



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3669

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act to authorize electronic gaming at race tracks (and makes conforming changes in the Criminal Code of 2012). Further amends the Illinois Horse Racing Act of 1975. Indefinitely extends the authorization for advance deposit wagering. Contains provisions concerning testing of horses at county fairs and standardbred horses. Makes changes concerning the Illinois Racing Board, the award of race dates under the Act, the Illinois Thoroughbred Breeders Fund, and the Illinois Racing Quarter Horse Breeders Fund. Further amends the Riverboat Gambling Act. Requires that certain fees related to electronic gaming shall be deposited into the Gaming Facilities Fee Revenue Fund. Makes changes in provisions concerning the admission tax and privilege tax. Makes other changes. Amends the State Finance Act create the Gaming Facilities Fee Revenue Fund as a special fund within the State treasury. Contains a severability provision. Effective immediately.

LRB100 10629 AMC 20852 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The State Finance Act is amended by adding
5 Sections 5.878 and 6z-102 as follows:

6 (30 ILCS 105/5.878 new)

7 Sec. 5.878. The Gaming Facilities Fee Revenue Fund.

8 (30 ILCS 105/6z-102 new)

9 Sec. 6z-102. The Gaming Facilities Fee Revenue Fund.

10 (a) The Gaming Facilities Fee Revenue Fund is created as a
11 special fund in the State treasury.

12 (b) The revenues in the Fund shall be used, subject to
13 appropriation, by the Comptroller for the purpose of (i)
14 providing appropriations to the Illinois Gaming Board for the
15 administration and enforcement of the Riverboat Gambling Act
16 and (ii) payment of vouchers that are outstanding for more than
17 60 days. Whenever practical, the Comptroller must prioritize
18 voucher payments for expenses related to medical assistance
19 under the Illinois Public Aid Code, the Children's Health
20 Insurance Program Act, and the Covering ALL KIDS Health
21 Insurance Act.

22 (c) The Fund shall consist of fee revenues received

1 pursuant to subsections (b), (c), (d), and (k) of Section 7.7
2 of the Riverboat Gambling Act. All interest earned on moneys in
3 the Fund shall be deposited into the Fund.

4 (d) The Fund shall not be subject to administrative charges
5 or chargebacks, including, but not limited to, those authorized
6 under subsection (h) of Section 8 of this Act.

7 Section 10. The Illinois Horse Racing Act of 1975 is
8 amended by changing Sections 1.2, 3.11, 3.12, 6, 9, 15, 18, 19,
9 20, 21, 24, 25, 26, 26.8, 26.9, 27, 30, 30.5, 31, 32.1, 36, 40,
10 and 54.75 and by adding Sections 3.31, 3.32, 3.33, 3.35, 3.36,
11 34.3, and 56 as follows:

12 (230 ILCS 5/1.2)

13 Sec. 1.2. Legislative intent. This Act is intended to
14 benefit the people of the State of Illinois by encouraging the
15 breeding and production of race horses, assisting economic
16 development and promoting Illinois tourism. The General
17 Assembly finds and declares it to be the public policy of the
18 State of Illinois to:

19 (a) support and enhance Illinois' horse racing industry,
20 which is a significant component within the agribusiness
21 industry;

22 (b) ensure that Illinois' horse racing industry remains
23 competitive with neighboring states;

24 (c) stimulate growth within Illinois' horse racing

1 industry, thereby encouraging new investment and development
2 to produce additional tax revenues and to create additional
3 jobs;

4 (d) promote the further growth of tourism;

5 (e) encourage the breeding of thoroughbred and
6 standardbred horses in this State; and

7 (f) ensure that public confidence and trust in the
8 credibility and integrity of racing operations and the
9 regulatory process is maintained.

10 (Source: P.A. 91-40, eff. 6-25-99.)

11 (230 ILCS 5/3.11) (from Ch. 8, par. 37-3.11)

12 Sec. 3.11. "Organization Licensee" means any person
13 receiving an organization license from the Board to conduct a
14 race meeting or meetings. With respect only to electronic
15 gaming, "organization licensee" includes the authorization for
16 an electronic gaming license under subsection (a) of Section 56
17 of this Act.

18 (Source: P.A. 79-1185.)

19 (230 ILCS 5/3.12) (from Ch. 8, par. 37-3.12)

20 Sec. 3.12. Pari-mutuel system of wagering. "Pari-mutuel
21 system of wagering" means a form of wagering on the outcome of
22 horse races in which wagers are made in various denominations
23 on a horse or horses and all wagers for each race are pooled
24 and held by a licensee for distribution in a manner approved by

1 the Board. "Pari-mutuel system of wagering" shall not include
2 wagering on historic races. Wagers may be placed via any method
3 or at any location authorized under this Act.

4 (Source: P.A. 96-762, eff. 8-25-09.)

5 (230 ILCS 5/3.31 new)

6 Sec. 3.31. Adjusted gross receipts. "Adjusted gross
7 receipts" means the gross receipts less winnings paid to
8 wagerers.

9 (230 ILCS 5/3.32 new)

10 Sec. 3.32. Gross receipts. "Gross receipts" means the total
11 amount of money exchanged for the purchase of chips, tokens, or
12 electronic cards by riverboat patrons or electronic gaming
13 patrons.

14 (230 ILCS 5/3.33 new)

15 Sec. 3.33. Electronic gaming. "Electronic gaming" means
16 slot machine gambling, video game of chance gambling, or
17 gambling with electronic gambling games as defined in the
18 Riverboat Gambling Act or defined by the Illinois Gaming Board
19 that is conducted at a race track pursuant to an electronic
20 gaming license.

21 (230 ILCS 5/3.35 new)

22 Sec. 3.35. Electronic gaming license. "Electronic gaming

1 license" means a license issued by the Illinois Gaming Board
2 under Section 7.7 of the Riverboat Gambling Act authorizing
3 electronic gaming at an electronic gaming facility.

4 (230 ILCS 5/3.36 new)

5 Sec. 3.36. Electronic gaming facility. "Electronic gaming
6 facility" means that portion of an organization licensee's race
7 track facility at which electronic gaming is conducted.

8 (230 ILCS 5/6) (from Ch. 8, par. 37-6)

9 Sec. 6. Restrictions on Board members.

10 (a) No person shall be appointed a member of the Board or
11 continue to be a member of the Board if the person or any
12 member of their immediate family is a member of the Board of
13 Directors, employee, or financially interested in any of the
14 following: (i) any licensee or other person who has applied for
15 racing dates to the Board, or the operations thereof including,
16 but not limited to, concessions, data processing, track
17 maintenance, track security, and pari-mutuel operations,
18 located, scheduled or doing business within the State of
19 Illinois, (ii) any race horse competing at a meeting under the
20 Board's jurisdiction, or (iii) any licensee under the Riverboat
21 Gambling Act. ~~No person shall be appointed a member of the~~
22 ~~Board or continue to be a member of the Board who is (or any~~
23 ~~member of whose family is) a member of the Board of Directors~~
24 ~~of, or who is a person financially interested in, any licensee~~

~~1 or other person who has applied for racing dates to the Board,
2 or the operations thereof including, but not limited to,
3 concessions, data processing, track maintenance, track
4 security and pari-mutuel operations, located, scheduled or
5 doing business within the State of Illinois, or in any race
6 horse competing at a meeting under the Board's jurisdiction. No
7 Board member shall hold any other public office for which he
8 shall receive compensation other than necessary travel or other
9 incidental expenses.~~

10 (b) No person shall be a member of the Board who is not of
11 good moral character or who has been convicted of, or is under
12 indictment for, a felony under the laws of Illinois or any
13 other state, or the United States.

14 (c) No member of the Board or employee shall engage in any
15 political activity.

16 For the purposes of this subsection (c):

17 "Political" means any activity in support of or in
18 connection with any campaign for State or local elective office
19 or any political organization, but does not include activities
20 (i) relating to the support or opposition of any executive,
21 legislative, or administrative action (as those terms are
22 defined in Section 2 of the Lobbyist Registration Act), (ii)
23 relating to collective bargaining, or (iii) that are otherwise
24 in furtherance of the person's official State duties or
25 governmental and public service functions.

26 "Political organization" means a party, committee,

1 association, fund, or other organization (whether or not
2 incorporated) that is required to file a statement of
3 organization with the State Board of Elections or county clerk
4 under Section 9-3 of the Election Code, but only with regard to
5 those activities that require filing with the State Board of
6 Elections or county clerk.

7 (d) Board members and employees may not engage in
8 communications or any activity that may cause or have the
9 appearance of causing a conflict of interest. A conflict of
10 interest exists if a situation influences or creates the
11 appearance that it may influence judgment or performance of
12 regulatory duties and responsibilities. This prohibition shall
13 extend to any act identified by Board action that, in the
14 judgment of the Board, could represent the potential for or the
15 appearance of a conflict of interest.

16 (e) Board members and employees may not accept any gift,
17 gratuity, service, compensation, travel, lodging, or thing of
18 value, with the exception of unsolicited items of an incidental
19 nature, from any person, corporation, limited liability
20 company, or entity doing business with the Board.

21 (f) A Board member or employee shall not use or attempt to
22 use his or her official position to secure, or attempt to
23 secure, any privilege, advantage, favor, or influence for
24 himself or herself or others. No Board member or employee,
25 within a period of one year immediately preceding nomination by
26 the Governor or employment, shall have been employed or

1 received compensation or fees for services from a person or
2 entity, or its parent or affiliate, that has engaged in
3 business with the Board, a licensee or a licensee under the
4 Riverboat Gambling Act. In addition, all Board members and
5 employees are subject to the restrictions set forth in Section
6 5-45 of the State Officials and Employees Ethics Act.

7 (Source: P.A. 89-16, eff. 5-30-95.)

8 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

9 Sec. 9. The Board shall have all powers necessary and
10 proper to fully and effectively execute the provisions of this
11 Act, including, but not limited to, the following:

12 (a) The Board is vested with jurisdiction and supervision
13 over all race meetings in this State, over all licensees doing
14 business in this State, over all occupation licensees, and over
15 all persons on the facilities of any licensee. Such
16 jurisdiction shall include the power to issue licenses to the
17 Illinois Department of Agriculture authorizing the pari-mutuel
18 system of wagering on harness and Quarter Horse races held (1)
19 at the Illinois State Fair in Sangamon County, and (2) at the
20 DuQuoin State Fair in Perry County. The jurisdiction of the
21 Board shall also include the power to issue licenses to county
22 fairs which are eligible to receive funds pursuant to the
23 Agricultural Fair Act, as now or hereafter amended, or their
24 agents, authorizing the pari-mutuel system of wagering on horse
25 races conducted at the county fairs receiving such licenses.

1 Such licenses shall be governed by subsection (n) of this
2 Section.

3 Upon application, the Board shall issue a license to the
4 Illinois Department of Agriculture to conduct harness and
5 Quarter Horse races at the Illinois State Fair and at the
6 DuQuoin State Fairgrounds during the scheduled dates of each
7 fair. The Board shall not require and the Department of
8 Agriculture shall be exempt from the requirements of Sections
9 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),
10 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24
11 and 25. The Board and the Department of Agriculture may extend
12 any or all of these exemptions to any contractor or agent
13 engaged by the Department of Agriculture to conduct its race
14 meetings when the Board determines that this would best serve
15 the public interest and the interest of horse racing.

16 Notwithstanding any provision of law to the contrary, it
17 shall be lawful for any licensee to operate pari-mutuel
18 wagering or contract with the Department of Agriculture to
19 operate pari-mutuel wagering at the DuQuoin State Fairgrounds
20 or for the Department to enter into contracts with a licensee,
21 employ its owners, employees or agents and employ such other
22 occupation licensees as the Department deems necessary in
23 connection with race meetings and wagerings.

24 (b) The Board is vested with the full power to promulgate
25 reasonable rules and regulations for the purpose of
26 administering the provisions of this Act and to prescribe

1 reasonable rules, regulations and conditions under which all
2 horse race meetings or wagering in the State shall be
3 conducted. Such reasonable rules and regulations are to provide
4 for the prevention of practices detrimental to the public
5 interest and to promote the best interests of horse racing and
6 to impose penalties for violations thereof.

7 (c) The Board, and any person or persons to whom it
8 delegates this power, is vested with the power to enter the
9 facilities and other places of business of any licensee to
10 determine whether there has been compliance with the provisions
11 of this Act and its rules and regulations.

12 (d) The Board, and any person or persons to whom it
13 delegates this power, is vested with the authority to
14 investigate alleged violations of the provisions of this Act,
15 its reasonable rules and regulations, orders and final
16 decisions; the Board shall take appropriate disciplinary
17 action against any licensee or occupation licensee for
18 violation thereof or institute appropriate legal action for the
19 enforcement thereof.

20 (e) The Board, and any person or persons to whom it
21 delegates this power, may eject or exclude from any race
22 meeting or the facilities of any licensee, or any part thereof,
23 any occupation licensee or any other individual whose conduct
24 or reputation is such that his presence on those facilities
25 may, in the opinion of the Board, call into question the
26 honesty and integrity of horse racing or wagering or interfere

1 with the orderly conduct of horse racing or wagering; provided,
2 however, that no person shall be excluded or ejected from the
3 facilities of any licensee solely on the grounds of race,
4 color, creed, national origin, ancestry, or sex. The power to
5 eject or exclude an occupation licensee or other individual may
6 be exercised for just cause by the licensee or the Board,
7 subject to subsequent hearing by the Board as to the propriety
8 of said exclusion.

