of Sections 5-115 and 5-125 do not apply to  
16 rules adopted under this subsection (h). The adoption of  
17 emergency rules authorized by this subsection (h) shall be  
18 deemed to be necessary for the public interest, safety, and  
19 welfare.

20 (i) In order to provide for the expeditious and timely  
21 implementation of the State's fiscal year 2004 budget,  
22 emergency rules to implement any provision of Public Act 93-20  
23 or any other budget initiative for fiscal year 2004 may be  
24 adopted in accordance with this Section by the agency charged  
25 with administering that provision or initiative, except that  
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to  
2 rules adopted under this subsection (i). The adoption of  
3 emergency rules authorized by this subsection (i) shall be  
4 deemed to be necessary for the public interest, safety, and  
5 welfare.

6 (j) In order to provide for the expeditious and timely  
7 implementation of the provisions of the State's fiscal year  
8 2005 budget as provided under the Fiscal Year 2005 Budget  
9 Implementation (Human Services) Act, emergency rules to  
10 implement any provision of the Fiscal Year 2005 Budget  
11 Implementation (Human Services) Act may be adopted in  
12 accordance with this Section by the agency charged with  
13 administering that provision, except that the 24-month  
14 limitation on the adoption of emergency rules and the  
15 provisions of Sections 5-115 and 5-125 do not apply to rules  
16 adopted under this subsection (j). The Department of Public Aid  
17 may also adopt rules under this subsection (j) necessary to  
18 administer the Illinois Public Aid Code and the Children's  
19 Health Insurance Program Act. The adoption of emergency rules  
20 authorized by this subsection (j) shall be deemed to be  
21 necessary for the public interest, safety, and welfare.

22 (k) In order to provide for the expeditious and timely  
23 implementation of the provisions of the State's fiscal year  
24 2006 budget, emergency rules to implement any provision of  
25 Public Act 94-48 or any other budget initiative for fiscal year  
26 2006 may be adopted in accordance with this Section by the

1 agency charged with administering that provision or  
2 initiative, except that the 24-month limitation on the adoption  
3 of emergency rules and the provisions of Sections 5-115 and  
4 5-125 do not apply to rules adopted under this subsection (k).  
5 The Department of Healthcare and Family Services may also adopt  
6 rules under this subsection (k) necessary to administer the  
7 Illinois Public Aid Code, the Senior Citizens and Persons with  
8 Disabilities Property Tax Relief Act, the Senior Citizens and  
9 Disabled Persons Prescription Drug Discount Program Act (now  
10 the Illinois Prescription Drug Discount Program Act), and the  
11 Children's Health Insurance Program Act. The adoption of  
12 emergency rules authorized by this subsection (k) shall be  
13 deemed to be necessary for the public interest, safety, and  
14 welfare.

15 (l) In order to provide for the expeditious and timely  
16 implementation of the provisions of the State's fiscal year  
17 2007 budget, the Department of Healthcare and Family Services  
18 may adopt emergency rules during fiscal year 2007, including  
19 rules effective July 1, 2007, in accordance with this  
20 subsection to the extent necessary to administer the  
21 Department's responsibilities with respect to amendments to  
22 the State plans and Illinois waivers approved by the federal  
23 Centers for Medicare and Medicaid Services necessitated by the  
24 requirements of Title XIX and Title XXI of the federal Social  
25 Security Act. The adoption of emergency rules authorized by  
26 this subsection (l) shall be deemed to be necessary for the

1 public interest, safety, and welfare.

2 (m) In order to provide for the expeditious and timely  
3 implementation of the provisions of the State's fiscal year  
4 2008 budget, the Department of Healthcare and Family Services  
5 may adopt emergency rules during fiscal year 2008, including  
6 rules effective July 1, 2008, in accordance with this  
7 subsection to the extent necessary to administer the  
8 Department's responsibilities with respect to amendments to  
9 the State plans and Illinois waivers approved by the federal  
10 Centers for Medicare and Medicaid Services necessitated by the  
11 requirements of Title XIX and Title XXI of the federal Social  
12 Security Act. The adoption of emergency rules authorized by  
13 this subsection (m) shall be deemed to be necessary for the  
14 public interest, safety, and welfare.

15 (n) In order to provide for the expeditious and timely  
16 implementation of the provisions of the State's fiscal year  
17 2010 budget, emergency rules to implement any provision of  
18 Public Act 96-45 or any other budget initiative authorized by  
19 the 96th General Assembly for fiscal year 2010 may be adopted  
20 in accordance with this Section by the agency charged with  
21 administering that provision or initiative. The adoption of  
22 emergency rules authorized by this subsection (n) shall be  
23 deemed to be necessary for the public interest, safety, and  
24 welfare. The rulemaking authority granted in this subsection  
25 (n) shall apply only to rules promulgated during Fiscal Year  
26 2010.

1           (o) In order to provide for the expeditious and timely  
2 implementation of the provisions of the State's fiscal year  
3 2011 budget, emergency rules to implement any provision of  
4 Public Act 96-958 or any other budget initiative authorized by  
5 the 96th General Assembly for fiscal year 2011 may be adopted  
6 in accordance with this Section by the agency charged with  
7 administering that provision or initiative. The adoption of  
8 emergency rules authorized by this subsection (o) is deemed to  
9 be necessary for the public interest, safety, and welfare. The  
10 rulemaking authority granted in this subsection (o) applies  
11 only to rules promulgated on or after July 1, 2010 (the  
12 effective date of Public Act 96-958) through June 30, 2011.

13           (p) In order to provide for the expeditious and timely  
14 implementation of the provisions of Public Act 97-689,  
15 emergency rules to implement any provision of Public Act 97-689  
16 may be adopted in accordance with this subsection (p) by the  
17 agency charged with administering that provision or  
18 initiative. The 150-day limitation of the effective period of  
19 emergency rules does not apply to rules adopted under this  
20 subsection (p), and the effective period may continue through  
21 June 30, 2013. The 24-month limitation on the adoption of  
22 emergency rules does not apply to rules adopted under this  
23 subsection (p). The adoption of emergency rules authorized by  
24 this subsection (p) is deemed to be necessary for the public  
25 interest, safety, and welfare.

26           (q) In order to provide for the expeditious and timely

1 implementation of the provisions of Articles 7, 8, 9, 11, and  
2 12 of Public Act 98-104, emergency rules to implement any  
3 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104  
4 may be adopted in accordance with this subsection (q) by the  
5 agency charged with administering that provision or  
6 initiative. The 24-month limitation on the adoption of  
7 emergency rules does not apply to rules adopted under this  
8 subsection (q). The adoption of emergency rules authorized by  
9 this subsection (q) is deemed to be necessary for the public  
10 interest, safety, and welfare.

11 (r) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 98-651,  
13 emergency rules to implement Public Act 98-651 may be adopted  
14 in accordance with this subsection (r) by the Department of  
15 Healthcare and Family Services. The 24-month limitation on the  
16 adoption of emergency rules does not apply to rules adopted  
17 under this subsection (r). The adoption of emergency rules  
18 authorized by this subsection (r) is deemed to be necessary for  
19 the public interest, safety, and welfare.

20 (s) In order to provide for the expeditious and timely  
21 implementation of the provisions of Sections 5-5b.1 and 5A-2 of  
22 the Illinois Public Aid Code, emergency rules to implement any  
23 provision of Section 5-5b.1 or Section 5A-2 of the Illinois  
24 Public Aid Code may be adopted in accordance with this  
25 subsection (s) by the Department of Healthcare and Family  
26 Services. The rulemaking authority granted in this subsection

1 (s) shall apply only to those rules adopted prior to July 1,  
2 2015. Notwithstanding any other provision of this Section, any  
3 emergency rule adopted under this subsection (s) shall only  
4 apply to payments made for State fiscal year 2015. The adoption  
5 of emergency rules authorized by this subsection (s) is deemed  
6 to be necessary for the public interest, safety, and welfare.

7 (t) In order to provide for the expeditious and timely  
8 implementation of the provisions of Article II of Public Act  
9 99-6, emergency rules to implement the changes made by Article  
10 II of Public Act 99-6 to the Emergency Telephone System Act may  
11 be adopted in accordance with this subsection (t) by the  
12 Department of State Police. The rulemaking authority granted in  
13 this subsection (t) shall apply only to those rules adopted  
14 prior to July 1, 2016. The 24-month limitation on the adoption  
15 of emergency rules does not apply to rules adopted under this  
16 subsection (t). The adoption of emergency rules authorized by  
17 this subsection (t) is deemed to be necessary for the public  
18 interest, safety, and welfare.

19 (u) In order to provide for the expeditious and timely  
20 implementation of the provisions of the Burn Victims Relief  
21 Act, emergency rules to implement any provision of the Act may  
22 be adopted in accordance with this subsection (u) by the  
23 Department of Insurance. The rulemaking authority granted in  
24 this subsection (u) shall apply only to those rules adopted  
25 prior to December 31, 2015. The adoption of emergency rules  
26 authorized by this subsection (u) is deemed to be necessary for

1 the public interest, safety, and welfare.

2 (v) In order to provide for the expeditious and timely  
3 implementation of the provisions of Public Act 99-516,  
4 emergency rules to implement Public Act 99-516 may be adopted  
5 in accordance with this subsection (v) by the Department of  
6 Healthcare and Family Services. The 24-month limitation on the  
7 adoption of emergency rules does not apply to rules adopted  
8 under this subsection (v). The adoption of emergency rules  
9 authorized by this subsection (v) is deemed to be necessary for  
10 the public interest, safety, and welfare.

11 (w) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 99-796,  
13 emergency rules to implement the changes made by Public Act  
14 99-796 may be adopted in accordance with this subsection (w) by  
15 the Adjutant General. The adoption of emergency rules  
16 authorized by this subsection (w) is deemed to be necessary for  
17 the public interest, safety, and welfare.

18 (x) In order to provide for the expeditious and timely  
19 implementation of the provisions of Public Act 99-906,  
20 emergency rules to implement subsection (i) of Section 16-115D,  
21 subsection (g) of Section 16-128A, and subsection (a) of  
22 Section 16-128B of the Public Utilities Act may be adopted in  
23 accordance with this subsection (x) by the Illinois Commerce  
24 Commission. The rulemaking authority granted in this  
25 subsection (x) shall apply only to those rules adopted within  
26 180 days after June 1, 2017 (the effective date of Public Act

1 99-906). The adoption of emergency rules authorized by this  
2 subsection (x) is deemed to be necessary for the public  
3 interest, safety, and welfare.

4 (y) In order to provide for the expeditious and timely  
5 implementation of the provisions of Public Act 100-23,  
6 emergency rules to implement the changes made by Public Act  
7 100-23 to Section 4.02 of the Illinois Act on the Aging,  
8 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
9 Section 55-30 of the Alcoholism and Other Drug Abuse and  
10 Dependency Act, and Sections 74 and 75 of the Mental Health and  
11 Developmental Disabilities Administrative Act may be adopted  
12 in accordance with this subsection (y) by the respective  
13 Department. The adoption of emergency rules authorized by this  
14 subsection (y) is deemed to be necessary for the public  
15 interest, safety, and welfare.

16 (z) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 100-554,  
18 emergency rules to implement the changes made by Public Act  
19 100-554 to Section 4.7 of the Lobbyist Registration Act may be  
20 adopted in accordance with this subsection (z) by the Secretary  
21 of State. The adoption of emergency rules authorized by this  
22 subsection (z) is deemed to be necessary for the public  
23 interest, safety, and welfare.

