

## Rivers Casino sues county over tax

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By John Byrne, Chicago Tribune reporter

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A northwest suburban casino has sued to try to stop Cook County from collecting a tax on slot and video poker machines that County Board President Toni Preckwinkle instituted last year to help balance the budget.

It's the latest challenge to one of the targeted taxes Preckwinkle has championed as a way to help close the county's deficit while avoiding unpopular increases to sales and property taxes.

Midwest Gaming, the company that owns Rivers Casino in Des Plaines, filed a lawsuit in county Circuit Court on Thursday alleging that the tax is illegal under the state Riverboat Gambling Act.

"Midwest will suffer irreparable injury in the absence of injunctive relief because its members will be required to pay excessive taxes and will incur heavy costs complying with the gambling machine tax," the complaint states.

The annual tax of \$1,000 per slot machine and \$200 per video poker machine in casinos was one of several Preckwinkle included in her 2013 budget.

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Casino company spokesman Dennis Culloton said the taxes violate the Illinois Constitution. "For example, the county's tax interferes with exclusive jurisdiction of the Illinois Gaming Board and proposes to create a new body of regulators," Culloton said in an email. "The tax also creates an arbitrary two-tier tax system between gambling devices in casinos and video gaming terminals in bars and restaurants without furthering the supposed goals of the tax."

Preckwinkle spokeswoman Kristen Mack said the county intends to preserve the tax. "The annual tax amounts to a little more than one day's revenue and will be used to invest in public safety," Mack said in an email.

The county hopes to collect \$1.2 million annually from the tax this year and next. Rivers expects to pay roughly \$1 million each year. Much of the rest would come from suburban bars and fraternal service clubs that have video poker machines.

Earlier this month, the County Board reduced another of Preckwinkle's taxes in the face of lawsuits. Preckwinkle said cutting a use tax on certain items worth more than \$3,500 purchased outside Cook County to 0.75 percent from 1.25 percent would put the county on solid footing in court, but lawyers challenging the tax said they still believe it's illegal.

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