9 (f) The Board is vested with the power to acquire,
10 establish, maintain and operate (or provide by contract to
11 maintain and operate) testing laboratories and related
12 facilities, for the purpose of conducting saliva, blood, urine
13 and other tests on the horses run or to be run in any horse race
14 meeting, including races run at county fairs, and to purchase
15 all equipment and supplies deemed necessary or desirable in
16 connection with any such testing laboratories and related
17 facilities and all such tests.

18 (g) The Board may require that the records, including
19 financial or other statements of any licensee or any person
20 affiliated with the licensee who is involved directly or
21 indirectly in the activities of any licensee as regulated under
22 this Act to the extent that those financial or other statements
23 relate to such activities be kept in such manner as prescribed
24 by the Board, and that Board employees shall have access to
25 those records during reasonable business hours. Within 120 days
26 of the end of its fiscal year, each licensee shall transmit to

1 the Board an audit of the financial transactions and condition
2 of the licensee's total operations. All audits shall be
3 conducted by certified public accountants. Each certified
4 public accountant must be registered in the State of Illinois
5 under the Illinois Public Accounting Act. The compensation for
6 each certified public accountant shall be paid directly by the
7 licensee to the certified public accountant. A licensee shall
8 also submit any other financial or related information the
9 Board deems necessary to effectively administer this Act and
10 all rules, regulations, and final decisions promulgated under
11 this Act.

12 (h) The Board shall name and appoint in the manner provided
13 by the rules and regulations of the Board: an Executive
14 Director; a State director of mutuels; State veterinarians and
15 representatives to take saliva, blood, urine and other tests on
16 horses; licensing personnel; revenue inspectors; and State
17 seasonal employees (excluding admission ticket sellers and
18 mutuel clerks). All of those named and appointed as provided in
19 this subsection shall serve during the pleasure of the Board;
20 their compensation shall be determined by the Board and be paid
21 in the same manner as other employees of the Board under this
22 Act.

23 (i) The Board shall require that there shall be 3 stewards
24 at each horse race meeting, at least 2 of whom shall be named
25 and appointed by the Board. Stewards appointed or approved by
26 the Board, while performing duties required by this Act or by

1 the Board, shall be entitled to the same rights and immunities
2 as granted to Board members and Board employees in Section 10
3 of this Act.

4 (j) The Board may discharge any Board employee who fails or
5 refuses for any reason to comply with the rules and regulations
6 of the Board, or who, in the opinion of the Board, is guilty of
7 fraud, dishonesty or who is proven to be incompetent. The Board
8 shall have no right or power to determine who shall be
9 officers, directors or employees of any licensee, or their
10 salaries except the Board may, by rule, require that all or any
11 officials or employees in charge of or whose duties relate to
12 the actual running of races be approved by the Board.

13 (k) The Board is vested with the power to appoint delegates
14 to execute any of the powers granted to it under this Section
15 for the purpose of administering this Act and any rules or
16 regulations promulgated in accordance with this Act.

17 (l) The Board is vested with the power to impose civil
18 penalties of up to \$5,000 against an individual and up to
19 \$10,000 against a licensee for each violation of any provision
20 of this Act, any rules adopted by the Board, any order of the
21 Board or any other action which, in the Board's discretion, is
22 a detriment or impediment to horse racing or wagering.
23 Beginning on the date when any organization licensee begins
24 conducting electronic gaming pursuant to an electronic gaming
25 license issued under the Riverboat Gambling Act, the power
26 granted to the Board pursuant to this subsection (l) shall

1 authorize the Board to impose penalties of up to \$10,000
2 against an individual and up to \$25,000 against a licensee. All
3 such civil penalties shall be deposited into the Horse Racing
4 Fund.

5 (m) The Board is vested with the power to prescribe a form
6 to be used by licensees as an application for employment for
7 employees of each licensee.

8 (n) The Board shall have the power to issue a license to
9 any county fair, or its agent, authorizing the conduct of the
10 pari-mutuel system of wagering. The Board is vested with the
11 full power to promulgate reasonable rules, regulations and
12 conditions under which all horse race meetings licensed
13 pursuant to this subsection shall be held and conducted,
14 including rules, regulations and conditions for the conduct of
15 the pari-mutuel system of wagering. The rules, regulations and
16 conditions shall provide for the prevention of practices
17 detrimental to the public interest and for the best interests
18 of horse racing, and shall prescribe penalties for violations
19 thereof. Any authority granted the Board under this Act shall
20 extend to its jurisdiction and supervision over county fairs,
21 or their agents, licensed pursuant to this subsection. However,
22 the Board may waive any provision of this Act or its rules or
23 regulations which would otherwise apply to such county fairs or
24 their agents.

25 (o) Whenever the Board is authorized or required by law to
26 consider some aspect of criminal history record information for

1 the purpose of carrying out its statutory powers and
2 responsibilities, then, upon request and payment of fees in
3 conformance with the requirements of Section 2605-400 of the
4 Department of State Police Law (20 ILCS 2605/2605-400), the
5 Department of State Police is authorized to furnish, pursuant
6 to positive identification, such information contained in
7 State files as is necessary to fulfill the request.

8 (p) To insure the convenience, comfort, and wagering
9 accessibility of race track patrons, to provide for the
10 maximization of State revenue, and to generate increases in
11 purse allotments to the horsemen, the Board shall require any
12 licensee to staff the pari-mutuel department with adequate
13 personnel.

14 (Source: P.A. 97-1060, eff. 8-24-12.)

15 (230 ILCS 5/15) (from Ch. 8, par. 37-15)

16 Sec. 15. (a) The Board shall, in its discretion, issue
17 occupation licenses to horse owners, trainers, harness
18 drivers, jockeys, agents, apprentices, grooms, stable foremen,
19 exercise persons, veterinarians, valets, blacksmiths,
20 concessionaires and others designated by the Board whose work,
21 in whole or in part, is conducted upon facilities within the
22 State. Such occupation licenses will be obtained prior to the
23 persons engaging in their vocation upon such facilities. The
24 Board shall not license pari-mutuel clerks, parking
25 attendants, security guards and employees of concessionaires.

1 No occupation license shall be required of any person who works
2 at facilities within this State as a pari-mutuel clerk, parking
3 attendant, security guard or as an employee of a
4 concessionaire. Concessionaires of the Illinois State Fair and
5 DuQuoin State Fair and employees of the Illinois Department of
6 Agriculture shall not be required to obtain an occupation
7 license by the Board.

8 (b) Each application for an occupation license shall be on
9 forms prescribed by the Board. Such license, when issued, shall
10 be for the period ending December 31 of each year, except that
11 the Board in its discretion may grant 3-year licenses. The
12 application shall be accompanied by a fee of not more than \$25
13 per year or, in the case of 3-year occupation license
14 applications, a fee of not more than \$60. Each applicant shall
15 set forth in the application his full name and address, and if
16 he had been issued prior occupation licenses or has been
17 licensed in any other state under any other name, such name,
18 his age, whether or not a permit or license issued to him in
19 any other state has been suspended or revoked and if so whether
20 such suspension or revocation is in effect at the time of the
21 application, and such other information as the Board may
22 require. Fees for registration of stable names shall not exceed
23 \$50.00. Beginning on the date when any organization licensee
24 begins conducting electronic gaming pursuant to an electronic
25 gaming license issued under the Riverboat Gambling Act, the fee
26 for registration of stable names shall not exceed \$150, and the

1 application fee for an occupation license shall not exceed \$75,
2 per year or, in the case of a 3-year occupation license
3 application, the fee shall not exceed \$180.

4 (c) The Board may in its discretion refuse an occupation
5 license to any person:

6 (1) who has been convicted of a crime;

7 (2) who is unqualified to perform the duties required
8 of such applicant;

9 (3) who fails to disclose or states falsely any
10 information called for in the application;

11 (4) who has been found guilty of a violation of this
12 Act or of the rules and regulations of the Board; or

13 (5) whose license or permit has been suspended, revoked
14 or denied for just cause in any other state.

15 (d) The Board may suspend or revoke any occupation license:

16 (1) for violation of any of the provisions of this Act;
17 or

18 (2) for violation of any of the rules or regulations of
19 the Board; or

20 (3) for any cause which, if known to the Board, would
21 have justified the Board in refusing to issue such
22 occupation license; or

23 (4) for any other just cause.

24 (e) Each applicant shall submit his or her fingerprints
25 to the Department of State Police in the form and manner
26 prescribed by the Department of State Police. These

1 fingerprints shall be checked against the fingerprint records
2 now and hereafter filed in the Department of State Police and
3 Federal Bureau of Investigation criminal history records
4 databases. The Department of State Police shall charge a fee
5 for conducting the criminal history records check, which shall
6 be deposited in the State Police Services Fund and shall not
7 exceed the actual cost of the records check. The Department of
8 State Police shall furnish, pursuant to positive
9 identification, records of conviction to the Board. Each
10 applicant for licensure shall submit with his occupation
11 license application, on forms provided by the Board, 2 sets of
12 his fingerprints. All such applicants shall appear in person at
13 the location designated by the Board for the purpose of
14 submitting such sets of fingerprints; however, with the prior
15 approval of a State steward, an applicant may have such sets of
16 fingerprints taken by an official law enforcement agency and
17 submitted to the Board.

18 (f) The Board may, in its discretion, issue an occupation
19 license without submission of fingerprints if an applicant has
20 been duly licensed in another recognized racing jurisdiction
21 after submitting fingerprints that were subjected to a Federal
22 Bureau of Investigation criminal history background check in
23 that jurisdiction.

24 (g) Beginning on the date when any organization licensee
25 begins conducting electronic gaming pursuant to an electronic
26 gaming license issued under the Riverboat Gambling Act, the

1 Board may charge each applicant a reasonable non-refundable fee
2 to defray the costs associated with the background
3 investigation conducted by the Board. This fee shall be
4 exclusive of any other fee or fees charged in connection with
5 an application for and, if applicable, the issuance of, an
6 electronic gaming license. If the costs of the investigation
7 exceed the amount of the fee charged, the Board shall
8 immediately notify the applicant of the additional amount owed,
9 payment of which must be submitted to the Board within 7 days
10 after such notification. All information, records, interviews,
11 reports, statements, memoranda, or other data supplied to or
12 used by the Board in the course of its review or investigation
13 of an applicant for a license or renewal under this Act shall
14 be privileged, strictly confidential, and shall be used only
15 for the purpose of evaluating an applicant for a license or a
16 renewal. Such information, records, interviews, reports,
17 statements, memoranda, or other data shall not be admissible as
18 evidence, nor discoverable, in any action of any kind in any
19 court or before any tribunal, board, agency, or person, except
20 for any action deemed necessary by the Board.

21 (Source: P.A. 93-418, eff. 1-1-04.)

22 (230 ILCS 5/18) (from Ch. 8, par. 37-18)

23 Sec. 18. (a) Together with its application, each applicant
24 for racing dates shall deliver to the Board a certified check
25 or bank draft payable to the order of the Board for \$1,000. In

1 the event the applicant applies for racing dates in 2 or 3
2 successive calendar years as provided in subsection (b) of
3 Section 21, the fee shall be \$2,000. Filing fees shall not be
4 refunded in the event the application is denied. Beginning on
5 the date when any organization licensee begins conducting
6 electronic gaming pursuant to an electronic gaming license
7 issued under the Riverboat Gambling Act, the application fee
8 for racing dates imposed by this subsection (a) shall be
9 \$10,000 and the application fee for racing dates in 2 or 3
10 successive calendar years as provided in subsection (b) of
11 Section 21 shall be \$20,000. All filing fees shall be deposited
12 into the Horse Racing Fund.

13 (b) In addition to the filing fee imposed by subsection (a)
14 ~~of \$1000~~ and the fees provided in subsection (j) of Section 20,
15 each organization licensee shall pay a license fee of \$100 for
16 each racing program on which its daily pari-mutuel handle is
17 \$400,000 or more but less than \$700,000, and a license fee of
18 \$200 for each racing program on which its daily pari-mutuel
19 handle is \$700,000 or more. The additional fees required to be
20 paid under this Section by this amendatory Act of 1982 shall be
21 remitted by the organization licensee to the Illinois Racing
22 Board with each day's graduated privilege tax or pari-mutuel
23 tax and breakage as provided under Section 27. Beginning on the
24 date when any organization licensee begins conducting
25 electronic gaming pursuant to an electronic gaming license
26 issued under the Riverboat Gambling Act, the license fee

1 imposed by this subsection (b) shall be \$200 for each racing
2 program on which the organization licensee's daily pari-mutuel
3 handle is \$100,000 or more, but less than \$400,000, and the
4 license fee imposed by this subsection (b) shall be \$400 for
5 each racing program on which the organization licensee's daily
6 pari-mutuel handle is \$400,000 or more.

7 (c) Sections 11-42-1, 11-42-5, and 11-54-1 of the "Illinois
8 Municipal Code," approved May 29, 1961, as now or hereafter
9 amended, shall not apply to any license under this Act.

10 (Source: P.A. 97-1060, eff. 8-24-12.)