24 (aa) In order to provide for the expeditious and timely  
25 initial implementation of the changes made to Articles 5, 5A,  
26 12, and 14 of the Illinois Public Aid Code under the provisions

1 of Public Act 100-581, the Department of Healthcare and Family  
2 Services may adopt emergency rules in accordance with this  
3 subsection (aa). The 24-month limitation on the adoption of  
4 emergency rules does not apply to rules to initially implement  
5 the changes made to Articles 5, 5A, 12, and 14 of the Illinois  
6 Public Aid Code adopted under this subsection (aa). The  
7 adoption of emergency rules authorized by this subsection (aa)  
8 is deemed to be necessary for the public interest, safety, and  
9 welfare.

10 (bb) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 100-587,  
12 emergency rules to implement the changes made by Public Act  
13 100-587 to Section 4.02 of the Illinois Act on the Aging,  
14 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
15 subsection (b) of Section 55-30 of the Alcoholism and Other  
16 Drug Abuse and Dependency Act, Section 5-104 of the Specialized  
17 Mental Health Rehabilitation Act of 2013, and Section 75 and  
18 subsection (b) of Section 74 of the Mental Health and  
19 Developmental Disabilities Administrative Act may be adopted  
20 in accordance with this subsection (bb) by the respective  
21 Department. The adoption of emergency rules authorized by this  
22 subsection (bb) is deemed to be necessary for the public  
23 interest, safety, and welfare.

24 (cc) In order to provide for the expeditious and timely  
25 implementation of the provisions of Public Act 100-587,  
26 emergency rules may be adopted in accordance with this

1 subsection (cc) to implement the changes made by Public Act  
2 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois  
3 Pension Code by the Board created under Article 14 of the Code;  
4 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by  
5 the Board created under Article 15 of the Code; and Sections  
6 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board  
7 created under Article 16 of the Code. The adoption of emergency  
8 rules authorized by this subsection (cc) is deemed to be  
9 necessary for the public interest, safety, and welfare.

10 (dd) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 100-864,  
12 emergency rules to implement the changes made by Public Act  
13 100-864 to Section 3.35 of the Newborn Metabolic Screening Act  
14 may be adopted in accordance with this subsection (dd) by the  
15 Secretary of State. The adoption of emergency rules authorized  
16 by this subsection (dd) is deemed to be necessary for the  
17 public interest, safety, and welfare.

18 (ee) In order to provide for the expeditious and timely  
19 implementation of the provisions of Public Act 100-1172 ~~this~~  
20 ~~amendatory Act of the 100th General Assembly~~, emergency rules  
21 implementing the Illinois Underground Natural Gas Storage  
22 Safety Act may be adopted in accordance with this subsection by  
23 the Department of Natural Resources. The adoption of emergency  
24 rules authorized by this subsection is deemed to be necessary  
25 for the public interest, safety, and welfare.

26 (ff) ~~(ee)~~ In order to provide for the expeditious and

1 timely initial implementation of the changes made to Articles  
2 5A and 14 of the Illinois Public Aid Code under the provisions  
3 of Public Act 100-1181 ~~this amendatory Act of the 100th General~~  
4 ~~Assembly~~, the Department of Healthcare and Family Services may  
5 on a one-time-only basis adopt emergency rules in accordance  
6 with this subsection (ff) ~~(ee)~~. The 24-month limitation on the  
7 adoption of emergency rules does not apply to rules to  
8 initially implement the changes made to Articles 5A and 14 of  
9 the Illinois Public Aid Code adopted under this subsection (ff)  
10 ~~(ee)~~. The adoption of emergency rules authorized by this  
11 subsection (ff) ~~(ee)~~ is deemed to be necessary for the public  
12 interest, safety, and welfare.

13 (gg) ~~(ff)~~ In order to provide for the expeditious and  
14 timely implementation of the provisions of Public Act 101-1  
15 ~~this amendatory Act of the 101st General Assembly~~, emergency  
16 rules may be adopted by the Department of Labor in accordance  
17 with this subsection (gg) ~~(ff)~~ to implement the changes made by  
18 Public Act 101-1 ~~this amendatory Act of the 101st General~~  
19 ~~Assembly~~ to the Minimum Wage Law. The adoption of emergency  
20 rules authorized by this subsection (gg) ~~(ff)~~ is deemed to be  
21 necessary for the public interest, safety, and welfare.

22 (hh) In order to provide for the expeditious and timely  
23 implementation of the Sporting Contest Safety and Integrity  
24 Act, emergency rules to implement the Sporting Contest Safety  
25 and Integrity Act may be adopted in accordance with this  
26 subsection (hh) by the Illinois Gaming Board. The adoption of

1 emergency rules authorized by this subsection (hh) is deemed to  
2 be necessary for the public interest, safety, and welfare.

3 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;  
4 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.  
5 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;  
6 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.  
7 3-8-19; 101-1, eff. 2-19-19; revised 4-2-19.)

8 Article 5. Sports Wagering Act

9 Section 5-1. Short title. This Act may be cited as the  
10 Sports Wagering Act. References in this Article to "this Act"  
11 mean this Article.

12 Section 5-5. Definitions. As used in this Act:

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

16 "Affiliate marketing company" means a company engaged in  
17 wagerer acquisition for a master sports wagering licensee that  
18 receives a fee or revenue share or any other form of  
19 compensation from sports wagering for the wagerer acquired.

20 "Affiliate marketing company" does not include a master sports  
21 wagering licensee who acquires its own wagerers through the  
22 conduct of its own wagerer acquisition marketing efforts and  
23 who does not pay a fee or share of revenue or any other form of

1 compensation to any other company for those acquisitions.

2 "Board" means the Illinois Gaming Board.

3 "Department" means the Department of the Lottery.

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

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

13 "Owners licensee" means the holder of an owners license  
14 under the Riverboat Gambling Act.

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

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

21 "Sports event" means a professional sport or athletic  
22 event, a collegiate sport or athletic event, a motor race  
23 event, or any other event or competition of relative skill  
24 authorized by the Board under this Act.

25 "Sports facility" means a facility that hosts sports events  
26 and holds a seating capacity greater than 20,000 persons.

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

4 "Sports wagering" means accepting wagers on sports events  
5 or portions of sports events, or on the individual performance  
6 statistics of athletes in a sports event or combination of  
7 sports events, by any system or method of wagering, including,  
8 but not limited to, in person or, 540 days after the effective  
9 date of this Act, over the Internet through websites and on  
10 mobile devices. "Sports wagering" includes, but is not limited  
11 to, single-game bets, teaser bets, parlays, over-under,  
12 moneyline, pools, exchange wagering, in-game wagering, in-play  
13 bets, proposition bets, and straight bets.

14 "Sports wagering account" means a financial record  
15 established by a master sports wagering licensee for an  
16 individual patron in which the patron may deposit and withdraw  
17 funds within a gaming facility for sports wagering and other  
18 authorized purchases and to which the master sports wagering  
19 licensee may credit winnings or other amounts due to that  
20 patron or authorized by that patron.

21 "Sports wagering skin" means the brand used by the master  
22 sports wagering licensee as presented through a portal,  
23 website, or computer or mobile application through which  
24 authorized sports wagering is made available to authorized  
25 participants by a master sports wagering licensee.

26 "Tier 1 sports wager" means a sports wager that is

1 determined solely by the final score or final outcome of the  
2 sports event and is placed before the sports event has begun.

3 "Tier 2 sports wager" means a sports wager that is not a  
4 tier 1 sports wager.

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

7 "Winning bidder" means a qualified applicant for a master  
8 sports wagering license chosen through the competitive  
9 selection process under Section 5-40.

10 Section 5-10. Board duties and powers.

11 (a) Except for sports wagering conducted under Section  
12 5-65, the Board shall have the authority to regulate the  
13 conduct of sports wagering under this Act.

14 (b) The Board may adopt any rules the Board considers  
15 necessary for the successful implementation, administration,  
16 and enforcement of this Act, except for Section 5-65. Rules  
17 proposed by the Board before December 1, 2019 may be adopted as  
18 emergency rules pursuant to Section 5-45 of the Illinois  
19 Administrative Procedure Act.

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

25 (d) The Board may exercise any other powers necessary to

1 enforce the provisions of this Act that it regulates and the  
2 rules of the Board.

3 (e) The Board shall adopt rules for licensure of the  
4 following:

5 (1) a license to supply a master sports wagering  
6 licensee with sports wagering equipment or services  
7 necessary for the operation of sports wagering (supplier  
8 license), which shall require a license fee of \$150,000 and  
9 a renewal fee of \$150,000 every 5 years;

10 (2) a license to be employed by a master sports  
11 wagering licensee when the employee works in a designated  
12 gaming area that has sports wagering or performs duties in  
13 furtherance of or associated with the operation of sports  
14 wagering by the master sports wagering licensee  
15 (occupational license), which shall require an annual  
16 license fee of \$250;

17 (3) a license to provide management services under a  
18 contract to a master sports wagering licensee (management  
19 services provider license), which shall require a license  
20 fee of \$500,000 and a renewal fee of \$500,000 every 5  
21 years; and

22 (4) a license to provide a master sports wagering  
23 licensee, except a master sports wagering licensee under  
24 Section 5-40, with sports wagering online (sports wagering  
25 skin license), which shall require a license fee of  
26 \$5,000,000 and a renewal fee of \$1,000,000 every 5 years.

1           A master sports wagering licensee under Section 5-40 is not  
2 eligible for a sports wagering skin license.

3           A sports wagering skin license may not be issued until 540  
4 days after the effective date of this Act.

5           The fees paid under this subsection (e) shall be deposited  
6 into the State Gaming Fund and used for the administration of  
7 this Act.

8           (f) The Board may require that licensees share, in real  
9 time and at the sports wagering account level, information  
10 regarding a wagerer, amount and type of wager, the time the  
11 wager was placed, the location of the wager, including the  
12 Internet protocol address, if applicable, the outcome of the  
13 wager, and records of abnormal wagering activity. Information  
14 shared under this subsection (f) must be submitted in the form  
15 and manner as required by rule. If a sports governing body has  
16 notified the Board that real-time information sharing for  
17 wagers placed on its sports events is necessary and desirable,  
18 licensees may share the same information with the sports  
19 governing body or its designee with respect to wagers on its  
20 sports events. Such information shall be provided in anonymized  
21 form and shall be used by a sports governing body solely for  
22 integrity purposes.

23           (g) A master sports wagering licensee, professional sports  
24 team, sports governing body, or institution of higher education  
25 may submit to the Board in writing a request to prohibit a type  
26 or form of wagering, or to prohibit a category of persons from

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

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

18         (i) A master sports wagering licensee shall immediately  
19    report to the Board any information relating to:

20             (1) criminal or disciplinary proceedings commenced  
21    against the master sports wagering licensee in connection  
22    with its operations;

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

26             (3) any potential breach of the relevant sports

1 governing body's internal rules and codes of conduct  
2 pertaining to sports wagering;

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

6 (5) suspicious or illegal wagering activities,  
7 including use of funds derived from illegal activity,  
8 wagers to conceal or launder funds derived from illegal  
9 activity, using agents to place wagers, and using false  
10 identification.

11 A master sports wagering licensee shall also immediately  
12 report information relating to conduct described in paragraphs  
13 (2), (3), and (4) of this subsection (i) to the relevant sports  
14 governing body.