11 (230 ILCS 5/19) (from Ch. 8, par. 37-19)

12 Sec. 19. (a) No organization license may be granted to
13 conduct a horse race meeting:

14 (1) except as provided in subsection (c) of Section 21
15 of this Act, to any person at any place within 35 miles of
16 any other place licensed by the Board to hold a race
17 meeting on the same date during the same hours, the mileage
18 measurement used in this subsection (a) shall be certified
19 to the Board by the Bureau of Systems and Services in the
20 Illinois Department of Transportation as the most commonly
21 used public way of vehicular travel;

22 (2) to any person in default in the payment of any
23 obligation or debt due the State under this Act, provided
24 no applicant shall be deemed in default in the payment of
25 any obligation or debt due to the State under this Act as

1 long as there is pending a hearing of any kind relevant to
2 such matter;

3 (3) to any person who has been convicted of the
4 violation of any law of the United States or any State law
5 which provided as all or part of its penalty imprisonment
6 in any penal institution; to any person against whom there
7 is pending a Federal or State criminal charge; to any
8 person who is or has been connected with or engaged in the
9 operation of any illegal business; to any person who does
10 not enjoy a general reputation in his community of being an
11 honest, upright, law-abiding person; provided that none of
12 the matters set forth in this subparagraph (3) shall make
13 any person ineligible to be granted an organization license
14 if the Board determines, based on circumstances of any such
15 case, that the granting of a license would not be
16 detrimental to the interests of horse racing and of the
17 public;

18 (4) to any person who does not at the time of
19 application for the organization license own or have a
20 contract or lease for the possession of a finished race
21 track suitable for the type of racing intended to be held
22 by the applicant and for the accommodation of the public.

23 (b) (Blank) ~~Horse racing on Sunday shall be prohibited~~
24 ~~unless authorized by ordinance or referendum of the~~
25 ~~municipality in which a race track or any of its appurtenances~~
26 ~~or facilities are located, or utilized.~~

1 (c) If any person is ineligible to receive an organization
2 license because of any of the matters set forth in subsection
3 (a) (2) or subsection (a) (3) of this Section, any other or
4 separate person that either (i) controls, directly or
5 indirectly, such ineligible person or (ii) is controlled,
6 directly or indirectly, by such ineligible person or by a
7 person which controls, directly or indirectly, such ineligible
8 person shall also be ineligible.

9 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

10 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

11 Sec. 20. (a) Any person desiring to conduct a horse race
12 meeting may apply to the Board for an organization license. The
13 application shall be made on a form prescribed and furnished by
14 the Board. The application shall specify:

15 (1) the dates on which it intends to conduct the horse
16 race meeting, which dates shall be provided under Section
17 21;

18 (2) the hours of each racing day between which it
19 intends to hold or conduct horse racing at such meeting;

20 (3) the location where it proposes to conduct the
21 meeting; and

22 (4) any other information the Board may reasonably
23 require.

24 (b) A separate application for an organization license
25 shall be filed for each horse race meeting which such person

1 proposes to hold. Any such application, if made by an
2 individual, or by any individual as trustee, shall be signed
3 and verified under oath by such individual. If the application
4 is made by individuals, then it shall be signed and verified
5 under oath by at least 2 of the individuals; if the application
6 is made by ~~or a partnership, it shall be signed and verified~~
7 ~~under oath by at least 2 of such individuals or members of such~~
8 ~~partnership as the case may be. If made by an association, a~~
9 corporation, a corporate trustee, a limited liability company,
10 or any other entity, it shall be signed by an authorized
11 officer, a partner, a member, or a manager, as the case may be,
12 of the entity ~~the president and attested by the secretary or~~
13 ~~assistant secretary under the seal of such association, trust~~
14 ~~or corporation if it has a seal, and shall also be verified~~
15 ~~under oath by one of the signing officers.~~

16 (c) The application shall specify:

17 (1) the name of the persons, association, trust, or
18 corporation making such application; and

19 (2) the principal ~~post office~~ address of the applicant;

20 (3) if the applicant is a trustee, the names and
21 addresses of the beneficiaries; if the applicant is a
22 corporation, the names and ~~post office~~ addresses of all
23 officers, stockholders and directors; or if such
24 stockholders hold stock as a nominee or fiduciary, the
25 names and ~~post office~~ addresses of the parties ~~these~~
26 ~~persons, partnerships, corporations, or trusts~~ who are the

1 beneficial owners thereof or who are beneficially
2 interested therein; ~~and~~ if the applicant is a partnership,
3 the names and ~~post office~~ addresses of all partners,
4 general or limited; if the applicant is a limited liability
5 company, the names and addresses of the manager and
6 members; and if the applicant is any other entity, the
7 names and addresses of all officers or other authorized
8 persons of the entity ~~corporation, the name of the state of~~
9 ~~its incorporation shall be specified.~~

10 (d) The applicant shall execute and file with the Board a
11 good faith affirmative action plan to recruit, train, and
12 upgrade minorities in all classifications within the
13 association.

14 (e) With such application there shall be delivered to the
15 Board a certified check or bank draft payable to the order of
16 the Board for an amount equal to \$1,000. All applications for
17 the issuance of an organization license shall be filed with the
18 Board before August 1 of the year prior to the year for which
19 application is made and shall be acted upon by the Board at a
20 meeting to be held on such date as shall be fixed by the Board
21 during the last 15 days of September of such prior year. At
22 such meeting, the Board shall announce the award of the racing
23 meets, live racing schedule, and designation of host track to
24 the applicants and its approval or disapproval of each
25 application. No announcement shall be considered binding until
26 a formal order is executed by the Board, which shall be

1 executed no later than October 15 of that prior year. Absent
2 the agreement of the affected organization licensees, the Board
3 shall not grant overlapping race meetings to 2 or more tracks
4 that are within 100 miles of each other to conduct the
5 thoroughbred racing.

6 (e-1) In awarding standardbred racing dates for calendar
7 year 2018 and thereafter, the Board shall award at least 310
8 racing days, and each organization licensee shall average at
9 least 12 races for each racing day awarded. The Board shall
10 have the discretion to allocate those racing days among
11 organization licensees requesting standardbred racing dates.
12 Once awarded by the Board, organization licensees awarded
13 standardbred racing dates shall run at least 3,500 races in
14 total during that calendar year. Standardbred racing conducted
15 in Sangamon County shall not be considered races under this
16 subsection (e-1).

17 (e-2) In awarding racing dates for calendar year 2018 and
18 thereafter, the Board shall award thoroughbred racing days to
19 Cook County organization licensees commensurate with these
20 organization licensees' requirement that they shall run at
21 least 1,950 thoroughbred races in the aggregate, so long as 2
22 organization licensees are conducting electronic gaming
23 operations. Additionally, if the organization licensees that
24 run thoroughbred races in Cook County are conducting electronic
25 gaming operations, the Board shall increase the number of
26 thoroughbred races to be run in Cook County in the aggregate to

1 at least the following:

2 (i) 2,050 races in any year following the most recent
3 preceding complete calendar year when the combined
4 adjusted gross receipts of the electronic gaming licensees
5 operating at Cook County race tracks total in excess of
6 \$200,000,000, but do not exceed \$250,000,000;

7 (ii) 2,125 races in any year following the most recent
8 preceding complete calendar year when the combined
9 adjusted gross receipts of the electronic gaming licensees
10 operating at Cook County race tracks total in excess of
11 \$250,000,000, but do not exceed \$300,000,000;

12 (iii) 2,200 races in any year following the most recent
13 preceding complete calendar year when the combined
14 adjusted gross receipts of the electronic gaming licensees
15 operating at Cook County race tracks total in excess of
16 \$300,000,000, but do not exceed \$350,000,000;

17 (iv) 2,300 races in any year following the most recent
18 preceding complete calendar year when the combined
19 adjusted gross receipts of the electronic gaming licensees
20 operating at Cook County race tracks total in excess of
21 \$350,000,000, but do not exceed \$400,000,000;

22 (v) 2,375 races in any year following the most recent
23 preceding complete calendar year when the combined
24 adjusted gross receipts of the electronic gaming licensees
25 operating at Cook County race tracks total in excess of
26 \$400,000,000, but do not exceed \$450,000,000;

1 (vi) 2,450 races in any year following the most recent
2 preceding complete calendar year when the combined
3 adjusted gross receipts of the electronic gaming licensees
4 operating at Cook County race tracks total in excess of
5 \$450,000,000, but do not exceed \$500,000,000;

6 (vii) 2,550 races in any year following the most recent
7 preceding complete calendar year when the combined
8 adjusted gross receipts of the electronic gaming licensees
9 operating at Cook County race tracks exceeds \$500,000,000.

10 In awarding racing dates under this subsection (e-2), the
11 Board shall have the discretion to allocate those thoroughbred
12 racing dates among these Cook County organization licensees.

13 (e-3) In awarding racing dates for calendar year 2018 and
14 thereafter in connection with a race track in Madison County,
15 the Board shall award racing dates and such organization
16 licensee shall run at least 700 thoroughbred races at the race
17 track in Madison County each year.

18 Notwithstanding Section 7.7 of the Riverboat Gambling Act
19 or any provision of this Act other than subsection (e-4.5), for
20 each calendar year for which an electronic gaming licensee
21 located in Madison County requests racing dates resulting in
22 less than 700 live thoroughbred races at its race track
23 facility, the electronic gaming licensee may not conduct
24 electronic gaming for the calendar year of such requested live
25 races.

26 (e-4) Notwithstanding the provisions of Section 7.7 of the

1 Riverboat Gambling Act or any provision of this Act other than
2 subsections (e-3) and (e-4.5), for each calendar year for which
3 an electronic gaming licensee requests racing dates for a
4 specific horse breed which results in a number of live races
5 for that specific breed under its organization license that is
6 less than the total number of live races for that specific
7 breed which it conducted in 2011 for standardbred racing and in
8 2016 for thoroughbred racing at its race track facility, the
9 electronic gaming licensee may not conduct electronic gaming
10 for the calendar year of such requested live races.

11 (e-4.5) The Board shall ensure that each organization
12 licensee shall individually run a sufficient number of races
13 per year to qualify for an electronic gaming license under this
14 Act. The General Assembly finds that the minimum live racing
15 guarantees contained in subsections (e-1), (e-2), and (e-3) are
16 in the best interest of the sport of horse racing, and that
17 such guarantees may only be reduced in the limited
18 circumstances described in this subsection. The Board may
19 decrease the number of racing days without affecting an
20 organization licensee's ability to conduct electronic gaming
21 only if the Board determines, after notice and hearing, that:

22 (i) a decrease is necessary to maintain a sufficient
23 number of betting interests per race to ensure the
24 integrity of racing;

25 (ii) there are unsafe track conditions due to weather
26 or acts of God;

1 (iii) there is an agreement between an organization
2 licensee and the breed association that is applicable to
3 the involved live racing guarantee, such association
4 representing either the largest number of thoroughbred
5 owners and trainers or the largest number of standardbred
6 owners, trainers and drivers who race horses at the
7 involved organization licensee's racing meeting, so long
8 as the agreement does not compromise the integrity of the
9 sport of horse racing; or

10 (iv) the horse population or purse levels are
11 insufficient to provide the number of racing opportunities
12 otherwise required in this Act.

13 In decreasing the number of racing dates in accordance with
14 this subsection, the Board shall hold a hearing and shall
15 provide the public and all interested parties notice and an
16 opportunity to be heard. The Board shall accept testimony from
17 all interested parties, including any association representing
18 owners, trainers, jockeys, or drivers who will be affected by
19 the decrease in racing dates. The Board shall provide a written
20 explanation of the reasons for the decrease and the Board's
21 findings. The written explanation shall include a listing and
22 content of all communication between any party and any Illinois
23 Racing Board member or staff that does not take place at a
24 public meeting of the Board.

25 (e-5) In reviewing an application for the purpose of
26 granting an organization license consistent with the best

1 interests of the public and the sport of horse racing, the
2 Board shall consider:

3 (1) the character, reputation, experience, and
4 financial integrity of the applicant and of any other
5 separate person that either:

6 (i) controls the applicant, directly or
7 indirectly, or

8 (ii) is controlled, directly or indirectly, by
9 that applicant or by a person who controls, directly or
10 indirectly, that applicant;

11 (2) the applicant's facilities or proposed facilities
12 for conducting horse racing;

13 (3) the total revenue without regard to Section 32.1 to
14 be derived by the State and horsemen from the applicant's
15 conducting a race meeting;

16 (4) the applicant's good faith affirmative action plan
17 to recruit, train, and upgrade minorities in all employment
18 classifications;

19 (5) the applicant's financial ability to purchase and
20 maintain adequate liability and casualty insurance;

21 (6) the applicant's proposed and prior year's
22 promotional and marketing activities and expenditures of
23 the applicant associated with those activities;

24 (7) an agreement, if any, among organization licensees
25 as provided in subsection (b) of Section 21 of this Act;
26 and

1 (8) the extent to which the applicant exceeds or meets
2 other standards for the issuance of an organization license
3 that the Board shall adopt by rule.

4 In granting organization licenses and allocating dates for
5 horse race meetings, the Board shall have discretion to
6 determine an overall schedule, including required simulcasts
7 of Illinois races by host tracks that will, in its judgment, be
8 conducive to the best interests of the public and the sport of
9 horse racing.

10 (e-10) The Illinois Administrative Procedure Act shall
11 apply to administrative procedures of the Board under this Act
12 for the granting of an organization license, except that (1)
13 notwithstanding the provisions of subsection (b) of Section
14 10-40 of the Illinois Administrative Procedure Act regarding
15 cross-examination, the Board may prescribe rules limiting the
16 right of an applicant or participant in any proceeding to award
17 an organization license to conduct cross-examination of
18 witnesses at that proceeding where that cross-examination
19 would unduly obstruct the timely award of an organization
20 license under subsection (e) of Section 20 of this Act; (2) the
21 provisions of Section 10-45 of the Illinois Administrative
22 Procedure Act regarding proposals for decision are excluded
23 under this Act; (3) notwithstanding the provisions of
24 subsection (a) of Section 10-60 of the Illinois Administrative
25 Procedure Act regarding ex parte communications, the Board may
26 prescribe rules allowing ex parte communications with

1 applicants or participants in a proceeding to award an
2 organization license where conducting those communications
3 would be in the best interest of racing, provided all those
4 communications are made part of the record of that proceeding
5 pursuant to subsection (c) of Section 10-60 of the Illinois
6 Administrative Procedure Act; (4) the provisions of Section 14a
7 of this Act and the rules of the Board promulgated under that
8 Section shall apply instead of the provisions of Article 10 of
9 the Illinois Administrative Procedure Act regarding
10 administrative law judges; and (5) the provisions of subsection
11 (d) of Section 10-65 of the Illinois Administrative Procedure
12 Act that prevent summary suspension of a license pending
13 revocation or other action shall not apply.

14 (f) The Board may allot racing dates to an organization
15 licensee for more than one calendar year but for no more than 3
16 successive calendar years in advance, provided that the Board
17 shall review such allotment for more than one calendar year
18 prior to each year for which such allotment has been made. The
19 granting of an organization license to a person constitutes a
20 privilege to conduct a horse race meeting under the provisions
21 of this Act, and no person granted an organization license
22 shall be deemed to have a vested interest, property right, or
23 future expectation to receive an organization license in any
24 subsequent year as a result of the granting of an organization
25 license. Organization licenses shall be subject to revocation
26 if the organization licensee has violated any provision of this

1 Act or the rules and regulations promulgated under this Act or
2 has been convicted of a crime or has failed to disclose or has
3 stated falsely any information called for in the application
4 for an organization license. Any organization license
5 revocation proceeding shall be in accordance with Section 16
6 regarding suspension and revocation of occupation licenses.

7 (f-5) If, (i) an applicant does not file an acceptance of
8 the racing dates awarded by the Board as required under part
9 (1) of subsection (h) of this Section 20, or (ii) an
10 organization licensee has its license suspended or revoked
11 under this Act, the Board, upon conducting an emergency hearing
12 as provided for in this Act, may reaward on an emergency basis
13 pursuant to rules established by the Board, racing dates not
14 accepted or the racing dates associated with any suspension or
15 revocation period to one or more organization licensees, new
16 applicants, or any combination thereof, upon terms and
17 conditions that the Board determines are in the best interest
18 of racing, provided, the organization licensees or new
19 applicants receiving the awarded racing dates file an
20 acceptance of those reawarded racing dates as required under
21 paragraph (1) of subsection (h) of this Section 20 and comply
22 with the other provisions of this Act. The Illinois
23 Administrative Procedure Act shall not apply to the
24 administrative procedures of the Board in conducting the
25 emergency hearing and the reallocation of racing dates on an
26 emergency basis.

1 (g) (Blank).

2 (h) The Board shall send the applicant a copy of its
3 formally executed order by certified mail addressed to the
4 applicant at the address stated in his application, which
5 notice shall be mailed within 5 days of the date the formal
6 order is executed.

7 Each applicant notified shall, within 10 days after receipt
8 of the final executed order of the Board awarding racing dates:

9 (1) file with the Board an acceptance of such award in
10 the form prescribed by the Board;

11 (2) pay to the Board an additional amount equal to \$110
12 for each racing date awarded; and

13 (3) file with the Board the bonds required in Sections
14 21 and 25 at least 20 days prior to the first day of each
15 race meeting.

16 Upon compliance with the provisions of paragraphs (1), (2), and
17 (3) of this subsection (h), the applicant shall be issued an
18 organization license.

19 If any applicant fails to comply with this Section or fails
20 to pay the organization license fees herein provided, no
21 organization license shall be issued to such applicant.

22 (Source: P.A. 97-333, eff. 8-12-11.)

23 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

24 Sec. 21. (a) Applications for organization licenses must be
25 filed with the Board at a time and place prescribed by the

1 rules and regulations of the Board. The Board shall examine the
2 applications within 21 days after the date allowed for filing
3 with respect to their conformity with this Act and such rules
4 and regulations as may be prescribed by the Board. If any
5 application does not comply with this Act or the rules and
6 regulations prescribed by the Board, such application may be
7 rejected and an organization license refused to the applicant,
8 or the Board may, within 21 days of the receipt of such
9 application, advise the applicant of the deficiencies of the
10 application under the Act or the rules and regulations of the
11 Board, and require the submittal of an amended application
12 within a reasonable time determined by the Board; and upon
13 submittal of the amended application by the applicant, the
14 Board may consider the application consistent with the process
15 described in subsection (e-5) of Section 20 of this Act. If it
16 is found to be in compliance with this Act and the rules and
17 regulations of the Board, the Board may then issue an
18 organization license to such applicant.

19 (b) The Board may exercise discretion in granting racing
20 dates to qualified applicants different from those requested by
21 the applicants in their applications. However, if all eligible
22 applicants for organization licenses whose tracks are located
23 within 100 miles of each other execute and submit to the Board
24 a written agreement among such applicants as to the award of
25 racing dates, including where applicable racing programs, for
26 up to 3 consecutive years, then subject to annual review of

1 each applicant's compliance with Board rules and regulations,
2 provisions of this Act and conditions contained in annual dates
3 orders issued by the Board, the Board may grant such dates and
4 programs to such applicants as so agreed by them if the Board
5 determines that the grant of these racing dates is in the best
6 interests of racing. The Board shall treat any such agreement
7 as the agreement signatories' joint and several application for
8 racing dates during the term of the agreement.

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

15 (d) (Blank).

16 (e) Prior to the issuance of an organization license, the
17 applicant shall file with the Board a bond payable to the State
18 of Illinois in the sum of \$200,000, executed by the applicant
19 and a surety company or companies authorized to do business in
20 this State, and conditioned upon the payment by the
21 organization licensee of all taxes due under Section 27, other
22 monies due and payable under this Act, all purses due and
23 payable, and that the organization licensee will upon
24 presentation of the winning ticket or tickets distribute all
25 sums due to the patrons of pari-mutuel pools. Beginning on the
26 date when any organization licensee begins conducting

1 electronic gaming pursuant to an electronic gaming license
2 issued under the Riverboat Gambling Act, the amount of the bond
3 required under this subsection (e) shall be \$500,000.

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

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

11 (h) All racing conducted under such organization license is
12 subject to this Act and to the rules and regulations from time
13 to time prescribed by the Board, and every such organization
14 license issued by the Board shall contain a recital to that
15 effect.

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

19 (j) In acting on applications for organization licenses,
20 the Board shall give weight to an organization license which
21 has implemented a good faith affirmative action effort to
22 recruit, train and upgrade minorities in all classifications
23 within the organization license.

24 (Source: P.A. 90-754, eff. 1-1-99; 91-40, eff. 6-25-99.)

1 Sec. 24. (a) No license shall be issued to or held by an
2 organization licensee unless all of its officers, directors,
3 and holders of ownership interests of at least 5% are first
4 approved by the Board. The Board shall not give approval of an
5 organization license application to any person who has been
6 convicted of or is under an indictment for a crime of moral
7 turpitude or has violated any provision of the racing law of
8 this State or any rules of the Board.

9 (b) An organization licensee must notify the Board within
10 10 days of any change in the holders of a direct or indirect
11 interest in the ownership of the organization licensee. The
12 Board may, after hearing, revoke the organization license of
13 any person who registers on its books or knowingly permits a
14 direct or indirect interest in the ownership of that person
15 without notifying the Board of the name of the holder in
16 interest within this period.

17 (c) In addition to the provisions of subsection (a) of this
18 Section, no person shall be granted an organization license if
19 any public official of the State or member of his or her family
20 holds any ownership or financial interest, directly or
21 indirectly, in the person.

22 (d) No person which has been granted an organization
23 license to hold a race meeting shall give to any public
24 official or member of his family, directly or indirectly, for
25 or without consideration, any interest in the person. The Board
26 shall, after hearing, revoke the organization license granted

1 to a person which has violated this subsection.

2 (e) (Blank).

3 (f) No organization licensee or concessionaire or officer,
4 director or holder or controller of 5% or more legal or
5 beneficial interest in any organization licensee or concession
6 shall make any sort of gift or contribution that is prohibited
7 under Article 10 of the State Officials and Employees Ethics
8 Act of any kind or pay or give any money or other thing of value
9 to any person who is a public official, or a candidate or
10 nominee for public office if that payment or gift is prohibited
11 under Article 10 of the State Officials and Employees Ethics
12 Act.

13 (Source: P.A. 89-16, eff. 5-30-95.)

14 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

15 Sec. 25. Admission charge; bond; fine.

16 (a) There shall be paid to the Board at such time or times
17 as it shall prescribe, the sum of fifteen cents (15¢) for each
18 person entering the grounds or enclosure of each organization
19 licensee and inter-track wagering licensee upon a ticket of
20 admission except as provided in subsection (g) of Section 27 of
21 this Act. If tickets are issued for more than one day then the
22 sum of fifteen cents (15¢) shall be paid for each person using
23 such ticket on each day that the same shall be used. Provided,
24 however, that no charge shall be made on tickets of admission
25 issued to and in the name of directors, officers, agents or

1 employees of the organization licensee, or inter-track
2 wagering licensee, or to owners, trainers, jockeys, drivers and
3 their employees or to any person or persons entering the
4 grounds or enclosure for the transaction of business in
5 connection with such race meeting. The organization licensee or
6 inter-track wagering licensee may, if it desires, collect such
7 amount from each ticket holder in addition to the amount or
8 amounts charged for such ticket of admission. Beginning on the
9 date when any organization licensee begins conducting
10 electronic gaming pursuant to an electronic gaming license
11 issued under the Riverboat Gambling Act, the admission charge
12 imposed by this subsection (a) shall be 40 cents for each
13 person entering the grounds or enclosure of each organization
14 licensee and inter-track wagering licensee upon a ticket of
15 admission, and if such tickets are issued for more than one
16 day, 40 cents shall be paid for each person using such ticket
17 on each day that the same shall be used.

18 (b) Accurate records and books shall at all times be kept
19 and maintained by the organization licensees and inter-track
20 wagering licensees showing the admission tickets issued and
21 used on each racing day and the attendance thereat of each
22 horse racing meeting. The Board or its duly authorized
23 representative or representatives shall at all reasonable
24 times have access to the admission records of any organization
25 licensee and inter-track wagering licensee for the purpose of
26 examining and checking the same and ascertaining whether or not

1 the proper amount has been or is being paid the State of
2 Illinois as herein provided. The Board shall also require,
3 before issuing any license, that the licensee shall execute and
4 deliver to it a bond, payable to the State of Illinois, in such
5 sum as it shall determine, not, however, in excess of fifty
6 thousand dollars (\$50,000), with a surety or sureties to be
7 approved by it, conditioned for the payment of all sums due and
8 payable or collected by it under this Section upon admission
9 fees received for any particular racing meetings. The Board may
10 also from time to time require sworn statements of the number
11 or numbers of such admissions and may prescribe blanks upon
12 which such reports shall be made. Any organization licensee or
13 inter-track wagering licensee failing or refusing to pay the
14 amount found to be due as herein provided, shall be deemed
15 guilty of a business offense and upon conviction shall be
16 punished by a fine of not more than five thousand dollars
17 (\$5,000) in addition to the amount due from such organization
18 licensee or inter-track wagering licensee as herein provided.
19 All fines paid into court by an organization licensee or
20 inter-track wagering licensee found guilty of violating this
21 Section shall be transmitted and paid over by the clerk of the
22 court to the Board. Beginning on the date when any organization
23 licensee begins conducting electronic gaming pursuant to an
24 electronic gaming license issued under the Riverboat Gambling
25 Act, any fine imposed pursuant to this subsection (b) shall not
26 exceed \$10,000.

1 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

2 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

3 Sec. 26. Wagering.

4 (a) Any licensee may conduct and supervise the pari-mutuel
5 system of wagering, as defined in Section 3.12 of this Act, on
6 horse races conducted by an Illinois organization licensee or
7 conducted at a racetrack located in another state or country
8 ~~and televised in Illinois~~ in accordance with subsection (g) of
9 Section 26 of this Act. Subject to the prior consent of the
10 Board, licensees may supplement any pari-mutuel pool in order
11 to guarantee a minimum distribution. Such pari-mutuel method of
12 wagering shall not, under any circumstances if conducted under
13 the provisions of this Act, be held or construed to be
14 unlawful, other statutes of this State to the contrary
15 notwithstanding. Subject to rules for advance wagering
16 promulgated by the Board, any licensee may accept wagers in
17 advance of the day of the race wagered upon occurs.

18 (b) Except for those gaming activities for which a license
19 is obtained and authorized under the Illinois Lottery Law, the
20 Charitable Games Act, the Raffles and Poker Runs Act, or the
21 Riverboat Gambling Act, no ~~no~~ other method of betting, pool
22 making, wagering or gambling shall be used or permitted by the
23 licensee. Each licensee may retain, subject to the payment of
24 all applicable taxes and purses, an amount not to exceed 17% of
25 all money wagered under subsection (a) of this Section, except

1 as may otherwise be permitted under this Act.

2 (b-5) An individual may place a wager under the pari-mutuel
3 system from any licensed location authorized under this Act
4 provided that wager is electronically recorded in the manner
5 described in Section 3.12 of this Act. Any wager made
6 electronically by an individual while physically on the
7 premises of a licensee shall be deemed to have been made at the
8 premises of that licensee.