15 Section 5-15. Licenses required.

16 (a) No person may engage in any activity in connection with  
17 sports wagering in this State unless all necessary licenses  
18 have been obtained in accordance with this Act and the rules of  
19 the Board and the Department. The following licenses shall be  
20 issued under this Act:

21 (1) master sports wagering license;

22 (2) sports wagering skin license;

23 (3) supplier license;

24 (4) management services provider license;

25 (5) occupational license;

1           (6) affiliate market company license; and

2           (7) central system provider license.

3           No person or entity may engage in a sports wagering  
4 operation or activity without first obtaining the appropriate  
5 license.

6           The licenses in paragraphs (1) through (4) of this  
7 subsection (a) may not offer sports wagering over the Internet  
8 or through a mobile application until 540 days after the  
9 effective date of this Act.

10          (b) An applicant for a license issued under this Act shall  
11 submit an application to the Board in the form the Board  
12 requires and submit fingerprints for a national criminal  
13 records check by the Department of State Police and the Federal  
14 Bureau of Investigation. The fingerprints shall be furnished by  
15 all persons required to be named in the application and shall  
16 be accompanied by a signed authorization for the release of  
17 information by the Federal Bureau of Investigation. The Board  
18 may require additional background checks on licensees when they  
19 apply for license renewal, and an applicant convicted of a  
20 disqualifying offense shall not be licensed.

21          (c) Each master sports wagering licensee, licensed  
22 supplier, or licensed management services provider shall  
23 display the license conspicuously in the licensee's place of  
24 business or have the license available for inspection by an  
25 agent of the Board or a law enforcement agency.

26          (d) Each holder of an occupational license shall carry the

1 license and have some indicia of licensure prominently  
2 displayed on his or her person when present in a gaming  
3 facility licensed under this Act at all times, in accordance  
4 with the rules of the Board.

5 (e) Each person licensed under this Act shall give the  
6 Board written notice within 30 days after a change to  
7 information provided in the licensee's application for a  
8 license or renewal.

9 Section 5-20. Sports wagering authorized.

10 (a) Notwithstanding any provision of law to the contrary,  
11 the operation of sports wagering and ancillary activities are  
12 only lawful when conducted in accordance with the provisions of  
13 this Act and the rules of the Illinois Gaming Board and the  
14 Department of the Lottery.

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

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

19 (d) A licensee under this Act may not accept a wager for a  
20 sports event involving an Illinois collegiate team.

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

23 (f) Beginning 540 days after the effective date of this  
24 Act, a licensee offering tier 2 sports wagers must use official  
25 league data.

1 (g) Sports wagering may not be offered over the Internet or  
2 through a mobile application until 540 days after the effective  
3 date of this Act.

4 Section 5-25. 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.

8 (b) Except as otherwise provided in this subsection (b),  
9 the initial license fee for a master sports wagering license  
10 for an organization licensee is 5% of its handle from the  
11 preceding calendar year. An organization licensee licensed on  
12 the effective date of this Act shall pay the initial master  
13 sports wagering license fee by July 1, 2020. For an  
14 organization licensee licensed after the effective date of this  
15 Act, the master sports wagering license fee shall be  
16 \$5,000,000, but the amount shall be adjusted 12 months after  
17 the organization licensee begins racing operations based on 5%  
18 of its handle from the first 12 months of racing operations.  
19 The master sports wagering license is valid for 5 years.

20 (c) The organization licensee may renew the master sports  
21 wagering license for a period of 5 years by paying a \$1,000,000  
22 renewal fee to the Board.

23 (d) An organization licensee issued a master sports  
24 wagering license may conduct sports wagering:

25 (1) at its facility at which inter-track wagering is

1 conducted pursuant to an inter-track wagering license  
2 under the Illinois Horse Racing Act of 1975;

3 (2) at an inter-track wagering location if the  
4 inter-track wagering location licensee that derives its  
5 license from an organization licensee that is issued the  
6 master sports wagering license;

7 (3) beginning 540 days after the effective date of this  
8 Act, over the Internet through a management service  
9 provider; and

10 (4) beginning 540 days after the effective date of this  
11 Act, over the Internet through a sports wagering skin.

12 Section 5-30. Master sports wagering license issued to an  
13 owners licensee.

14 (a) An owners licensee may apply to the Board for a master  
15 sports wagering license.

16 (b) Except as otherwise provided in this subsection (b),  
17 the initial license fee for a master sports wagering license  
18 for an owners licensee is 5% of its adjusted gross receipts  
19 from the preceding calendar year. An owners licensee licensed  
20 on the effective date of this Act shall pay the initial master  
21 sports wagering license fee by July 1, 2020. For an owners  
22 licensee licensed after the effective date of this Act, the  
23 master sports wagering license fee shall be \$5,000,000, but the  
24 amount shall be adjusted 12 months after the owners licensee  
25 begins riverboat gambling operations based on 5% of its

1 adjusted gross receipts from the first 12 months of riverboat  
2 gambling operations. The master sports wagering license is  
3 valid for 5 years.

4 (c) The owners licensee may renew the master sports  
5 wagering license for a period of 5 years by paying a \$1,000,000  
6 renewal fee to the Board.

7 (d) An owners licensee issued a master sports wagering  
8 license may conduct sports wagering:

9 (1) at its facility in this State that is authorized to  
10 conduct gambling operations under the Riverboat Gambling  
11 Act;

12 (2) beginning 540 days after the effective date of this  
13 Act, over the Internet through a management service  
14 provider; and

15 (3) beginning 540 days after the effective date of this  
16 Act, over the Internet through a sports wagering skin.

17 Section 5-35. Master sports wagering license issued to a  
18 sports facility.

19 (a) A sports facility may apply to the Board for a master  
20 sports wagering license.

21 (b) The Board may issue up to 7 master sports wagering  
22 licenses to sports facilities that meet the requirements for  
23 licensure as determined by rule by the Board. If more than 7  
24 qualified applicants apply for a master sports wagering license  
25 under this Section, the licenses shall be granted in the order

1 in which the applications were received. If a license is  
2 revoked or not renewed, the Board may begin a new application  
3 process and issue a license under this Section in the order in  
4 which the application was received.

5 (c) The initial license fee for a master sports wagering  
6 license for a sports facility is \$10,000,000. The master sports  
7 wagering license is valid for 5 years.

8 (d) The sports facility may renew the master sports  
9 wagering license for a period of 5 years by paying a \$1,000,000  
10 renewal fee to the Board.

11 (e) A sports facility issued a master sports wagering  
12 license may conduct sports wagering at or within a 5-block  
13 radius of the sports facility.

14 Section 5-40. Master sports wagering license issued to an  
15 online sports wagering operator.

16 (a) The Board shall issue 2 master sports wagering licenses  
17 to online sports wagering operators for a nonrefundable license  
18 fee of \$25,000,000 pursuant to an open and competitive  
19 selection process. The master sports wagering license issued  
20 under this Section may be renewed every 5 years upon payment of  
21 a \$1,000,000 renewal fee. To the extent permitted by federal  
22 and State law, the Board shall actively seek to achieve racial,  
23 ethnic, and geographic diversity when issuing master sports  
24 wagering licenses under this Section and encourage businesses  
25 owned by minorities, women, veterans, and persons with

1 disabilities to apply for licensure. For purposes of this  
2 Section, for a business to be owned by minorities, women,  
3 veterans, or persons with disabilities, at least 51% of the  
4 ownership of the business must be held by a qualifying person  
5 or persons.

6 (b) Applications for the initial competitive selection  
7 occurring after the effective date of this Act shall be  
8 received by the Board within 540 days after the effective date  
9 of this Act to qualify. The Board shall announce the winning  
10 bidders for the initial competitive selection within 630 days  
11 after the effective date of this Act.

12 (c) The Board shall provide public notice of its intent to  
13 solicit applications for master sports wagering licenses under  
14 this Section by posting the notice, application instructions,  
15 and materials on its website for at least 30 calendar days  
16 before the applications are due. Failure by an applicant to  
17 submit all required information may result in the application  
18 being disqualified. The Board may notify an applicant that its  
19 application is incomplete and provide an opportunity to cure by  
20 rule. Application instructions shall include a brief overview  
21 of the selection process and how applications are scored.

22 (d) To be eligible for a master sports wagering license  
23 under this Section, an applicant must: (1) be at least 21 years  
24 of age; (2) not have been convicted of a felony offense or a  
25 violation of Article 28 of the Criminal Code of 1961 or the  
26 Criminal Code of 2012 or a similar statute of any other

1 jurisdiction; (3) not have been convicted of a crime involving  
2 dishonesty or moral turpitude; (4) have demonstrated a level of  
3 skill or knowledge that the Board determines to be necessary in  
4 order to operate sports wagering; (5) have met standards for  
5 the holding of a license as adopted by rules of the Board; and  
6 (6) have not been issued a sports wagering skin license.

7 The Board may adopt rules to establish additional  
8 qualifications and requirements to preserve the integrity and  
9 security of sports wagering in this State and to promote and  
10 maintain a competitive sports wagering market. After the close  
11 of the application period, the Board shall determine whether  
12 the applications meet the mandatory minimum qualification  
13 criteria and conduct a comprehensive, fair, and impartial  
14 evaluation of all qualified applications.

15 (e) The Board shall open all qualified applications in a  
16 public forum and disclose the applicants' names. The Board  
17 shall summarize the terms of the proposals and make the  
18 summaries available to the public on its website.

19 (f) Not more than 90 days after the publication of the  
20 qualified applications, the Board shall identify the winning  
21 bidders. In granting the licenses, the Board may give favorable  
22 consideration to qualified applicants presenting plans that  
23 provide for economic development and community engagement. To  
24 the extent permitted by federal and State law, the Board may  
25 give favorable consideration to qualified applicants  
26 demonstrating commitment to diversity in the workplace.

1           (g) Upon selection of the winning bidders, the Board shall  
2 have a reasonable period of time to ensure compliance with all  
3 applicable statutory and regulatory criteria before issuing  
4 the licenses. If the Board determines a winning bidder does not  
5 satisfy all applicable statutory and regulatory criteria, the  
6 Board shall select another bidder from the remaining qualified  
7 applicants.

8           (h) Nothing in this Section is intended to confer a  
9 property or other right, duty, privilege, or interest entitling  
10 an applicant to an administrative hearing upon denial of an  
11 application.

12           (i) Upon issuance of a master sports wagering license to a  
13 winning bidder, the information and plans provided in the  
14 application become a condition of the license. A master sports  
15 wagering licensee under this Section has a duty to disclose any  
16 material changes to the application. Failure to comply with the  
17 conditions or requirements in the application may subject the  
18 master sports wagering licensee under this Section to  
19 discipline, up to and including suspension or revocation of its  
20 license, by the Board.

21           (j) The Board shall disseminate information about the  
22 licensing process through media demonstrated to reach large  
23 numbers of business owners and entrepreneurs who are  
24 minorities, women, veterans, and persons with disabilities.

25           (k) The Department of Commerce and Economic Opportunity, in  
26 conjunction with the Board, shall conduct ongoing, thorough,

1 and comprehensive outreach to businesses owned by minorities,  
2 women, veterans, and persons with disabilities about  
3 contracting and entrepreneurial opportunities in sports  
4 wagering. This outreach shall include, but not be limited to:

5 (1) cooperating and collaborating with other State  
6 boards, commissions, and agencies; public and private  
7 universities and community colleges; and local governments  
8 to target outreach efforts; and

9 (2) working with organizations serving minorities,  
10 women, and persons with disabilities to establish and  
11 conduct training for employment in sports wagering.