9 (c) Until January 1, 2000, the sum held by any licensee for
10 payment of outstanding pari-mutuel tickets, if unclaimed prior
11 to December 31 of the next year, shall be retained by the
12 licensee for payment of such tickets until that date. Within 10
13 days thereafter, the balance of such sum remaining unclaimed,
14 less any uncashed supplements contributed by such licensee for
15 the purpose of guaranteeing minimum distributions of any
16 pari-mutuel pool, shall be paid to the Illinois Veterans'
17 Rehabilitation Fund of the State treasury, except as provided
18 in subsection (g) of Section 27 of this Act.

19 (c-5) Beginning January 1, 2000, the sum held by any
20 licensee for payment of outstanding pari-mutuel tickets, if
21 unclaimed prior to December 31 of the next year, shall be
22 retained by the licensee for payment of such tickets until that
23 date. Within 10 days thereafter, the balance of such sum
24 remaining unclaimed, less any uncashed supplements contributed
25 by such licensee for the purpose of guaranteeing minimum
26 distributions of any pari-mutuel pool, shall be evenly

1 distributed to the purse account of the organization licensee
2 and the organization licensee.

3 (d) A pari-mutuel ticket shall be honored until December 31
4 of the next calendar year, and the licensee shall pay the same
5 and may charge the amount thereof against unpaid money
6 similarly accumulated on account of pari-mutuel tickets not
7 presented for payment.

8 (e) No licensee shall knowingly permit any minor, other
9 than an employee of such licensee or an owner, trainer, jockey,
10 driver, or employee thereof, to be admitted during a racing
11 program unless accompanied by a parent or guardian, or any
12 minor to be a patron of the pari-mutuel system of wagering
13 conducted or supervised by it. The admission of any
14 unaccompanied minor, other than an employee of the licensee or
15 an owner, trainer, jockey, driver, or employee thereof at a
16 race track is a Class C misdemeanor.

17 (f) Notwithstanding the other provisions of this Act, an
18 organization licensee may contract with an entity in another
19 state or country to permit any legal wagering entity in another
20 state or country to accept wagers solely within such other
21 state or country on races conducted by the organization
22 licensee in this State. Beginning January 1, 2000, these wagers
23 shall not be subject to State taxation. Until January 1, 2000,
24 when the out-of-State entity conducts a pari-mutuel pool
25 separate from the organization licensee, a privilege tax equal
26 to 7 1/2% of all monies received by the organization licensee

1 from entities in other states or countries pursuant to such
2 contracts is imposed on the organization licensee, and such
3 privilege tax shall be remitted to the Department of Revenue
4 within 48 hours of receipt of the moneys from the simulcast.
5 When the out-of-State entity conducts a combined pari-mutuel
6 pool with the organization licensee, the tax shall be 10% of
7 all monies received by the organization licensee with 25% of
8 the receipts from this 10% tax to be distributed to the county
9 in which the race was conducted.

10 An organization licensee may permit one or more of its
11 races to be utilized for pari-mutuel wagering at one or more
12 locations in other states and may transmit audio and visual
13 signals of races the organization licensee conducts to one or
14 more locations outside the State or country and may also permit
15 pari-mutuel pools in other states or countries to be combined
16 with its gross or net wagering pools or with wagering pools
17 established by other states.

18 (g) A host track may accept interstate simulcast wagers on
19 horse races conducted in other states or countries and shall
20 control the number of signals and types of breeds of racing in
21 its simulcast program, subject to the disapproval of the Board.
22 The Board may prohibit a simulcast program only if it finds
23 that the simulcast program is clearly adverse to the integrity
24 of racing. The host track simulcast program shall include the
25 signal of live racing of all organization licensees. All
26 non-host licensees and advance deposit wagering licensees

1 shall carry the signal of and accept wagers on live racing of
2 all organization licensees. Advance deposit wagering licensees
3 shall not be permitted to accept out-of-state wagers on any
4 Illinois signal provided pursuant to this Section without the
5 approval and consent of the organization licensee providing the
6 signal. For one year after August 15, 2014 (the effective date
7 of Public Act 98-968) ~~this amendatory Act of the 98th General~~
8 ~~Assembly~~, non-host licensees may carry the host track simulcast
9 program and shall accept wagers on all races included as part
10 of the simulcast program of horse races conducted at race
11 tracks located within North America upon which wagering is
12 permitted. For a period of one year after August 15, 2014 (the
13 effective date of Public Act 98-968) ~~this amendatory Act of the~~
14 ~~98th General Assembly~~, on horse races conducted at race tracks
15 located outside of North America, non-host licensees may accept
16 wagers on all races included as part of the simulcast program
17 upon which wagering is permitted. Beginning August 15, 2015
18 (one year after the effective date of Public Act 98-968) ~~this~~
19 ~~amendatory Act of the 98th General Assembly~~, non-host licensees
20 may carry the host track simulcast program and shall accept
21 wagers on all races included as part of the simulcast program
22 upon which wagering is permitted. All organization licensees
23 shall provide their live signal to all advance deposit wagering
24 licensees for a simulcast commission fee not to exceed 6% of
25 the advance deposit wagering licensee's Illinois handle on the
26 organization licensee's signal without prior approval by the

1 Board. The Board may adopt rules under which it may permit
2 simulcast commission fees in excess of 6%. The Board shall
3 adopt rules limiting the interstate commission fees charged to
4 an advance deposit wagering licensee. The Board shall adopt
5 rules regarding advance deposit wagering on interstate
6 simulcast races that shall reflect, among other things, the
7 General Assembly's desire to maximize revenues to the State,
8 horsemen purses, and organization ~~organizational~~ licensees.
9 However, organization licensees providing live signals
10 pursuant to the requirements of this subsection (g) may
11 petition the Board to withhold their live signals from an
12 advance deposit wagering licensee if the organization licensee
13 discovers and the Board finds reputable or credible information
14 that the advance deposit wagering licensee is under
15 investigation by another state or federal governmental agency,
16 the advance deposit wagering licensee's license has been
17 suspended in another state, or the advance deposit wagering
18 licensee's license is in revocation proceedings in another
19 state. The organization licensee's provision of their live
20 signal to an advance deposit wagering licensee under this
21 subsection (g) pertains to wagers placed from within Illinois.
22 Advance deposit wagering licensees may place advance deposit
23 wagering terminals at wagering facilities as a convenience to
24 customers. The advance deposit wagering licensee shall not
25 charge or collect any fee from purses for the placement of the
26 advance deposit wagering terminals. The costs and expenses of

1 the host track and non-host licensees associated with
2 interstate simulcast wagering, other than the interstate
3 commission fee, shall be borne by the host track and all
4 non-host licensees incurring these costs. The interstate
5 commission fee shall not exceed 5% of Illinois handle on the
6 interstate simulcast race or races without prior approval of
7 the Board. The Board shall promulgate rules under which it may
8 permit interstate commission fees in excess of 5%. The
9 interstate commission fee and other fees charged by the sending
10 racetrack, including, but not limited to, satellite decoder
11 fees, shall be uniformly applied to the host track and all
12 non-host licensees.

13 Notwithstanding any other provision of this Act, ~~through~~
14 ~~December 31, 2018,~~ an organization licensee, with the consent
15 of the horsemen association representing the largest number of
16 owners, trainers, jockeys, or standardbred drivers who race
17 horses at that organization licensee's racing meeting, may
18 maintain a system whereby advance deposit wagering may take
19 place or an organization licensee, with the consent of the
20 horsemen association representing the largest number of
21 owners, trainers, jockeys, or standardbred drivers who race
22 horses at that organization licensee's racing meeting, may
23 contract with another person to carry out a system of advance
24 deposit wagering. Such consent may not be unreasonably
25 withheld. Only with respect to an appeal to the Board that
26 consent for an organization licensee that maintains its own

1 advance deposit wagering system is being unreasonably
2 withheld, the Board shall issue a final order within 30 days
3 after initiation of the appeal, and the organization licensee's
4 advance deposit wagering system may remain operational during
5 that 30-day period. The actions of any organization licensee
6 who conducts advance deposit wagering or any person who has a
7 contract with an organization licensee to conduct advance
8 deposit wagering who conducts advance deposit wagering on or
9 after January 1, 2013 and prior to June 7, 2013 (the effective
10 date of Public Act 98-18) ~~this amendatory Act of the 98th~~
11 ~~General Assembly~~ taken in reliance on the changes made to this
12 subsection (g) by Public Act 98-18 ~~this amendatory Act of the~~
13 ~~98th General Assembly~~ are hereby validated, provided payment of
14 all applicable pari-mutuel taxes are remitted to the Board. All
15 advance deposit wagers placed from within Illinois must be
16 placed through a Board-approved advance deposit wagering
17 licensee; no other entity may accept an advance deposit wager
18 from a person within Illinois. All advance deposit wagering is
19 subject to any rules adopted by the Board. The Board may adopt
20 rules necessary to regulate advance deposit wagering through
21 the use of emergency rulemaking in accordance with Section 5-45
22 of the Illinois Administrative Procedure Act. The General
23 Assembly finds that the adoption of rules to regulate advance
24 deposit wagering is deemed an emergency and necessary for the
25 public interest, safety, and welfare. An advance deposit
26 wagering licensee may retain all moneys as agreed to by

1 contract with an organization licensee. Any moneys retained by
2 the organization licensee from advance deposit wagering, not
3 including moneys retained by the advance deposit wagering
4 licensee, shall be paid 50% to the organization licensee's
5 purse account and 50% to the organization licensee. With the
6 exception of any organization licensee that is owned by a
7 publicly traded company that is incorporated in a state other
8 than Illinois and advance deposit wagering licensees under
9 contract with such organization licensees, organization
10 licensees that maintain advance deposit wagering systems and
11 advance deposit wagering licensees that contract with
12 organization licensees shall provide sufficiently detailed
13 monthly accountings to the horsemen association representing
14 the largest number of owners, trainers, jockeys, or
15 standardbred drivers who race horses at that organization
16 licensee's racing meeting so that the horsemen association, as
17 an interested party, can confirm the accuracy of the amounts
18 paid to the purse account at the horsemen association's
19 affiliated organization licensee from advance deposit
20 wagering. If more than one breed races at the same race track
21 facility, then the 50% of the moneys to be paid to an
22 organization licensee's purse account shall be allocated among
23 all organization licensees' purse accounts operating at that
24 race track facility proportionately based on the actual number
25 of host days that the Board grants to that breed at that race
26 track facility in the current calendar year. To the extent any

1 fees from advance deposit wagering conducted in Illinois for
2 wagers in Illinois or other states have been placed in escrow
3 or otherwise withheld from wagers pending a determination of
4 the legality of advance deposit wagering, no action shall be
5 brought to declare such wagers or the disbursement of any fees
6 previously escrowed illegal.

7 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
8 inter-track ~~intertrack~~ wagering licensee other than the
9 host track may supplement the host track simulcast program
10 with additional simulcast races or race programs, provided
11 that between January 1 and the third Friday in February of
12 any year, inclusive, if no live thoroughbred racing is
13 occurring in Illinois during this period, only
14 thoroughbred races may be used for supplemental interstate
15 simulcast purposes. The Board shall withhold approval for a
16 supplemental interstate simulcast only if it finds that the
17 simulcast is clearly adverse to the integrity of racing. A
18 supplemental interstate simulcast may be transmitted from
19 an inter-track ~~intertrack~~ wagering licensee to its
20 affiliated non-host licensees. The interstate commission
21 fee for a supplemental interstate simulcast shall be paid
22 by the non-host licensee and its affiliated non-host
23 licensees receiving the simulcast.

24 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
25 inter-track ~~intertrack~~ wagering licensee other than the
26 host track may receive supplemental interstate simulcasts

1 only with the consent of the host track, except when the
2 Board finds that the simulcast is clearly adverse to the
3 integrity of racing. Consent granted under this paragraph
4 (2) to any inter-track ~~intertrack~~ wagering licensee shall
5 be deemed consent to all non-host licensees. The interstate
6 commission fee for the supplemental interstate simulcast
7 shall be paid by all participating non-host licensees.

8 (3) Each licensee conducting interstate simulcast
9 wagering may retain, subject to the payment of all
10 applicable taxes and the purses, an amount not to exceed
11 17% of all money wagered. If any licensee conducts the
12 pari-mutuel system wagering on races conducted at
13 racetracks in another state or country, each such race or
14 race program shall be considered a separate racing day for
15 the purpose of determining the daily handle and computing
16 the privilege tax of that daily handle as provided in
17 subsection (a) of Section 27. Until January 1, 2000, from
18 the sums permitted to be retained pursuant to this
19 subsection, each inter-track ~~intertrack~~ wagering location
20 licensee shall pay 1% of the pari-mutuel handle wagered on
21 simulcast wagering to the Horse Racing Tax Allocation Fund,
22 subject to the provisions of subparagraph (B) of paragraph
23 (11) of subsection (h) of Section 26 of this Act.

24 (4) A licensee who receives an interstate simulcast may
25 combine its gross or net pools with pools at the sending
26 racetracks pursuant to rules established by the Board. All

1 licenses combining their gross pools at a sending
2 racetrack shall adopt the take-out percentages of the
3 sending racetrack. A licensee may also establish a separate
4 pool and takeout structure for wagering purposes on races
5 conducted at race tracks outside of the State of Illinois.
6 The licensee may permit pari-mutuel wagers placed in other
7 states or countries to be combined with its gross or net
8 wagering pools or other wagering pools.

9 (5) After the payment of the interstate commission fee
10 (except for the interstate commission fee on a supplemental
11 interstate simulcast, which shall be paid by the host track
12 and by each non-host licensee through the host-track) and
13 all applicable State and local taxes, except as provided in
14 subsection (g) of Section 27 of this Act, the remainder of
15 moneys retained from simulcast wagering pursuant to this
16 subsection (g), and Section 26.2 shall be divided as
17 follows:

18 (A) For interstate simulcast wagers made at a host
19 track, 50% to the host track and 50% to purses at the
20 host track.

21 (B) For wagers placed on interstate simulcast
22 races, supplemental simulcasts as defined in
23 subparagraphs (1) and (2), and separately pooled races
24 conducted outside of the State of Illinois made at a
25 non-host licensee, 25% to the host track, 25% to the
26 non-host licensee, and 50% to the purses at the host

1 track.

2 (6) Notwithstanding any provision in this Act to the
3 contrary, non-host licensees who derive their licenses
4 from a track located in a county with a population in
5 excess of 230,000 and that borders the Mississippi River
6 may receive supplemental interstate simulcast races at all
7 times subject to Board approval, which shall be withheld
8 only upon a finding that a supplemental interstate
9 simulcast is clearly adverse to the integrity of racing.

10 (7) Notwithstanding any provision of this Act to the
11 contrary, after payment of all applicable State and local
12 taxes and interstate commission fees, non-host licensees
13 who derive their licenses from a track located in a county
14 with a population in excess of 230,000 and that borders the
15 Mississippi River shall retain 50% of the retention from
16 interstate simulcast wagers and shall pay 50% to purses at
17 the track from which the non-host licensee derives its
18 license as follows:

19 (A) Between January 1 and the third Friday in
20 February, inclusive, if no live thoroughbred racing is
21 occurring in Illinois during this period, when the
22 interstate simulcast is a standardbred race, the purse
23 share to its standardbred purse account;

24 (B) Between January 1 and the third Friday in
25 February, inclusive, if no live thoroughbred racing is
26 occurring in Illinois during this period, and the

1 interstate simulcast is a thoroughbred race, the purse
2 share to its interstate simulcast purse pool to be
3 distributed under paragraph (10) of this subsection
4 (g);

5 (C) Between January 1 and the third Friday in
6 February, inclusive, if live thoroughbred racing is
7 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
8 the purse share from wagers made during this time
9 period to its thoroughbred purse account and between
10 6:30 p.m. and 6:30 a.m. the purse share from wagers
11 made during this time period to its standardbred purse
12 accounts;

13 (D) Between the third Saturday in February and
14 December 31, when the interstate simulcast occurs
15 between the hours of 6:30 a.m. and 6:30 p.m., the purse
16 share to its thoroughbred purse account;

17 (E) Between the third Saturday in February and
18 December 31, when the interstate simulcast occurs
19 between the hours of 6:30 p.m. and 6:30 a.m., the purse
20 share to its standardbred purse account.

21 (7.1) Notwithstanding any other provision of this Act
22 to the contrary, if no standardbred racing is conducted at
23 a racetrack located in Madison County during any calendar
24 year beginning on or after January 1, 2002, all moneys
25 derived by that racetrack from simulcast wagering and
26 inter-track wagering that (1) are to be used for purses and

1 (2) are generated between the hours of 6:30 p.m. and 6:30
2 a.m. during that calendar year shall be paid as follows:

3 (A) If the licensee that conducts horse racing at
4 that racetrack requests from the Board at least as many
5 racing dates as were conducted in calendar year 2000,
6 80% shall be paid to its thoroughbred purse account;
7 and

8 (B) Twenty percent shall be deposited into the
9 Illinois Colt Stakes Purse Distribution Fund and shall
10 be paid to purses for standardbred races for Illinois
11 conceived and foaled horses conducted at any county
12 fairgrounds. The moneys deposited into the Fund
13 pursuant to this subparagraph (B) shall be deposited
14 within 2 weeks after the day they were generated, shall
15 be in addition to and not in lieu of any other moneys
16 paid to standardbred purses under this Act, and shall
17 not be commingled with other moneys paid into that
18 Fund. The moneys deposited pursuant to this
19 subparagraph (B) shall be allocated as provided by the
20 Department of Agriculture, with the advice and
21 assistance of the Illinois Standardbred Breeders Fund
22 Advisory Board.

23 (7.2) Notwithstanding any other provision of this Act
24 to the contrary, if no thoroughbred racing is conducted at
25 a racetrack located in Madison County during any calendar
26 year beginning on or after January 1, 2002, all moneys

1 derived by that racetrack from simulcast wagering and
2 inter-track wagering that (1) are to be used for purses and
3 (2) are generated between the hours of 6:30 a.m. and 6:30
4 p.m. during that calendar year shall be deposited as
5 follows:

6 (A) If the licensee that conducts horse racing at
7 that racetrack requests from the Board at least as many
8 racing dates as were conducted in calendar year 2000,
9 80% shall be deposited into its standardbred purse
10 account; and

11 (B) Twenty percent shall be deposited into the
12 Illinois Colt Stakes Purse Distribution Fund. Moneys
13 deposited into the Illinois Colt Stakes Purse
14 Distribution Fund pursuant to this subparagraph (B)
15 shall be paid to Illinois conceived and foaled
16 thoroughbred breeders' programs and to thoroughbred
17 purses for races conducted at any county fairgrounds
18 for Illinois conceived and foaled horses at the
19 discretion of the Department of Agriculture, with the
20 advice and assistance of the Illinois Thoroughbred
21 Breeders Fund Advisory Board. The moneys deposited
22 into the Illinois Colt Stakes Purse Distribution Fund
23 pursuant to this subparagraph (B) shall be deposited
24 within 2 weeks after the day they were generated, shall
25 be in addition to and not in lieu of any other moneys
26 paid to thoroughbred purses under this Act, and shall

1 not be commingled with other moneys deposited into that
2 Fund.

3 (7.3) If no live standardbred racing is conducted at a
4 racetrack located in Madison County in calendar year 2000
5 or 2001, an organization licensee who is licensed to
6 conduct horse racing at that racetrack shall, before
7 January 1, 2002, pay all moneys derived from simulcast
8 wagering and inter-track wagering in calendar years 2000
9 and 2001 and paid into the licensee's standardbred purse
10 account as follows:

11 (A) Eighty percent to that licensee's thoroughbred
12 purse account to be used for thoroughbred purses; and

13 (B) Twenty percent to the Illinois Colt Stakes
14 Purse Distribution Fund.

15 Failure to make the payment to the Illinois Colt Stakes
16 Purse Distribution Fund before January 1, 2002 shall result
17 in the immediate revocation of the licensee's organization
18 license, inter-track wagering license, and inter-track
19 wagering location license.

20 Moneys paid into the Illinois Colt Stakes Purse
21 Distribution Fund pursuant to this paragraph (7.3) shall be
22 paid to purses for standardbred races for Illinois
23 conceived and foaled horses conducted at any county
24 fairgrounds. Moneys paid into the Illinois Colt Stakes
25 Purse Distribution Fund pursuant to this paragraph (7.3)
26 shall be used as determined by the Department of

1 Agriculture, with the advice and assistance of the Illinois
2 Standardbred Breeders Fund Advisory Board, shall be in
3 addition to and not in lieu of any other moneys paid to
4 standardbred purses under this Act, and shall not be
5 commingled with any other moneys paid into that Fund.

6 (7.4) If live standardbred racing is conducted at a
7 racetrack located in Madison County at any time in calendar
8 year 2001 before the payment required under paragraph (7.3)
9 has been made, the organization licensee who is licensed to
10 conduct racing at that racetrack shall pay all moneys
11 derived by that racetrack from simulcast wagering and
12 inter-track wagering during calendar years 2000 and 2001
13 that (1) are to be used for purses and (2) are generated
14 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
15 2001 to the standardbred purse account at that racetrack to
16 be used for standardbred purses.

17 (8) Notwithstanding any provision in this Act to the
18 contrary, an organization licensee from a track located in
19 a county with a population in excess of 230,000 and that
20 borders the Mississippi River and its affiliated non-host
21 licensees shall not be entitled to share in any retention
22 generated on racing, inter-track wagering, or simulcast
23 wagering at any other Illinois wagering facility.

24 (8.1) Notwithstanding any provisions in this Act to the
25 contrary, if 2 organization licensees are conducting
26 standardbred race meetings concurrently between the hours

1 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
2 State and local taxes and interstate commission fees, the
3 remainder of the amount retained from simulcast wagering
4 otherwise attributable to the host track and to host track
5 purses shall be split daily between the 2 organization
6 licensees and the purses at the tracks of the 2
7 organization licensees, respectively, based on each
8 organization licensee's share of the total live handle for
9 that day, provided that this provision shall not apply to
10 any non-host licensee that derives its license from a track
11 located in a county with a population in excess of 230,000
12 and that borders the Mississippi River.

13 (9) (Blank).

14 (10) (Blank).

15 (11) (Blank).

16 (12) The Board shall have authority to compel all host
17 tracks to receive the simulcast of any or all races
18 conducted at the Springfield or DuQuoin State fairgrounds
19 and include all such races as part of their simulcast
20 programs.

21 (13) Notwithstanding any other provision of this Act,
22 in the event that the total Illinois pari-mutuel handle on
23 Illinois horse races at all wagering facilities in any
24 calendar year is less than 75% of the total Illinois
25 pari-mutuel handle on Illinois horse races at all such
26 wagering facilities for calendar year 1994, then each

1 wagering facility that has an annual total Illinois
2 pari-mutuel handle on Illinois horse races that is less
3 than 75% of the total Illinois pari-mutuel handle on
4 Illinois horse races at such wagering facility for calendar
5 year 1994, shall be permitted to receive, from any amount
6 otherwise payable to the purse account at the race track
7 with which the wagering facility is affiliated in the
8 succeeding calendar year, an amount equal to 2% of the
9 differential in total Illinois pari-mutuel handle on
10 Illinois horse races at the wagering facility between that
11 calendar year in question and 1994 provided, however, that
12 a wagering facility shall not be entitled to any such
13 payment until the Board certifies in writing to the
14 wagering facility the amount to which the wagering facility
15 is entitled and a schedule for payment of the amount to the
16 wagering facility, based on: (i) the racing dates awarded
17 to the race track affiliated with the wagering facility
18 during the succeeding year; (ii) the sums available or
19 anticipated to be available in the purse account of the
20 race track affiliated with the wagering facility for purses
21 during the succeeding year; and (iii) the need to ensure
22 reasonable purse levels during the payment period. The
23 Board's certification shall be provided no later than
24 January 31 of the succeeding year. In the event a wagering
25 facility entitled to a payment under this paragraph (13) is
26 affiliated with a race track that maintains purse accounts

1 for both standardbred and thoroughbred racing, the amount
2 to be paid to the wagering facility shall be divided
3 between each purse account pro rata, based on the amount of
4 Illinois handle on Illinois standardbred and thoroughbred
5 racing respectively at the wagering facility during the
6 previous calendar year. Annually, the General Assembly
7 shall appropriate sufficient funds from the General
8 Revenue Fund to the Department of Agriculture for payment
9 into the thoroughbred and standardbred horse racing purse
10 accounts at Illinois pari-mutuel tracks. The amount paid to
11 each purse account shall be the amount certified by the
12 Illinois Racing Board in January to be transferred from
13 each account to each eligible racing facility in accordance
14 with the provisions of this Section. Beginning in the
15 calendar year in which an organization licensee that is
16 eligible to receive payment under this paragraph (13)
17 begins to receive funds from electronic gaming, the amount
18 of the payment due to all wagering facilities licensed
19 under that organization licensee under this paragraph (13)
20 shall be the amount certified by the Board in January of
21 that year. An organization licensee and its related
22 wagering facilities shall no longer be able to receive
23 payments under this paragraph (13) beginning in the year
24 subsequent to the first year in which the organization
25 licensee begins to receive funds from electronic gaming.

26 (h) The Board may approve and license the conduct of

1 inter-track wagering and simulcast wagering by inter-track
2 wagering licensees and inter-track wagering location licensees
3 subject to the following terms and conditions:

4 (1) Any person licensed to conduct a race meeting (i)
5 at a track where 60 or more days of racing were conducted
6 during the immediately preceding calendar year or where
7 over the 5 immediately preceding calendar years an average
8 of 30 or more days of racing were conducted annually may be
9 issued an inter-track wagering license; (ii) at a track
10 located in a county that is bounded by the Mississippi
11 River, which has a population of less than 150,000
12 according to the 1990 decennial census, and an average of
13 at least 60 days of racing per year between 1985 and 1993
14 may be issued an inter-track wagering license; or (iii) at
15 a track located in Madison County that conducted at least
16 100 days of live racing during the immediately preceding
17 calendar year may be issued an inter-track wagering
18 license, unless a lesser schedule of live racing is the
19 result of (A) weather, unsafe track conditions, or other
20 acts of God; (B) an agreement between the organization
21 licensee and the associations representing the largest
22 number of owners, trainers, jockeys, or standardbred
23 drivers who race horses at that organization licensee's
24 racing meeting; or (C) a finding by the Board of
25 extraordinary circumstances and that it was in the best
26 interest of the public and the sport to conduct fewer than

1 100 days of live racing. Any such person having operating
2 control of the racing facility may receive inter-track
3 wagering location licenses. An eligible race track located
4 in a county that has a population of more than 230,000 and
5 that is bounded by the Mississippi River may establish up
6 to 9 inter-track wagering locations, ~~and~~ and an eligible race
7 track located in Stickney Township in Cook County may
8 establish up to 16 inter-track wagering locations, ~~and~~ and an
9 eligible race track located in Palatine Township in Cook
10 County may establish up to 18 inter-track wagering
11 locations. An application for said license shall be filed
12 with the Board prior to such dates as may be fixed by the
13 Board. With an application for an inter-track wagering
14 location license there shall be delivered to the Board a
15 certified check or bank draft payable to the order of the
16 Board for an amount equal to \$500. The application shall be
17 on forms prescribed and furnished by the Board. The
18 application shall comply with all other rules, regulations
19 and conditions imposed by the Board in connection
20 therewith.