12 (1) The Board shall partner with the Department of Labor,  
13 the Department of Financial and Professional Regulation, and  
14 the Department of Commerce and Economic Opportunity to identify  
15 employment opportunities within the sports wagering industry  
16 for job seekers and dislocated workers.

17 (m) By November 1, 2019, the Board shall conduct a study of  
18 the online sports wagering industry and market to determine  
19 whether there is a compelling interest in implementing remedial  
20 measures, including the application of the Business Enterprise  
21 Program under the Business Enterprise for Minorities, Women,  
22 and Persons with Disabilities Act or a similar program to  
23 assist minorities, women, and persons with disabilities in the  
24 sports wagering industry.

25 As a part of the study, the Board shall evaluate race and  
26 gender-neutral programs or other methods that may be used to

1 address the needs of minority and women applicants and  
2 minority-owned and women-owned businesses seeking to  
3 participate in the sports wagering industry. The Board shall  
4 submit to the General Assembly and publish on its website the  
5 results of this study by December 1, 2019.

6 If, as a result of the study conducted under this  
7 subsection (m), the Board finds that there is a compelling  
8 interest in implementing remedial measures, the Board may adopt  
9 rules, including emergency rules, to implement remedial  
10 measures, if necessary and to the extent permitted by State and  
11 federal law, based on the findings of the study conducted under  
12 this subsection (m).

13 (n) A master sports wagering licensee under this Section  
14 may not use a sports wagering skin.

15 Section 5-45. Affiliate marketing company license.

16 (a) An affiliate marketing company that provided wagerer  
17 acquisition services to any sports wagering company located  
18 outside the United States before the United States Supreme  
19 Court's decision in *Murphy v. National Collegiate Athletic*  
20 *Association* on May 14, 2018 shall provide the Board, as a part  
21 of its application for licensure, a complete history of those  
22 activities and any other information required by the Board.

23 (b) An affiliate marketing company licensee is prohibited  
24 from providing wagerer acquisition services to any online  
25 gambling company offering gambling products to persons in the

1 United States who are not licensed under this Act or another  
2 State that has authorized sports wagering by law.

3 (c) The license fee for an affiliate marketing company  
4 license is \$25,000 and shall be paid to the Board; the license  
5 may be renewed annually by paying \$25,000 to the Board. The  
6 fees collected under this Section shall be deposited into the  
7 State Gaming Fund for the administration of this Act.

8 (d) Annually, as determined by the Board, an affiliate  
9 marketing company licensee shall submit a report to the Board  
10 identifying all licensees under this Act for whom it provided  
11 wagerer acquisition services in Illinois and the aggregate  
12 amount of fees received for those services.

13 Section 5-50. Provisional licenses.

14 (a) An applicant for a supplier license that holds a valid  
15 license to supply sports wagering equipment or services in  
16 another United States jurisdiction shall be issued a  
17 provisional license to supply sports wagering equipment or  
18 services to a master sports wagering licensee under Section  
19 5-25 or 5-30 until issued or denied a supplier license by the  
20 Board and may supply sports wagering equipment or services to a  
21 master sports wagering licensee under Section 5-25 or 5-30. A  
22 provisional license under this subsection (a) may be issued by  
23 the Board upon payment of a \$15,000 license fee and is valid  
24 for one year.

25 (b) An applicant for an occupational license that holds a

1 valid license to be employed to work in a designated gaming  
2 area that has sports wagering or performs duties in furtherance  
3 of or associated with the operation of sports wagering in  
4 another United States jurisdiction shall be issued a  
5 provisional license to be employed by a master sports wagering  
6 licensee under Section 5-25 or 5-30 to work in a designated  
7 gaming area that has sports wagering or performs duties in  
8 furtherance of or associated with the operation of sports  
9 wagering in the State until issued or denied an occupational  
10 license by the Board and may be employed by a master sports  
11 wagering licensee under Section 5-25 or 5-30 in a designated  
12 gaming area that has sports wagering or performing duties in  
13 furtherance of or associated with the operation of sports  
14 wagering. A provisional license under this subsection (b) may  
15 be issued upon payment of a \$25 license fee and is valid for  
16 one year.

17 (c) An applicant for a management service provider license  
18 that holds a valid license to provide management services for  
19 sports wagering in another United States jurisdiction shall be  
20 issued a provisional license to provide management services for  
21 a master sports wagering licensee under Section 5-25 or 5-30  
22 until issued or denied a management service provider license by  
23 the Board and may provide management services for a master  
24 sports wagering licensee under Section 5-25 or 5-30. A  
25 provisional license under this subsection (c) may be issued  
26 upon payment of a \$25,000 license fee and is valid for one

1 year. A licensee under this subsection (c) may not offer sports  
2 wagering over the Internet or through a mobile application  
3 until 540 days after the effective date of this Act.

4 (d) The license fees paid under this Section shall be  
5 deposited into the State Gaming Fund and used for the  
6 administration of this Act.

7 (e) The amount of the license fee paid for a provisional  
8 license issued under subsection (a) or (c) shall be credited  
9 against the total amount due for a license issued under  
10 paragraph (1) or (3) of subsection (e) of Section 5-10.

11 (f) Any provisional license issued by the Board may be  
12 extended beyond the original term of the provisional license,  
13 and a decision by the Board not to renew or extend a  
14 provisional license term shall be considered a denial rather  
15 than a revocation of the license and shall not be deemed a  
16 deprivation of a vested property interest.

17 Section 5-55. Sports wagering skin. Except a master sports  
18 wagering licensee under Section 5-40, each master sports  
19 wagering licensee shall be limited to one sports wagering skin  
20 to provide sports wagering online. Each sports wagering skin  
21 must reflect a brand owned by the master sports wagering  
22 licensee or any affiliate of the master sports wagering  
23 licensee in the United States. As used in this subsection,  
24 "affiliate" means a person that directly, or indirectly through  
25 one or more intermediaries, controls, is controlled by, or is

1 under common control with a master sports wagering licensee.

2 Section 5-60. Sports wagering at a sports facility. Sports  
3 wagering may be offered in person at or within a 5-block radius  
4 of a sports facility if sports wagering is offered by a master  
5 sports wagering licensee under Section 5-35 and that master  
6 sports wagering licensee has received written authorization  
7 from the relevant sports governing body that plays its home  
8 contests at the sports facility. If more than one professional  
9 sports team plays its home contests at the same sports  
10 facility, written authorization is required from all relevant  
11 sports governing bodies of those professional sports teams that  
12 play home contests at the sports facility. The unit of local  
13 government where the sports facility is located must approve by  
14 ordinance or resolution sports wagering being conducted at the  
15 sports facility or within a 5-block radius of the sports  
16 facility.

17 Section 5-65. Lottery sports wagering pilot program.

18 (a) As used in this Section:

19 "Central system" means the hardware, software,  
20 peripherals, and network components provided by the  
21 Department's central system provider that link and support all  
22 required sports lottery terminals and the central site.

23 "Central system provider" means an individual,  
24 partnership, corporation, or limited liability company that

1 has been licensed for the purpose of providing and maintaining  
2 a central system and the related management facilities.

3 "Electronic card" means a card purchased from a lottery  
4 retailer.

5 "Lottery retailer" means a location licensed by the  
6 Department to sell lottery tickets or shares.

7 "Sports lottery systems" means systems provided by the  
8 central system provider consisting of sports wagering  
9 products, risk management, operations, and support services.

10 "Sports lottery terminal" means a terminal linked to the  
11 central system in which bills or coins are deposited or an  
12 electronic card is inserted in order to place wagers on a  
13 sports event and lottery offerings.

14 (b) The Department shall issue one central system provider  
15 license pursuant to an open and competitive bidding process  
16 that uses the following procedures

17 (1) The Department shall make applications for the  
18 central system provider license available to the public and  
19 allow a reasonable time for applicants to submit  
20 applications to the Department.

21 (2) During the filing period for central system  
22 provider license applications, the Department may retain  
23 the services of an investment banking firm to assist the  
24 Department in conducting the open and competitive bidding  
25 process.

26 (3) After receiving all of the bid proposals, the

1 Department shall open all of the proposals in a public  
2 forum and disclose the prospective central system provider  
3 names and venture partners, if any.

4 (4) The Department shall summarize the terms of the bid  
5 proposals and may make this summary available to the  
6 public.

7 (5) The Department shall evaluate the bid proposals  
8 within a reasonable time and select no more than 3 final  
9 applicants to make presentations of their bid proposals to  
10 the Department.

11 (6) The final applicants shall make their  
12 presentations to the Department on the same day during an  
13 open session of the Department.

14 (7) As soon as practicable after the public  
15 presentations by the final applicants, the Department, in  
16 its discretion, may conduct further negotiations among the  
17 3 final applicants. During such negotiations, each final  
18 applicant may increase its license bid or otherwise enhance  
19 its bid proposal. At the conclusion of such negotiations,  
20 the Department shall select the winning bid.

21 (8) Upon selection of the winning bid, the Department  
22 shall evaluate the winning bid within a reasonable period  
23 of time for licensee suitability in accordance with all  
24 applicable statutory and regulatory criteria.

25 (9) If the winning bidder is unable or otherwise fails  
26 to consummate the transaction, (including if the

1 Department determines that the winning bidder does not  
2 satisfy the suitability requirements), the Department may,  
3 on the same criteria, select from the remaining bidders.

4 (10) The winning bidder shall pay \$20,000,000 to the  
5 Department upon being issued the central system provider  
6 license.

7 (c) Every sports lottery terminal offered in this State for  
8 play shall first be tested and approved pursuant to the rules  
9 of the Department, and each sports lottery terminal offered in  
10 this State for play shall conform to an approved model. For the  
11 examination of sports lottery terminals and associated  
12 equipment as required by this Section, the central system  
13 provider may utilize the services of one or more independent  
14 outside testing laboratories that have been accredited by a  
15 national accreditation body and that, in the judgment of the  
16 Department, are qualified to perform such examinations. Every  
17 sports lottery terminal offered in this State for play must  
18 meet minimum standards set by an independent outside testing  
19 laboratory approved by the Department.

20 (d) Sport lottery terminals may be placed in no more than  
21 2,500 Lottery retail locations in the State.

22 (e) A sports lottery terminal may not directly dispense  
23 coins, cash, tokens, or any other article of exchange or value  
24 except for receipt tickets. Tickets shall be dispensed by  
25 pressing the ticket dispensing button on the sports lottery  
26 terminal at the end of the placement of one's wager or wagers.

1 The ticket shall indicate the total amount wagered, odds for  
2 each wager placed, and the cash award for each bet placed, the  
3 time of day in a 24-hour format showing hours and minutes, the  
4 date, the terminal serial number, the sequential number of the  
5 ticket, and an encrypted validation number from which the  
6 validity of the prize may be determined. The player shall turn  
7 in this ticket to the appropriate person at a lottery retailer  
8 to receive the cash award.

9 (f) No lottery retailer may cause or permit any person  
10 under the age of 21 years to use a sports lottery terminal or  
11 sports wagering application. A lottery retailer who knowingly  
12 causes or permits a person under the age of 21 years to use a  
13 sports lottery terminal or sports wagering application is  
14 guilty of a business offense and shall be fined an amount not  
15 to exceed \$5,000.

16 (g) A sports lottery terminal shall only accept parlay  
17 wagers. The Department shall, by rule, establish the total  
18 amount, as a percentage, of all wagers placed that a lottery  
19 retailer may retain.

20 (h) The Department shall have jurisdiction over and shall  
21 supervise all sports wagering operations governed by this  
22 Section. The Department shall have all powers necessary and  
23 proper to fully and effectively execute the provisions of this  
24 Section, including, but not limited to, the following:

25 (1) To investigate applicants and determine the  
26 eligibility of applicants for licenses and to select among

1 competing applicants the applicants which best serve the  
2 interests of the citizens of Illinois.

3 (2) To have jurisdiction and supervision over all  
4 lottery sports wagering operations in this State.

5 (3) To adopt rules for the purpose of administering the  
6 provisions of this Section and to adopt rules and  
7 conditions under which all lottery sports wagering in the  
8 State shall be conducted. Such rules are to provide for the  
9 prevention of practices detrimental to the public interest  
10 and for the best interests of lottery sports wagering,  
11 including rules (i) regarding the inspection of such  
12 licensees necessary to operate a lottery retailer under any  
13 laws or rules applicable to licensees, (ii) to impose  
14 penalties for violations of the Act and its rules, and  
15 (iii) establishing standards for advertising sports  
16 wagering.

17 (i) The Department shall adopt emergency rules to  
18 administer this Section in accordance with Section 5-45 of the  
19 Illinois Administrative Procedure Act. For the purposes of the  
20 Illinois Administrative Procedure Act, the General Assembly  
21 finds that the adoption of rules to implement this Section is  
22 deemed an emergency and necessary to the public interest,  
23 safety, and welfare.

24 (j) For the privilege of operating sports wagering under  
25 this Section, all proceeds minus net of proceeds returned to  
26 players shall be electronically transferred daily or weekly, at

1 the discretion of the Director of the Lottery, into the State  
2 Lottery Fund. After amounts owed to the central system provider  
3 and licensed agents, as determined by the Department, are paid  
4 from the moneys deposited into the State Lottery Fund under  
5 this subsection, the remainder shall be transferred in equal  
6 amounts to the Pension Stabilization Fund, the Common School  
7 Fund, and the State Construction Account Fund.

8 (k) This Section is repealed on January 1, 2024.

9 Section 5-70. Supplier diversity goals for sports  
10 wagering.

11 (a) As used in this Section only, "licensee" means a  
12 licensee under this Act other than an occupational licensee.

13 (b) The public policy of this State is to collaboratively  
14 work with companies that serve Illinois residents to improve  
15 their supplier diversity in a non-antagonistic manner.

16 (c) The Board and the Department shall require all  
17 licensees under this Act to submit an annual report by April  
18 15, 2020 and every April 15 thereafter, in a searchable Adobe  
19 PDF format, on all procurement goals and actual spending for  
20 female-owned, minority-owned, veteran-owned, and small  
21 business enterprises in the previous calendar year. These goals  
22 shall be expressed as a percentage of the total work performed  
23 by the entity submitting the report, and the actual spending  
24 for all female-owned, minority-owned, veteran-owned, and small  
25 business enterprises shall also be expressed as a percentage of

1 the total work performed by the entity submitting the report.

2 (d) Each licensee in its annual report shall include the  
3 following information:

4 (1) an explanation of the plan for the next year to  
5 increase participation;

6 (2) an explanation of the plan to increase the goals;

7 (3) the areas of procurement each licensee shall be  
8 actively seeking more participation in in the next year;

9 (4) an outline of the plan to alert and encourage  
10 potential vendors in that area to seek business from the  
11 licensee;

12 (5) an explanation of the challenges faced in finding  
13 quality vendors and offer any suggestions for what the  
14 Board could do to be helpful to identify those vendors;

15 (6) a list of the certifications the licensee  
16 recognizes;

17 (7) the point of contact for any potential vendor who  
18 wishes to do business with the licensee and explain the  
19 process for a vendor to enroll with the licensee as a  
20 minority-owned, women-owned, or veteran-owned company; and

21 (8) any particular success stories to encourage other  
22 licensee to emulate best practices.

23 (e) Each annual report shall include as much State-specific  
24 data as possible. If the submitting entity does not submit  
25 State-specific data, then the licensee shall include any  
26 national data it does have and explain why it could not submit

1 State-specific data and how it intends to do so in future  
2 reports, if possible.

3 (f) Each annual report shall include the rules,  
4 regulations, and definitions used for the procurement goals in  
5 the licensee's annual report.

6 (g) The Board, Department, and all licensees shall hold an  
7 annual workshop open to the public in 2020 and every year  
8 thereafter on the state of supplier diversity to  
9 collaboratively seek solutions to structural impediments to  
10 achieving stated goals, including testimony from each licensee  
11 as well as subject matter experts and advocates. The Board and  
12 Department shall publish a database on their websites of the  
13 point of contact for licensees they regulate under this Act for  
14 supplier diversity, along with a list of certifications each  
15 licensee recognizes from the information submitted in each  
16 annual report. The Board and Department shall publish each  
17 annual report on their websites and shall maintain each annual  
18 report for at least 5 years.

19 Section 5-75. Tax; Sports Wagering Fund.

20 (a) For the privilege of holding a license to operate  
21 sports wagering under this Act, this State shall impose and  
22 collect 20% of a master sports wagering licensee's adjusted  
23 gross sports wagering receipts from sports wagering. The  
24 accrual method of accounting shall be used for purposes of  
25 calculating the amount of the tax owed by the licensee.

1           The taxes levied and collected pursuant to this subsection  
2           (a) are due and payable to the Board no later than the last day  
3           of the month following the calendar month in which the adjusted  
4           gross sports wagering receipts were received and the tax  
5           obligation was accrued.

6           (b) The Sports Wagering Fund is hereby created as a special  
7           fund in the State treasury. Except as otherwise specified in  
8           this Act, all moneys collected under this Act by the Board  
9           shall be deposited into the Sports Wagering Fund and then  
10          transferred in equal amounts to the State Construction Account  
11          Fund, the Pension Stabilization Fund, and the Common School  
12          Fund.

13          Section 5-80. Compulsive gambling. Each master sports  
14          wagering licensee shall include a statement regarding  
15          obtaining assistance with gambling problems, the text of which  
16          shall be determined by rule by the Department of Human  
17          Services, on the master sports wagering licensee's portal,  
18          Internet website, or computer or mobile application.

19          Section 5-85. Voluntary self-exclusion program for sports  
20          wagering. Any resident, or non-resident if allowed to  
21          participate in sports wagering, may voluntarily prohibit  
22          himself or herself from establishing a sports wagering account  
23          with a licensee under this Act. The Board and Department shall  
24          incorporate the voluntary self-exclusion program for sports

1     wagering into any existing self-exclusion program that it  
2     operates on the effective date of this Act.

3             Section 5-90. Report to General Assembly. On or before  
4     January 15, 2023, the Board shall provide a report to the  
5     General Assembly on sports wagering conducted under this Act  
6     during the 3 years following the effective date of this Act.

7             Section 5-900. The Illinois Administrative Procedure Act  
8     is amended by changing Section 5-45 as follows:

9             (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

10            Sec. 5-45. Emergency rulemaking.

11            (a) "Emergency" means the existence of any situation that  
12     any agency finds reasonably constitutes a threat to the public  
13     interest, safety, or welfare.

14            (b) If any agency finds that an emergency exists that  
15     requires adoption of a rule upon fewer days than is required by  
16     Section 5-40 and states in writing its reasons for that  
17     finding, the agency may adopt an emergency rule without prior  
18     notice or hearing upon filing a notice of emergency rulemaking  
19     with the Secretary of State under Section 5-70. The notice  
20     shall include the text of the emergency rule and shall be  
21     published in the Illinois Register. Consent orders or other  
22     court orders adopting settlements negotiated by an agency may  
23     be adopted under this Section. Subject to applicable

1 constitutional or statutory provisions, an emergency rule  
2 becomes effective immediately upon filing under Section 5-65 or  
3 at a stated date less than 10 days thereafter. The agency's  
4 finding and a statement of the specific reasons for the finding  
5 shall be filed with the rule. The agency shall take reasonable  
6 and appropriate measures to make emergency rules known to the  
7 persons who may be affected by them.

8 (c) An emergency rule may be effective for a period of not  
9 longer than 150 days, but the agency's authority to adopt an  
10 identical rule under Section 5-40 is not precluded. No  
11 emergency rule may be adopted more than once in any 24-month  
12 period, except that this limitation on the number of emergency  
13 rules that may be adopted in a 24-month period does not apply  
14 to (i) emergency rules that make additions to and deletions  
15 from the Drug Manual under Section 5-5.16 of the Illinois  
16 Public Aid Code or the generic drug formulary under Section  
17 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)  
18 emergency rules adopted by the Pollution Control Board before  
19 July 1, 1997 to implement portions of the Livestock Management  
20 Facilities Act, (iii) emergency rules adopted by the Illinois  
21 Department of Public Health under subsections (a) through (i)  
22 of Section 2 of the Department of Public Health Act when  
23 necessary to protect the public's health, (iv) emergency rules  
24 adopted pursuant to subsection (n) of this Section, (v)  
25 emergency rules adopted pursuant to subsection (o) of this  
26 Section, or (vi) emergency rules adopted pursuant to subsection

1 (c-5) of this Section. Two or more emergency rules having  
2 substantially the same purpose and effect shall be deemed to be  
3 a single rule for purposes of this Section.

4 (c-5) To facilitate the maintenance of the program of group  
5 health benefits provided to annuitants, survivors, and retired  
6 employees under the State Employees Group Insurance Act of  
7 1971, rules to alter the contributions to be paid by the State,  
8 annuitants, survivors, retired employees, or any combination  
9 of those entities, for that program of group health benefits,  
10 shall be adopted as emergency rules. The adoption of those  
11 rules shall be considered an emergency and necessary for the  
12 public interest, safety, and welfare.

13 (d) In order to provide for the expeditious and timely  
14 implementation of the State's fiscal year 1999 budget,  
15 emergency rules to implement any provision of Public Act 90-587  
16 or 90-588 or any other budget initiative for fiscal year 1999  
17 may be adopted in accordance with this Section by the agency  
18 charged with administering that provision or initiative,  
19 except that the 24-month limitation on the adoption of  
20 emergency rules and the provisions of Sections 5-115 and 5-125  
21 do not apply to rules adopted under this subsection (d). The  
22 adoption of emergency rules authorized by this subsection (d)  
23 shall be deemed to be necessary for the public interest,  
24 safety, and welfare.

25 (e) In order to provide for the expeditious and timely  
26 implementation of the State's fiscal year 2000 budget,

1 emergency rules to implement any provision of Public Act 91-24  
2 or any other budget initiative for fiscal year 2000 may be  
3 adopted in accordance with this Section by the agency charged  
4 with administering that provision or initiative, except that  
5 the 24-month limitation on the adoption of emergency rules and  
6 the provisions of Sections 5-115 and 5-125 do not apply to  
7 rules adopted under this subsection (e). The adoption of  
8 emergency rules authorized by this subsection (e) shall be  
9 deemed to be necessary for the public interest, safety, and  
10 welfare.

11 (f) In order to provide for the expeditious and timely  
12 implementation of the State's fiscal year 2001 budget,  
13 emergency rules to implement any provision of Public Act 91-712  
14 or any other budget initiative for fiscal year 2001 may be  
15 adopted in accordance with this Section by the agency charged  
16 with administering that provision or initiative, except that  
17 the 24-month limitation on the adoption of emergency rules and  
18 the provisions of Sections 5-115 and 5-125 do not apply to  
19 rules adopted under this subsection (f). The adoption of  
20 emergency rules authorized by this subsection (f) shall be  
21 deemed to be necessary for the public interest, safety, and  
22 welfare.