21 (2) The Board shall examine the applications with
22 respect to their conformity with this Act and the rules and
23 regulations imposed by the Board. If found to be in
24 compliance with the Act and rules and regulations of the
25 Board, the Board may then issue a license to conduct
26 inter-track wagering and simulcast wagering to such

1 applicant. All such applications shall be acted upon by the
2 Board at a meeting to be held on such date as may be fixed
3 by the Board.

4 (3) In granting licenses to conduct inter-track
5 wagering and simulcast wagering, the Board shall give due
6 consideration to the best interests of the public, of horse
7 racing, and of maximizing revenue to the State.

8 (4) Prior to the issuance of a license to conduct
9 inter-track wagering and simulcast wagering, the applicant
10 shall file with the Board a bond payable to the State of
11 Illinois in the sum of \$50,000, executed by the applicant
12 and a surety company or companies authorized to do business
13 in this State, and conditioned upon (i) the payment by the
14 licensee of all taxes due under Section 27 or 27.1 and any
15 other monies due and payable under this Act, and (ii)
16 distribution by the licensee, upon presentation of the
17 winning ticket or tickets, of all sums payable to the
18 patrons of pari-mutuel pools.

19 (5) Each license to conduct inter-track wagering and
20 simulcast wagering shall specify the person to whom it is
21 issued, the dates on which such wagering is permitted, and
22 the track or location where the wagering is to be
23 conducted.

24 (6) All wagering under such license is subject to this
25 Act and to the rules and regulations from time to time
26 prescribed by the Board, and every such license issued by

1 the Board shall contain a recital to that effect.

2 (7) An inter-track wagering licensee or inter-track
3 wagering location licensee may accept wagers at the track
4 or location where it is licensed, or as otherwise provided
5 under this Act.

6 (8) Inter-track wagering or simulcast wagering shall
7 not be conducted at any track less than 4 ~~5~~ miles from a
8 track at which a racing meeting is in progress.

9 (8.1) Inter-track wagering location licensees who
10 derive their licenses from a particular organization
11 licensee shall conduct inter-track wagering and simulcast
12 wagering only at locations that are within 160 miles of
13 that race track where the particular organization licensee
14 is licensed to conduct racing. However, inter-track
15 wagering and simulcast wagering shall not be conducted by
16 those licensees at any location within 5 miles of any race
17 track at which a horse race meeting has been licensed in
18 the current year, unless the person having operating
19 control of such race track has given its written consent to
20 such inter-track wagering location licensees, which
21 consent must be filed with the Board at or prior to the
22 time application is made. In the case of any inter-track
23 wagering location licensee initially licensed after
24 December 31, 2013, inter-track wagering and simulcast
25 wagering shall not be conducted by those inter-track
26 wagering location licensees that are located outside the

1 City of Chicago at any location within 8 miles of any race
2 track at which a horse race meeting has been licensed in
3 the current year, unless the person having operating
4 control of such race track has given its written consent to
5 such inter-track wagering location licensees, which
6 consent must be filed with the Board at or prior to the
7 time application is made.

8 (8.2) Inter-track wagering or simulcast wagering shall
9 not be conducted by an inter-track wagering location
10 licensee at any location within 500 feet of an existing
11 church, an ~~or~~ existing elementary or secondary public
12 school, or an existing elementary or secondary private
13 school registered with or recognized by the State Board of
14 Education ~~school~~, nor within 500 feet of the residences of
15 more than 50 registered voters without receiving written
16 permission from a majority of the registered voters at such
17 residences. Such written permission statements shall be
18 filed with the Board. The distance of 500 feet shall be
19 measured to the nearest part of any building used for
20 worship services, education programs, residential
21 purposes, or conducting inter-track wagering by an
22 inter-track wagering location licensee, and not to
23 property boundaries. However, inter-track wagering or
24 simulcast wagering may be conducted at a site within 500
25 feet of a church, school or residences of 50 or more
26 registered voters if such church, school or residences have

1 been erected or established, or such voters have been
2 registered, after the Board issues the original
3 inter-track wagering location license at the site in
4 question. Inter-track wagering location licensees may
5 conduct inter-track wagering and simulcast wagering only
6 in areas that are zoned for commercial or manufacturing
7 purposes or in areas for which a special use has been
8 approved by the local zoning authority. However, no license
9 to conduct inter-track wagering and simulcast wagering
10 shall be granted by the Board with respect to any
11 inter-track wagering location within the jurisdiction of
12 any local zoning authority which has, by ordinance or by
13 resolution, prohibited the establishment of an inter-track
14 wagering location within its jurisdiction. However,
15 inter-track wagering and simulcast wagering may be
16 conducted at a site if such ordinance or resolution is
17 enacted after the Board licenses the original inter-track
18 wagering location licensee for the site in question.

19 (9) (Blank).

20 (10) An inter-track wagering licensee or an
21 inter-track wagering location licensee may retain, subject
22 to the payment of the privilege taxes and the purses, an
23 amount not to exceed 17% of all money wagered. Each program
24 of racing conducted by each inter-track wagering licensee
25 or inter-track wagering location licensee shall be
26 considered a separate racing day for the purpose of

1 determining the daily handle and computing the privilege
2 tax or pari-mutuel tax on such daily handle as provided in
3 Section 27.

4 (10.1) Except as provided in subsection (g) of Section
5 27 of this Act, inter-track wagering location licensees
6 shall pay 1% of the pari-mutuel handle at each location to
7 the municipality in which such location is situated and 1%
8 of the pari-mutuel handle at each location to the county in
9 which such location is situated. In the event that an
10 inter-track wagering location licensee is situated in an
11 unincorporated area of a county, such licensee shall pay 2%
12 of the pari-mutuel handle from such location to such
13 county.

14 (10.2) Notwithstanding any other provision of this
15 Act, with respect to inter-track ~~intertrack~~ wagering at a
16 race track located in a county that has a population of
17 more than 230,000 and that is bounded by the Mississippi
18 River ("the first race track"), or at a facility operated
19 by an inter-track wagering licensee or inter-track
20 wagering location licensee that derives its license from
21 the organization licensee that operates the first race
22 track, on races conducted at the first race track or on
23 races conducted at another Illinois race track and
24 simultaneously televised to the first race track or to a
25 facility operated by an inter-track wagering licensee or
26 inter-track wagering location licensee that derives its

1 license from the organization licensee that operates the
2 first race track, those moneys shall be allocated as
3 follows:

4 (A) That portion of all moneys wagered on
5 standardbred racing that is required under this Act to
6 be paid to purses shall be paid to purses for
7 standardbred races.

8 (B) That portion of all moneys wagered on
9 thoroughbred racing that is required under this Act to
10 be paid to purses shall be paid to purses for
11 thoroughbred races.

12 (11) (A) After payment of the privilege or pari-mutuel
13 tax, any other applicable taxes, and the costs and expenses
14 in connection with the gathering, transmission, and
15 dissemination of all data necessary to the conduct of
16 inter-track wagering, the remainder of the monies retained
17 under either Section 26 or Section 26.2 of this Act by the
18 inter-track wagering licensee on inter-track wagering
19 shall be allocated with 50% to be split between the 2
20 participating licensees and 50% to purses, except that an
21 inter-track ~~intertrack~~ wagering licensee that derives its
22 license from a track located in a county with a population
23 in excess of 230,000 and that borders the Mississippi River
24 shall not divide any remaining retention with the Illinois
25 organization licensee that provides the race or races, and
26 an inter-track ~~intertrack~~ wagering licensee that accepts

1 wagers on races conducted by an organization licensee that
2 conducts a race meet in a county with a population in
3 excess of 230,000 and that borders the Mississippi River
4 shall not divide any remaining retention with that
5 organization licensee.

6 (B) From the sums permitted to be retained pursuant to
7 this Act each inter-track wagering location licensee shall
8 pay (i) the privilege or pari-mutuel tax to the State; (ii)
9 4.75% of the pari-mutuel handle on inter-track ~~intertrack~~
10 wagering at such location on races as purses, except that
11 an inter-track ~~intertrack~~ wagering location licensee that
12 derives its license from a track located in a county with a
13 population in excess of 230,000 and that borders the
14 Mississippi River shall retain all purse moneys for its own
15 purse account consistent with distribution set forth in
16 this subsection (h), and inter-track ~~intertrack~~ wagering
17 location licensees that accept wagers on races conducted by
18 an organization licensee located in a county with a
19 population in excess of 230,000 and that borders the
20 Mississippi River shall distribute all purse moneys to
21 purses at the operating host track; (iii) until January 1,
22 2000, except as provided in subsection (g) of Section 27 of
23 this Act, 1% of the pari-mutuel handle wagered on
24 inter-track wagering and simulcast wagering at each
25 inter-track wagering location licensee facility to the
26 Horse Racing Tax Allocation Fund, provided that, to the

1 extent the total amount collected and distributed to the
2 Horse Racing Tax Allocation Fund under this subsection (h)
3 during any calendar year exceeds the amount collected and
4 distributed to the Horse Racing Tax Allocation Fund during
5 calendar year 1994, that excess amount shall be
6 redistributed (I) to all inter-track wagering location
7 licensees, based on each licensee's pro-rata share of the
8 total handle from inter-track wagering and simulcast
9 wagering for all inter-track wagering location licensees
10 during the calendar year in which this provision is
11 applicable; then (II) the amounts redistributed to each
12 inter-track wagering location licensee as described in
13 subpart (I) shall be further redistributed as provided in
14 subparagraph (B) of paragraph (5) of subsection (g) of this
15 Section 26 provided first, that the shares of those
16 amounts, which are to be redistributed to the host track or
17 to purses at the host track under subparagraph (B) of
18 paragraph (5) of subsection (g) of this Section 26 shall be
19 redistributed based on each host track's pro rata share of
20 the total inter-track wagering and simulcast wagering
21 handle at all host tracks during the calendar year in
22 question, and second, that any amounts redistributed as
23 described in part (I) to an inter-track wagering location
24 licensee that accepts wagers on races conducted by an
25 organization licensee that conducts a race meet in a county
26 with a population in excess of 230,000 and that borders the

1 Mississippi River shall be further redistributed as
2 provided in subparagraphs (D) and (E) of paragraph (7) of
3 subsection (g) of this Section 26, with the portion of that
4 further redistribution allocated to purses at that
5 organization licensee to be divided between standardbred
6 purses and thoroughbred purses based on the amounts
7 otherwise allocated to purses at that organization
8 licensee during the calendar year in question; and (iv) 8%
9 of the pari-mutuel handle on inter-track wagering wagered
10 at such location to satisfy all costs and expenses of
11 conducting its wagering. The remainder of the monies
12 retained by the inter-track wagering location licensee
13 shall be allocated 40% to the location licensee and 60% to
14 the organization licensee which provides the Illinois
15 races to the location, except that an inter-track
16 ~~intertrack~~ wagering location licensee that derives its
17 license from a track located in a county with a population
18 in excess of 230,000 and that borders the Mississippi River
19 shall not divide any remaining retention with the
20 organization licensee that provides the race or races and
21 an inter-track ~~intertrack~~ wagering location licensee that
22 accepts wagers on races conducted by an organization
23 licensee that conducts a race meet in a county with a
24 population in excess of 230,000 and that borders the
25 Mississippi River shall not divide any remaining retention
26 with the organization licensee. Notwithstanding the

1 provisions of clauses (ii) and (iv) of this paragraph, in
2 the case of the additional inter-track wagering location
3 licenses authorized under paragraph (1) of this subsection
4 (h) by Public Act 87-110 ~~this amendatory Act of 1991~~, those
5 licensees shall pay the following amounts as purses: during
6 the first 12 months the licensee is in operation, 5.25% of
7 the pari-mutuel handle wagered at the location on races;
8 during the second 12 months, 5.25%; during the third 12
9 months, 5.75%; during the fourth 12 months, 6.25%; and
10 during the fifth 12 months and thereafter, 6.75%. The
11 following amounts shall be retained by the licensee to
12 satisfy all costs and expenses of conducting its wagering:
13 during the first 12 months the licensee is in operation,
14 8.25% of the pari-mutuel handle wagered at the location;
15 during the second 12 months, 8.25%; during the third 12
16 months, 7.75%; during the fourth 12 months, 7.25%; and
17 during the fifth 12 months and thereafter, 6.75%. For
18 additional inter-track ~~intertrack~~ wagering location
19 licensees authorized under Public Act 89-16 ~~this~~
20 ~~amendatory Act of 1995~~, purses for the first 12 months the
21 licensee is in operation shall be 5.75% of the pari-mutuel
22 wagered at the location, purses for the second 12 months
23 the licensee is in operation shall be 6.25%, and purses
24 thereafter shall be 6.75%. For additional inter-track
25 ~~intertrack~~ location licensees authorized under Public Act
26 89-16 ~~this amendatory Act of 1995~~, the licensee shall be

1 allowed to retain to satisfy all costs and expenses: 7.75%
2 of the pari-mutuel handle wagered at the location during
3 its first 12 months of operation, 7.25% during its second
4 12 months of operation, and 6.75% thereafter.