23 (g) In order to provide for the expeditious and timely  
24 implementation of the State's fiscal year 2002 budget,  
25 emergency rules to implement any provision of Public Act 92-10  
26 or any other budget initiative for fiscal year 2002 may be

1 adopted in accordance with this Section by the agency charged  
2 with administering that provision or initiative, except that  
3 the 24-month limitation on the adoption of emergency rules and  
4 the provisions of Sections 5-115 and 5-125 do not apply to  
5 rules adopted under this subsection (g). The adoption of  
6 emergency rules authorized by this subsection (g) shall be  
7 deemed to be necessary for the public interest, safety, and  
8 welfare.

9 (h) In order to provide for the expeditious and timely  
10 implementation of the State's fiscal year 2003 budget,  
11 emergency rules to implement any provision of Public Act 92-597  
12 or any other budget initiative for fiscal year 2003 may be  
13 adopted in accordance with this Section by the agency charged  
14 with administering that provision or initiative, except that  
15 the 24-month limitation on the adoption of emergency rules and  
16 the provisions of Sections 5-115 and 5-125 do not apply to  
17 rules adopted under this subsection (h). The adoption of  
18 emergency rules authorized by this subsection (h) shall be  
19 deemed to be necessary for the public interest, safety, and  
20 welfare.

21 (i) In order to provide for the expeditious and timely  
22 implementation of the State's fiscal year 2004 budget,  
23 emergency rules to implement any provision of Public Act 93-20  
24 or any other budget initiative for fiscal year 2004 may be  
25 adopted in accordance with this Section by the agency charged  
26 with administering that provision or initiative, except that

1 the 24-month limitation on the adoption of emergency rules and  
2 the provisions of Sections 5-115 and 5-125 do not apply to  
3 rules adopted under this subsection (i). The adoption of  
4 emergency rules authorized by this subsection (i) shall be  
5 deemed to be necessary for the public interest, safety, and  
6 welfare.

7 (j) In order to provide for the expeditious and timely  
8 implementation of the provisions of the State's fiscal year  
9 2005 budget as provided under the Fiscal Year 2005 Budget  
10 Implementation (Human Services) Act, emergency rules to  
11 implement any provision of the Fiscal Year 2005 Budget  
12 Implementation (Human Services) Act may be adopted in  
13 accordance with this Section by the agency charged with  
14 administering that provision, except that the 24-month  
15 limitation on the adoption of emergency rules and the  
16 provisions of Sections 5-115 and 5-125 do not apply to rules  
17 adopted under this subsection (j). The Department of Public Aid  
18 may also adopt rules under this subsection (j) necessary to  
19 administer the Illinois Public Aid Code and the Children's  
20 Health Insurance Program Act. The adoption of emergency rules  
21 authorized by this subsection (j) shall be deemed to be  
22 necessary for the public interest, safety, and welfare.

23 (k) In order to provide for the expeditious and timely  
24 implementation of the provisions of the State's fiscal year  
25 2006 budget, emergency rules to implement any provision of  
26 Public Act 94-48 or any other budget initiative for fiscal year

1 2006 may be adopted in accordance with this Section by the  
2 agency charged with administering that provision or  
3 initiative, except that the 24-month limitation on the adoption  
4 of emergency rules and the provisions of Sections 5-115 and  
5 5-125 do not apply to rules adopted under this subsection (k).  
6 The Department of Healthcare and Family Services may also adopt  
7 rules under this subsection (k) necessary to administer the  
8 Illinois Public Aid Code, the Senior Citizens and Persons with  
9 Disabilities Property Tax Relief Act, the Senior Citizens and  
10 Disabled Persons Prescription Drug Discount Program Act (now  
11 the Illinois Prescription Drug Discount Program Act), and the  
12 Children's Health Insurance Program Act. The adoption of  
13 emergency rules authorized by this subsection (k) shall be  
14 deemed to be necessary for the public interest, safety, and  
15 welfare.

16 (l) In order to provide for the expeditious and timely  
17 implementation of the provisions of the State's fiscal year  
18 2007 budget, the Department of Healthcare and Family Services  
19 may adopt emergency rules during fiscal year 2007, including  
20 rules effective July 1, 2007, in accordance with this  
21 subsection to the extent necessary to administer the  
22 Department's responsibilities with respect to amendments to  
23 the State plans and Illinois waivers approved by the federal  
24 Centers for Medicare and Medicaid Services necessitated by the  
25 requirements of Title XIX and Title XXI of the federal Social  
26 Security Act. The adoption of emergency rules authorized by

1 this subsection (l) shall be deemed to be necessary for the  
2 public interest, safety, and welfare.

3 (m) In order to provide for the expeditious and timely  
4 implementation of the provisions of the State's fiscal year  
5 2008 budget, the Department of Healthcare and Family Services  
6 may adopt emergency rules during fiscal year 2008, including  
7 rules effective July 1, 2008, in accordance with this  
8 subsection to the extent necessary to administer the  
9 Department's responsibilities with respect to amendments to  
10 the State plans and Illinois waivers approved by the federal  
11 Centers for Medicare and Medicaid Services necessitated by the  
12 requirements of Title XIX and Title XXI of the federal Social  
13 Security Act. The adoption of emergency rules authorized by  
14 this subsection (m) shall be deemed to be necessary for the  
15 public interest, safety, and welfare.

16 (n) In order to provide for the expeditious and timely  
17 implementation of the provisions of the State's fiscal year  
18 2010 budget, emergency rules to implement any provision of  
19 Public Act 96-45 or any other budget initiative authorized by  
20 the 96th General Assembly for fiscal year 2010 may be adopted  
21 in accordance with this Section by the agency charged with  
22 administering that provision or initiative. The adoption of  
23 emergency rules authorized by this subsection (n) shall be  
24 deemed to be necessary for the public interest, safety, and  
25 welfare. The rulemaking authority granted in this subsection  
26 (n) shall apply only to rules promulgated during Fiscal Year

1 2010.

2 (o) In order to provide for the expeditious and timely  
3 implementation of the provisions of the State's fiscal year  
4 2011 budget, emergency rules to implement any provision of  
5 Public Act 96-958 or any other budget initiative authorized by  
6 the 96th General Assembly for fiscal year 2011 may be adopted  
7 in accordance with this Section by the agency charged with  
8 administering that provision or initiative. The adoption of  
9 emergency rules authorized by this subsection (o) is deemed to  
10 be necessary for the public interest, safety, and welfare. The  
11 rulemaking authority granted in this subsection (o) applies  
12 only to rules promulgated on or after July 1, 2010 (the  
13 effective date of Public Act 96-958) through June 30, 2011.

14 (p) In order to provide for the expeditious and timely  
15 implementation of the provisions of Public Act 97-689,  
16 emergency rules to implement any provision of Public Act 97-689  
17 may be adopted in accordance with this subsection (p) by the  
18 agency charged with administering that provision or  
19 initiative. The 150-day limitation of the effective period of  
20 emergency rules does not apply to rules adopted under this  
21 subsection (p), and the effective period may continue through  
22 June 30, 2013. The 24-month limitation on the adoption of  
23 emergency rules does not apply to rules adopted under this  
24 subsection (p). The adoption of emergency rules authorized by  
25 this subsection (p) is deemed to be necessary for the public  
26 interest, safety, and welfare.

1           (q) In order to provide for the expeditious and timely  
2 implementation of the provisions of Articles 7, 8, 9, 11, and  
3 12 of Public Act 98-104, emergency rules to implement any  
4 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104  
5 may be adopted in accordance with this subsection (q) by the  
6 agency charged with administering that provision or  
7 initiative. The 24-month limitation on the adoption of  
8 emergency rules does not apply to rules adopted under this  
9 subsection (q). The adoption of emergency rules authorized by  
10 this subsection (q) is deemed to be necessary for the public  
11 interest, safety, and welfare.

12           (r) In order to provide for the expeditious and timely  
13 implementation of the provisions of Public Act 98-651,  
14 emergency rules to implement Public Act 98-651 may be adopted  
15 in accordance with this subsection (r) by the Department of  
16 Healthcare and Family Services. The 24-month limitation on the  
17 adoption of emergency rules does not apply to rules adopted  
18 under this subsection (r). The adoption of emergency rules  
19 authorized by this subsection (r) is deemed to be necessary for  
20 the public interest, safety, and welfare.

21           (s) In order to provide for the expeditious and timely  
22 implementation of the provisions of Sections 5-5b.1 and 5A-2 of  
23 the Illinois Public Aid Code, emergency rules to implement any  
24 provision of Section 5-5b.1 or Section 5A-2 of the Illinois  
25 Public Aid Code may be adopted in accordance with this  
26 subsection (s) by the Department of Healthcare and Family

1 Services. The rulemaking authority granted in this subsection  
2 (s) shall apply only to those rules adopted prior to July 1,  
3 2015. Notwithstanding any other provision of this Section, any  
4 emergency rule adopted under this subsection (s) shall only  
5 apply to payments made for State fiscal year 2015. The adoption  
6 of emergency rules authorized by this subsection (s) is deemed  
7 to be necessary for the public interest, safety, and welfare.

8 (t) In order to provide for the expeditious and timely  
9 implementation of the provisions of Article II of Public Act  
10 99-6, emergency rules to implement the changes made by Article  
11 II of Public Act 99-6 to the Emergency Telephone System Act may  
12 be adopted in accordance with this subsection (t) by the  
13 Department of State Police. The rulemaking authority granted in  
14 this subsection (t) shall apply only to those rules adopted  
15 prior to July 1, 2016. The 24-month limitation on the adoption  
16 of emergency rules does not apply to rules adopted under this  
17 subsection (t). The adoption of emergency rules authorized by  
18 this subsection (t) is deemed to be necessary for the public  
19 interest, safety, and welfare.

20 (u) In order to provide for the expeditious and timely  
21 implementation of the provisions of the Burn Victims Relief  
22 Act, emergency rules to implement any provision of the Act may  
23 be adopted in accordance with this subsection (u) by the  
24 Department of Insurance. The rulemaking authority granted in  
25 this subsection (u) shall apply only to those rules adopted  
26 prior to December 31, 2015. The adoption of emergency rules

1 authorized by this subsection (u) is deemed to be necessary for  
2 the public interest, safety, and welfare.

3 (v) In order to provide for the expeditious and timely  
4 implementation of the provisions of Public Act 99-516,  
5 emergency rules to implement Public Act 99-516 may be adopted  
6 in accordance with this subsection (v) by the Department of  
7 Healthcare and Family Services. The 24-month limitation on the  
8 adoption of emergency rules does not apply to rules adopted  
9 under this subsection (v). The adoption of emergency rules  
10 authorized by this subsection (v) is deemed to be necessary for  
11 the public interest, safety, and welfare.

12 (w) In order to provide for the expeditious and timely  
13 implementation of the provisions of Public Act 99-796,  
14 emergency rules to implement the changes made by Public Act  
15 99-796 may be adopted in accordance with this subsection (w) by  
16 the Adjutant General. The adoption of emergency rules  
17 authorized by this subsection (w) is deemed to be necessary for  
18 the public interest, safety, and welfare.

19 (x) In order to provide for the expeditious and timely  
20 implementation of the provisions of Public Act 99-906,  
21 emergency rules to implement subsection (i) of Section 16-115D,  
22 subsection (g) of Section 16-128A, and subsection (a) of  
23 Section 16-128B of the Public Utilities Act may be adopted in  
24 accordance with this subsection (x) by the Illinois Commerce  
25 Commission. The rulemaking authority granted in this  
26 subsection (x) shall apply only to those rules adopted within

1 180 days after June 1, 2017 (the effective date of Public Act  
2 99-906). The adoption of emergency rules authorized by this  
3 subsection (x) is deemed to be necessary for the public  
4 interest, safety, and welfare.

5 (y) In order to provide for the expeditious and timely  
6 implementation of the provisions of Public Act 100-23,  
7 emergency rules to implement the changes made by Public Act  
8 100-23 to Section 4.02 of the Illinois Act on the Aging,  
9 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
10 Section 55-30 of the Alcoholism and Other Drug Abuse and  
11 Dependency Act, and Sections 74 and 75 of the Mental Health and  
12 Developmental Disabilities Administrative Act may be adopted  
13 in accordance with this subsection (y) by the respective  
14 Department. The adoption of emergency rules authorized by this  
15 subsection (y) is deemed to be necessary for the public  
16 interest, safety, and welfare.

17 (z) In order to provide for the expeditious and timely  
18 implementation of the provisions of Public Act 100-554,  
19 emergency rules to implement the changes made by Public Act  
20 100-554 to Section 4.7 of the Lobbyist Registration Act may be  
21 adopted in accordance with this subsection (z) by the Secretary  
22 of State. The adoption of emergency rules authorized by this  
23 subsection (z) is deemed to be necessary for the public  
24 interest, safety, and welfare.

25 (aa) In order to provide for the expeditious and timely  
26 initial implementation of the changes made to Articles 5, 5A,

1 12, and 14 of the Illinois Public Aid Code under the provisions  
2 of Public Act 100-581, the Department of Healthcare and Family  
3 Services may adopt emergency rules in accordance with this  
4 subsection (aa). The 24-month limitation on the adoption of  
5 emergency rules does not apply to rules to initially implement  
6 the changes made to Articles 5, 5A, 12, and 14 of the Illinois  
7 Public Aid Code adopted under this subsection (aa). The  
8 adoption of emergency rules authorized by this subsection (aa)  
9 is deemed to be necessary for the public interest, safety, and  
10 welfare.

11 (bb) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 100-587,  
13 emergency rules to implement the changes made by Public Act  
14 100-587 to Section 4.02 of the Illinois Act on the Aging,  
15 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
16 subsection (b) of Section 55-30 of the Alcoholism and Other  
17 Drug Abuse and Dependency Act, Section 5-104 of the Specialized  
18 Mental Health Rehabilitation Act of 2013, and Section 75 and  
19 subsection (b) of Section 74 of the Mental Health and  
20 Developmental Disabilities Administrative Act may be adopted  
21 in accordance with this subsection (bb) by the respective  
22 Department. The adoption of emergency rules authorized by this  
23 subsection (bb) is deemed to be necessary for the public  
24 interest, safety, and welfare.

25 (cc) In order to provide for the expeditious and timely  
26 implementation of the provisions of Public Act 100-587,

1 emergency rules may be adopted in accordance with this  
2 subsection (cc) to implement the changes made by Public Act  
3 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois  
4 Pension Code by the Board created under Article 14 of the Code;  
5 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by  
6 the Board created under Article 15 of the Code; and Sections  
7 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board  
8 created under Article 16 of the Code. The adoption of emergency  
9 rules authorized by this subsection (cc) is deemed to be  
10 necessary for the public interest, safety, and welfare.

11 (dd) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 100-864,  
13 emergency rules to implement the changes made by Public Act  
14 100-864 to Section 3.35 of the Newborn Metabolic Screening Act  
15 may be adopted in accordance with this subsection (dd) by the  
16 Secretary of State. The adoption of emergency rules authorized  
17 by this subsection (dd) is deemed to be necessary for the  
18 public interest, safety, and welfare.

19 (ee) In order to provide for the expeditious and timely  
20 implementation of the provisions of Public Act 100-1172 ~~this~~  
21 ~~amendatory Act of the 100th General Assembly~~, emergency rules  
22 implementing the Illinois Underground Natural Gas Storage  
23 Safety Act may be adopted in accordance with this subsection by  
24 the Department of Natural Resources. The adoption of emergency  
25 rules authorized by this subsection is deemed to be necessary  
26 for the public interest, safety, and welfare.

1        (ff) ~~(ee)~~ In order to provide for the expeditious and  
2 timely initial implementation of the changes made to Articles  
3 5A and 14 of the Illinois Public Aid Code under the provisions  
4 of Public Act 100-1181 ~~this amendatory Act of the 100th General~~  
5 ~~Assembly~~, the Department of Healthcare and Family Services may  
6 on a one-time-only basis adopt emergency rules in accordance  
7 with this subsection (ff) ~~(ee)~~. The 24-month limitation on the  
8 adoption of emergency rules does not apply to rules to  
9 initially implement the changes made to Articles 5A and 14 of  
10 the Illinois Public Aid Code adopted under this subsection (ff)  
11 ~~(ee)~~. The adoption of emergency rules authorized by this  
12 subsection (ff) ~~(ee)~~ is deemed to be necessary for the public  
13 interest, safety, and welfare.

14        (gg) ~~(ff)~~ In order to provide for the expeditious and  
15 timely implementation of the provisions of Public Act 101-1  
16 ~~this amendatory Act of the 101st General Assembly~~, emergency  
17 rules may be adopted by the Department of Labor in accordance  
18 with this subsection (gg) ~~(ff)~~ to implement the changes made by  
19 Public Act 101-1 ~~this amendatory Act of the 101st General~~  
20 ~~Assembly~~ to the Minimum Wage Law. The adoption of emergency  
21 rules authorized by this subsection (gg) ~~(ff)~~ is deemed to be  
22 necessary for the public interest, safety, and welfare.

23        (ii) In order to provide for the expeditious and timely  
24 implementation of the provisions of Section 5-65 of the Sports  
25 Wagering Act, emergency rules to implement Section 5-65 of the  
26 Sports Wagering Act may be adopted in accordance with this

1 subsection (ii) by the Department of the Lottery as provided in  
2 the Sports Wagering Act. The adoption of emergency rules  
3 authorized by this subsection (ii) is deemed to be necessary  
4 for the public interest, safety, and welfare.

5 (jj) In order to provide for the expeditious and timely  
6 implementation of the Sports Wagering Act, emergency rules to  
7 implement the Sports Wagering Act may be adopted in accordance  
8 with this subsection (jj) by the Illinois Gaming Board. The  
9 adoption of emergency rules authorized by this subsection (jj)  
10 is deemed to be necessary for the public interest, safety, and  
11 welfare.

12 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;  
13 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.  
14 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;  
15 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.  
16 3-8-19; 101-1, eff. 2-19-19; revised 4-2-19.)

17 Section 5-905. The State Finance Act is amended by adding  
18 Section 5.891 as follows:

19 (30 ILCS 105/5.891 new)

20 Sec. 5.891. The Sports Wagering Fund.

21 Section 5-910. The Riverboat Gambling Act is amended by  
22 changing Section 13 as follows:

1 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

1 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 on  
17 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) shall  
17          no longer be imposed beginning on the earlier of (i) July 1,  
18          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 initially  
23          authorized under this Act. For the purposes of this subsection  
24          (a-3), the term "dormant license" means an owners license that  
25          is authorized by this Act under which no riverboat gambling  
26          operations are being conducted on June 20, 2003.

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

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

11 22.5% of annual adjusted gross receipts in excess of  
12 \$25,000,000 but not exceeding \$50,000,000;

13 27.5% of annual adjusted gross receipts in excess of  
14 \$50,000,000 but not exceeding \$75,000,000;

15 32.5% of annual adjusted gross receipts in excess of  
16 \$75,000,000 but not exceeding \$100,000,000;

17 37.5% of annual adjusted gross receipts in excess of  
18 \$100,000,000 but not exceeding \$150,000,000;

19 45% of annual adjusted gross receipts in excess of  
20 \$150,000,000 but not exceeding \$200,000,000;

21 50% of annual adjusted gross receipts in excess of  
22 \$200,000,000.

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

26 (a-10) The taxes imposed by this Section shall be paid by

1 the licensed owner to the Board not later than 5:00 o'clock  
2 p.m. of the day after the day when the wagers were made.

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

1 licensee under the Illinois Horse Racing Act of 1975 conducts  
2 gaming operations with slot machines or other electronic gaming  
3 devices. The Board must reduce the obligation imposed under  
4 this subsection (a-15) by an amount the Board deems reasonable  
5 for any of the following reasons: (A) an act or acts of God,  
6 (B) an act of bioterrorism or terrorism or a bioterrorism or  
7 terrorism threat that was investigated by a law enforcement  
8 agency, or (C) a condition beyond the control of the owners  
9 licensee that does not result from any act or omission by the  
10 owners licensee or any of its agents and that poses a hazardous  
11 threat to the health and safety of patrons. If an owners  
12 licensee pays an amount in excess of its liability under this  
13 Section, the Board shall apply the overpayment to future  
14 payments required under this Section.

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

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

20 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

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

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

1 receipts generated pursuant to those riverboat gambling  
2 operations shall be paid monthly, subject to appropriation by  
3 the General Assembly, to the unit of local government that is  
4 designated as the home dock of the riverboat upon which those  
5 riverboat gambling operations are conducted.

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

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

1 Section 7.3, whichever comes first, shall be paid from the  
2 State Gaming Fund into the Horse Racing Equity Fund.

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

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

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

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

1           (c-30) On July 1, 2013 or as soon as possible thereafter,  
2 \$92,000,000 shall be transferred from the State Gaming Fund to  
3 the School Infrastructure Fund and \$23,000,000 shall be  
4 transferred from the State Gaming Fund to the Horse Racing  
5 Equity Fund.

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

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

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

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

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

1           Section 5-920. The Criminal Code of 2012 is amended by  
2 changing Sections 28-1, 28-3, and 28-5 as follows:

3           (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

4           Sec. 28-1. Gambling.

5           (a) A person commits gambling when he or she:

6                 (1) knowingly plays a game of chance or skill for money  
7 or other thing of value, unless excepted in subsection (b)  
8 of this Section;

9                 (2) knowingly makes a wager upon the result of any  
10 game, contest, or any political nomination, appointment or  
11 election;

12                (3) knowingly operates, keeps, owns, uses, purchases,  
13 exhibits, rents, sells, bargains for the sale or lease of,  
14 manufactures or distributes any gambling device;

15                (4) contracts to have or give himself or herself or  
16 another the option to buy or sell, or contracts to buy or  
17 sell, at a future time, any grain or other commodity  
18 whatsoever, or any stock or security of any company, where  
19 it is at the time of making such contract intended by both  
20 parties thereto that the contract to buy or sell, or the  
21 option, whenever exercised, or the contract resulting  
22 therefrom, shall be settled, not by the receipt or delivery  
23 of such property, but by the payment only of differences in  
24 prices thereof; however, the issuance, purchase, sale,  
25 exercise, endorsement or guarantee, by or through a person

1 registered with the Secretary of State pursuant to Section  
2 8 of the Illinois Securities Law of 1953, or by or through  
3 a person exempt from such registration under said Section  
4 8, of a put, call, or other option to buy or sell  
5 securities which have been registered with the Secretary of  
6 State or which are exempt from such registration under  
7 Section 3 of the Illinois Securities Law of 1953 is not  
8 gambling within the meaning of this paragraph (4);

9 (5) knowingly owns or possesses any book, instrument or  
10 apparatus by means of which bets or wagers have been, or  
11 are, recorded or registered, or knowingly possesses any  
12 money which he has received in the course of a bet or  
13 wager;

14 (6) knowingly sells pools upon the result of any game  
15 or contest of skill or chance, political nomination,  
16 appointment or election;

17 (7) knowingly sets up or promotes any lottery or sells,  
18 offers to sell or transfers any ticket or share for any  
19 lottery;

20 (8) knowingly sets up or promotes any policy game or  
21 sells, offers to sell or knowingly possesses or transfers  
22 any policy ticket, slip, record, document or other similar  
23 device;

24 (9) knowingly drafts, prints or publishes any lottery  
25 ticket or share, or any policy ticket, slip, record,  
26 document or similar device, except for such activity

1 related to lotteries, bingo games and raffles authorized by  
2 and conducted in accordance with the laws of Illinois or  
3 any other state or foreign government;

4 (10) knowingly advertises any lottery or policy game,  
5 except for such activity related to lotteries, bingo games  
6 and raffles authorized by and conducted in accordance with  
7 the laws of Illinois or any other state;

8 (11) knowingly transmits information as to wagers,  
9 betting odds, or changes in betting odds by telephone,  
10 telegraph, radio, semaphore or similar means; or knowingly  
11 installs or maintains equipment for the transmission or  
12 receipt of such information; except that nothing in this  
13 subdivision (11) prohibits transmission or receipt of such  
14 information for use in news reporting of sporting events or  
15 contests; or

16 (12) knowingly establishes, maintains, or operates an  
17 Internet site that permits a person to play a game of  
18 chance or skill for money or other thing of value by means  
19 of the Internet or to make a wager upon the result of any  
20 game, contest, political nomination, appointment, or  
21 election by means of the Internet. This item (12) does not  
22 apply to activities referenced in items (6), ~~and (6.1)~~, and  
23 (15) of subsection (b) of this Section.

24 (b) Participants in any of the following activities shall  
25 not be convicted of gambling:

26 (1) Agreements to compensate for loss caused by the

1 happening of chance including without limitation contracts  
2 of indemnity or guaranty and life or health or accident  
3 insurance.

4 (2) Offers of prizes, award or compensation to the  
5 actual contestants in any bona fide contest for the  
6 determination of skill, speed, strength or endurance or to  
7 the owners of animals or vehicles entered in such contest.

8 (3) Pari-mutuel betting as authorized by the law of  
9 this State.

10 (4) Manufacture of gambling devices, including the  
11 acquisition of essential parts therefor and the assembly  
12 thereof, for transportation in interstate or foreign  
13 commerce to any place outside this State when such  
14 transportation is not prohibited by any applicable Federal  
15 law; or the manufacture, distribution, or possession of  
16 video gaming terminals, as defined in the Video Gaming Act,  
17 by manufacturers, distributors, and terminal operators  
18 licensed to do so under the Video Gaming Act.

19 (5) The game commonly known as "bingo", when conducted  
20 in accordance with the Bingo License and Tax Act.

21 (6) Lotteries when conducted by the State of Illinois  
22 in accordance with the Illinois Lottery Law. This exemption  
23 includes any activity conducted by the Department of  
24 Revenue to sell lottery tickets pursuant to the provisions  
25 of the Illinois Lottery Law and its rules.

26 (6.1) The purchase of lottery tickets through the

1 Internet for a lottery conducted by the State of Illinois  
2 under the program established in Section 7.12 of the  
3 Illinois Lottery Law.

4 (7) Possession of an antique slot machine that is  
5 neither used nor intended to be used in the operation or  
6 promotion of any unlawful gambling activity or enterprise.  
7 For the purpose of this subparagraph (b)(7), an antique  
8 slot machine is one manufactured 25 years ago or earlier.

9 (8) Raffles and poker runs when conducted in accordance  
10 with the Raffles and Poker Runs Act.

11 (9) Charitable games when conducted in accordance with  
12 the Charitable Games Act.

13 (10) Pull tabs and jar games when conducted under the  
14 Illinois Pull Tabs and Jar Games Act.

15 (11) Gambling games conducted on riverboats when  
16 authorized by the Riverboat Gambling Act.

17 (12) Video gaming terminal games at a licensed  
18 establishment, licensed truck stop establishment, licensed  
19 fraternal establishment, or licensed veterans  
20 establishment when conducted in accordance with the Video  
21 Gaming Act.

22 (13) Games of skill or chance where money or other  
23 things of value can be won but no payment or purchase is  
24 required to participate.

25 (14) Savings promotion raffles authorized under  
26 Section 5g of the Illinois Banking Act, Section 7008 of the

1 Savings Bank Act, Section 42.7 of the Illinois Credit Union  
2 Act, Section 5136B of the National Bank Act (12 U.S.C.  
3 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.  
4 1463).

5 (15) Sports wagering when conducted in accordance with  
6 the Sports Wagering Act.

7 (c) Sentence.

8 Gambling is a Class A misdemeanor. A second or subsequent  
9 conviction under subsections (a) (3) through (a) (12), is a Class  
10 4 felony.

11 (d) Circumstantial evidence.

12 In prosecutions under this Section circumstantial evidence  
13 shall have the same validity and weight as in any criminal  
14 prosecution.

15 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

16 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

17 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is  
18 any real estate, vehicle, boat or any other property whatsoever  
19 used for the purposes of gambling other than gambling conducted  
20 in the manner authorized by the Riverboat Gambling Act, the  
21 Sports Wagering Act, or the Video Gaming Act. Any person who  
22 knowingly permits any premises or property owned or occupied by  
23 him or under his control to be used as a gambling place commits  
24 a Class A misdemeanor. Each subsequent offense is a Class 4  
25 felony. When any premises is determined by the circuit court to

1 be a gambling place:

2 (a) Such premises is a public nuisance and may be proceeded  
3 against as such, and

4 (b) All licenses, permits or certificates issued by the  
5 State of Illinois or any subdivision or public agency thereof  
6 authorizing the serving of food or liquor on such premises  
7 shall be void; and no license, permit or certificate so  
8 cancelled shall be reissued for such premises for a period of  
9 60 days thereafter; nor shall any person convicted of keeping a  
10 gambling place be reissued such license for one year from his  
11 conviction and, after a second conviction of keeping a gambling  
12 place, any such person shall not be reissued such license, and

13 (c) Such premises of any person who knowingly permits  
14 thereon a violation of any Section of this Article shall be  
15 held liable for, and may be sold to pay any unsatisfied  
16 judgment that may be recovered and any unsatisfied fine that  
17 may be levied under any Section of this Article.

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

19 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

20 Sec. 28-5. Seizure of gambling devices and gambling funds.

21 (a) Every device designed for gambling which is incapable  
22 of lawful use or every device used unlawfully for gambling  
23 shall be considered a "gambling device", and shall be subject  
24 to seizure, confiscation and destruction by the Department of  
25 State Police or by any municipal, or other local authority,

1 within whose jurisdiction the same may be found. As used in  
2 this Section, a "gambling device" includes any slot machine,  
3 and includes any machine or device constructed for the  
4 reception of money or other thing of value and so constructed  
5 as to return, or to cause someone to return, on chance to the  
6 player thereof money, property or a right to receive money or  
7 property. With the exception of any device designed for  
8 gambling which is incapable of lawful use, no gambling device  
9 shall be forfeited or destroyed unless an individual with a  
10 property interest in said device knows of the unlawful use of  
11 the device.

12 (b) Every gambling device shall be seized and forfeited to  
13 the county wherein such seizure occurs. Any money or other  
14 thing of value integrally related to acts of gambling shall be  
15 seized and forfeited to the county wherein such seizure occurs.

16 (c) If, within 60 days after any seizure pursuant to  
17 subparagraph (b) of this Section, a person having any property  
18 interest in the seized property is charged with an offense, the  
19 court which renders judgment upon such charge shall, within 30  
20 days after such judgment, conduct a forfeiture hearing to  
21 determine whether such property was a gambling device at the  
22 time of seizure. Such hearing shall be commenced by a written  
23 petition by the State, including material allegations of fact,  
24 the name and address of every person determined by the State to  
25 have any property interest in the seized property, a  
26 representation that written notice of the date, time and place

1 of such hearing has been mailed to every such person by  
2 certified mail at least 10 days before such date, and a request  
3 for forfeiture. Every such person may appear as a party and  
4 present evidence at such hearing. The quantum of proof required  
5 shall be a preponderance of the evidence, and the burden of  
6 proof shall be on the State. If the court determines that the  
7 seized property was a gambling device at the time of seizure,  
8 an order of forfeiture and disposition of the seized property  
9 shall be entered: a gambling device shall be received by the  
10 State's Attorney, who shall effect its destruction, except that  
11 valuable parts thereof may be liquidated and the resultant  
12 money shall be deposited in the general fund of the county  
13 wherein such seizure occurred; money and other things of value  
14 shall be received by the State's Attorney and, upon  
15 liquidation, shall be deposited in the general fund of the  
16 county wherein such seizure occurred. However, in the event  
17 that a defendant raises the defense that the seized slot  
18 machine is an antique slot machine described in subparagraph  
19 (b) (7) of Section 28-1 of this Code and therefore he is exempt  
20 from the charge of a gambling activity participant, the seized  
21 antique slot machine shall not be destroyed or otherwise  
22 altered until a final determination is made by the Court as to  
23 whether it is such an antique slot machine. Upon a final  
24 determination by the Court of this question in favor of the  
25 defendant, such slot machine shall be immediately returned to  
26 the defendant. Such order of forfeiture and disposition shall,

1 for the purposes of appeal, be a final order and judgment in a  
2 civil proceeding.

3 (d) If a seizure pursuant to subparagraph (b) of this  
4 Section is not followed by a charge pursuant to subparagraph  
5 (c) of this Section, or if the prosecution of such charge is  
6 permanently terminated or indefinitely discontinued without  
7 any judgment of conviction or acquittal (1) the State's  
8 Attorney shall commence an in rem proceeding for the forfeiture  
9 and destruction of a gambling device, or for the forfeiture and  
10 deposit in the general fund of the county of any seized money  
11 or other things of value, or both, in the circuit court and (2)  
12 any person having any property interest in such seized gambling  
13 device, money or other thing of value may commence separate  
14 civil proceedings in the manner provided by law.

15 (e) Any gambling device displayed for sale to a riverboat  
16 gambling operation or used to train occupational licensees of a  
17 riverboat gambling operation as authorized under the Riverboat  
18 Gambling Act is exempt from seizure under this Section.

19 (f) Any gambling equipment, devices and supplies provided  
20 by a licensed supplier in accordance with the Riverboat  
21 Gambling Act which are removed from the riverboat for repair  
22 are exempt from seizure under this Section.

23 (g) The following video gaming terminals are exempt from  
24 seizure under this Section:

25 (1) Video gaming terminals for sale to a licensed  
26 distributor or operator under the Video Gaming Act.

1           (2) Video gaming terminals used to train licensed  
2 technicians or licensed terminal handlers.

3           (3) Video gaming terminals that are removed from a  
4 licensed establishment, licensed truck stop establishment,  
5 licensed fraternal establishment, or licensed veterans  
6 establishment for repair.

7           (h) Property seized or forfeited under this Section is  
8 subject to reporting under the Seizure and Forfeiture Reporting  
9 Act.

10           (i) Any sports lottery terminals provided by a central  
11 system provider that are removed from a lottery retailer for  
12 repair under the Sports Wagering Act are exempt from seizure  
13 under this Section.

14           (Source: P.A. 100-512, eff. 7-1-18.)

15                                   Article 99. Effective Date

16           Section 99-99. Effective date. This Act takes effect upon  
17 becoming law."