5 (C) There is hereby created the Horse Racing Tax
6 Allocation Fund which shall remain in existence until
7 December 31, 1999. Moneys remaining in the Fund after
8 December 31, 1999 shall be paid into the General Revenue
9 Fund. Until January 1, 2000, all monies paid into the Horse
10 Racing Tax Allocation Fund pursuant to this paragraph (11)
11 by inter-track wagering location licensees located in park
12 districts of 500,000 population or less, or in a
13 municipality that is not included within any park district
14 but is included within a conservation district and is the
15 county seat of a county that (i) is contiguous to the state
16 of Indiana and (ii) has a 1990 population of 88,257
17 according to the United States Bureau of the Census, and
18 operating on May 1, 1994 shall be allocated by
19 appropriation as follows:

20 Two-sevenths to the Department of Agriculture.

21 Fifty percent of this two-sevenths shall be used to
22 promote the Illinois horse racing and breeding
23 industry, and shall be distributed by the Department of
24 Agriculture upon the advice of a 9-member committee
25 appointed by the Governor consisting of the following
26 members: the Director of Agriculture, who shall serve

1 as chairman; 2 representatives of organization
2 licensees conducting thoroughbred race meetings in
3 this State, recommended by those licensees; 2
4 representatives of organization licensees conducting
5 standardbred race meetings in this State, recommended
6 by those licensees; a representative of the Illinois
7 Thoroughbred Breeders and Owners Foundation,
8 recommended by that Foundation; a representative of
9 the Illinois Standardbred Owners and Breeders
10 Association, recommended by that Association; a
11 representative of the Horsemen's Benevolent and
12 Protective Association or any successor organization
13 thereto established in Illinois comprised of the
14 largest number of owners and trainers, recommended by
15 that Association or that successor organization; and a
16 representative of the Illinois Harness Horsemen's
17 Association, recommended by that Association.
18 Committee members shall serve for terms of 2 years,
19 commencing January 1 of each even-numbered year. If a
20 representative of any of the above-named entities has
21 not been recommended by January 1 of any even-numbered
22 year, the Governor shall appoint a committee member to
23 fill that position. Committee members shall receive no
24 compensation for their services as members but shall be
25 reimbursed for all actual and necessary expenses and
26 disbursements incurred in the performance of their

1 official duties. The remaining 50% of this
2 two-sevenths shall be distributed to county fairs for
3 premiums and rehabilitation as set forth in the
4 Agricultural Fair Act;

5 Four-sevenths to park districts or municipalities
6 that do not have a park district of 500,000 population
7 or less for museum purposes (if an inter-track wagering
8 location licensee is located in such a park district)
9 or to conservation districts for museum purposes (if an
10 inter-track wagering location licensee is located in a
11 municipality that is not included within any park
12 district but is included within a conservation
13 district and is the county seat of a county that (i) is
14 contiguous to the state of Indiana and (ii) has a 1990
15 population of 88,257 according to the United States
16 Bureau of the Census, except that if the conservation
17 district does not maintain a museum, the monies shall
18 be allocated equally between the county and the
19 municipality in which the inter-track wagering
20 location licensee is located for general purposes) or
21 to a municipal recreation board for park purposes (if
22 an inter-track wagering location licensee is located
23 in a municipality that is not included within any park
24 district and park maintenance is the function of the
25 municipal recreation board and the municipality has a
26 1990 population of 9,302 according to the United States

1 Bureau of the Census); provided that the monies are
2 distributed to each park district or conservation
3 district or municipality that does not have a park
4 district in an amount equal to four-sevenths of the
5 amount collected by each inter-track wagering location
6 licensee within the park district or conservation
7 district or municipality for the Fund. Monies that were
8 paid into the Horse Racing Tax Allocation Fund before
9 August 9, 1991 (the effective date of Public Act
10 87-110) ~~this amendatory Act of 1991~~ by an inter-track
11 wagering location licensee located in a municipality
12 that is not included within any park district but is
13 included within a conservation district as provided in
14 this paragraph shall, as soon as practicable after
15 August 9, 1991 (the effective date of Public Act
16 87-110) ~~this amendatory Act of 1991~~, be allocated and
17 paid to that conservation district as provided in this
18 paragraph. Any park district or municipality not
19 maintaining a museum may deposit the monies in the
20 corporate fund of the park district or municipality
21 where the inter-track wagering location is located, to
22 be used for general purposes; and

23 One-seventh to the Agricultural Premium Fund to be
24 used for distribution to agricultural home economics
25 extension councils in accordance with "An Act in
26 relation to additional support and finances for the

1 Agricultural and Home Economic Extension Councils in
2 the several counties of this State and making an
3 appropriation therefor", approved July 24, 1967.

4 Until January 1, 2000, all other monies paid into the
5 Horse Racing Tax Allocation Fund pursuant to this paragraph
6 (11) shall be allocated by appropriation as follows:

7 Two-sevenths to the Department of Agriculture.
8 Fifty percent of this two-sevenths shall be used to
9 promote the Illinois horse racing and breeding
10 industry, and shall be distributed by the Department of
11 Agriculture upon the advice of a 9-member committee
12 appointed by the Governor consisting of the following
13 members: the Director of Agriculture, who shall serve
14 as chairman; 2 representatives of organization
15 licensees conducting thoroughbred race meetings in
16 this State, recommended by those licensees; 2
17 representatives of organization licensees conducting
18 standardbred race meetings in this State, recommended
19 by those licensees; a representative of the Illinois
20 Thoroughbred Breeders and Owners Foundation,
21 recommended by that Foundation; a representative of
22 the Illinois Standardbred Owners and Breeders
23 Association, recommended by that Association; a
24 representative of the Horsemen's Benevolent and
25 Protective Association or any successor organization
26 thereto established in Illinois comprised of the

1 largest number of owners and trainers, recommended by
2 that Association or that successor organization; and a
3 representative of the Illinois Harness Horsemen's
4 Association, recommended by that Association.
5 Committee members shall serve for terms of 2 years,
6 commencing January 1 of each even-numbered year. If a
7 representative of any of the above-named entities has
8 not been recommended by January 1 of any even-numbered
9 year, the Governor shall appoint a committee member to
10 fill that position. Committee members shall receive no
11 compensation for their services as members but shall be
12 reimbursed for all actual and necessary expenses and
13 disbursements incurred in the performance of their
14 official duties. The remaining 50% of this
15 two-sevenths shall be distributed to county fairs for
16 premiums and rehabilitation as set forth in the
17 Agricultural Fair Act;

18 Four-sevenths to museums and aquariums located in
19 park districts of over 500,000 population; provided
20 that the monies are distributed in accordance with the
21 previous year's distribution of the maintenance tax
22 for such museums and aquariums as provided in Section 2
23 of the Park District Aquarium and Museum Act; and

24 One-seventh to the Agricultural Premium Fund to be
25 used for distribution to agricultural home economics
26 extension councils in accordance with "An Act in

1 relation to additional support and finances for the
2 Agricultural and Home Economic Extension Councils in
3 the several counties of this State and making an
4 appropriation therefor", approved July 24, 1967. This
5 subparagraph (C) shall be inoperative and of no force
6 and effect on and after January 1, 2000.

7 (D) Except as provided in paragraph (11) of this
8 subsection (h), with respect to purse allocation from
9 inter-track ~~intertrack~~ wagering, the monies so
10 retained shall be divided as follows:

11 (i) If the inter-track wagering licensee,
12 except an inter-track ~~intertrack~~ wagering licensee
13 that derives its license from an organization
14 licensee located in a county with a population in
15 excess of 230,000 and bounded by the Mississippi
16 River, is not conducting its own race meeting
17 during the same dates, then the entire purse
18 allocation shall be to purses at the track where
19 the races wagered on are being conducted.

20 (ii) If the inter-track wagering licensee,
21 except an inter-track ~~intertrack~~ wagering licensee
22 that derives its license from an organization
23 licensee located in a county with a population in
24 excess of 230,000 and bounded by the Mississippi
25 River, is also conducting its own race meeting
26 during the same dates, then the purse allocation

1 shall be as follows: 50% to purses at the track
2 where the races wagered on are being conducted; 50%
3 to purses at the track where the inter-track
4 wagering licensee is accepting such wagers.

5 (iii) If the inter-track wagering is being
6 conducted by an inter-track wagering location
7 licensee, except an inter-track ~~inter-track~~
8 wagering location licensee that derives its
9 license from an organization licensee located in a
10 county with a population in excess of 230,000 and
11 bounded by the Mississippi River, the entire purse
12 allocation for Illinois races shall be to purses at
13 the track where the race meeting being wagered on
14 is being held.

15 (12) The Board shall have all powers necessary and
16 proper to fully supervise and control the conduct of
17 inter-track wagering and simulcast wagering by inter-track
18 wagering licensees and inter-track wagering location
19 licensees, including, but not limited to the following:

20 (A) The Board is vested with power to promulgate
21 reasonable rules and regulations for the purpose of
22 administering the conduct of this wagering and to
23 prescribe reasonable rules, regulations and conditions
24 under which such wagering shall be held and conducted.
25 Such rules and regulations are to provide for the
26 prevention of practices detrimental to the public

1 interest and for the best interests of said wagering
2 and to impose penalties for violations thereof.

3 (B) The Board, and any person or persons to whom it
4 delegates this power, is vested with the power to enter
5 the facilities of any licensee to determine whether
6 there has been compliance with the provisions of this
7 Act and the rules and regulations relating to the
8 conduct of such wagering.

9 (C) The Board, and any person or persons to whom it
10 delegates this power, may eject or exclude from any
11 licensee's facilities, any person whose conduct or
12 reputation is such that his presence on such premises
13 may, in the opinion of the Board, call into the
14 question the honesty and integrity of, or interfere
15 with the orderly conduct of such wagering; provided,
16 however, that no person shall be excluded or ejected
17 from such premises solely on the grounds of race,
18 color, creed, national origin, ancestry, or sex.

19 (D) (Blank).

20 (E) The Board is vested with the power to appoint
21 delegates to execute any of the powers granted to it
22 under this Section for the purpose of administering
23 this wagering and any rules and regulations
24 promulgated in accordance with this Act.

25 (F) The Board shall name and appoint a State
26 director of this wagering who shall be a representative

1 of the Board and whose duty it shall be to supervise
2 the conduct of inter-track wagering as may be provided
3 for by the rules and regulations of the Board; such
4 rules and regulation shall specify the method of
5 appointment and the Director's powers, authority and
6 duties.

7 (G) The Board is vested with the power to impose
8 civil penalties of up to \$5,000 against individuals and
9 up to \$10,000 against licensees for each violation of
10 any provision of this Act relating to the conduct of
11 this wagering, any rules adopted by the Board, any
12 order of the Board or any other action which in the
13 Board's discretion, is a detriment or impediment to
14 such wagering.

15 (13) The Department of Agriculture may enter into
16 agreements with licensees authorizing such licensees to
17 conduct inter-track wagering on races to be held at the
18 licensed race meetings conducted by the Department of
19 Agriculture. Such agreement shall specify the races of the
20 Department of Agriculture's licensed race meeting upon
21 which the licensees will conduct wagering. In the event
22 that a licensee conducts inter-track pari-mutuel wagering
23 on races from the Illinois State Fair or DuQuoin State Fair
24 which are in addition to the licensee's previously approved
25 racing program, those races shall be considered a separate
26 racing day for the purpose of determining the daily handle

1 and computing the privilege or pari-mutuel tax on that
2 daily handle as provided in Sections 27 and 27.1. Such
3 agreements shall be approved by the Board before such
4 wagering may be conducted. In determining whether to grant
5 approval, the Board shall give due consideration to the
6 best interests of the public and of horse racing. The
7 provisions of paragraphs (1), (8), (8.1), and (8.2) of
8 subsection (h) of this Section which are not specified in
9 this paragraph (13) shall not apply to licensed race
10 meetings conducted by the Department of Agriculture at the
11 Illinois State Fair in Sangamon County or the DuQuoin State
12 Fair in Perry County, or to any wagering conducted on those
13 race meetings.

14 (14) An inter-track wagering location license
15 authorized by the Board in 2016 that is owned and operated
16 by a race track in Rock Island County shall be transferred
17 to a commonly owned race track in Cook County on August 12,
18 2016 (the effective date of Public Act 99-757) ~~this~~
19 ~~amendatory Act of the 99th General Assembly~~. The licensee
20 shall retain its status in relation to purse distribution
21 under paragraph (11) of this subsection (h) following the
22 transfer to the new entity. The pari-mutuel tax credit
23 under Section 32.1 shall not be applied toward any
24 pari-mutuel tax obligation of the inter-track wagering
25 location licensee of the license that is transferred under
26 this paragraph (14).

1 (i) Notwithstanding the other provisions of this Act, the
2 conduct of wagering at wagering facilities is authorized on all
3 days, except as limited by subsection (b) of Section 19 of this
4 Act.

5 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 98-968,
6 eff. 8-15-14; 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
7 revised 9-14-16.)

8 (230 ILCS 5/26.8)

9 Sec. 26.8. Beginning on February 1, 2014 ~~and through~~
10 ~~December 31, 2018~~, each wagering licensee may impose a
11 surcharge of up to 0.5% on winning wagers and winnings from
12 wagers. The surcharge shall be deducted from winnings prior to
13 payout. All amounts collected from the imposition of this
14 surcharge shall be evenly distributed to the organization
15 licensee and the purse account of the organization licensee
16 with which the licensee is affiliated. The amounts distributed
17 under this Section shall be in addition to the amounts paid
18 pursuant to paragraph (10) of subsection (h) of Section 26,
19 Section 26.3, Section 26.4, Section 26.5, and Section 26.7.

20 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

21 (230 ILCS 5/26.9)

22 Sec. 26.9. Beginning on February 1, 2014 ~~and through~~
23 ~~December 31, 2018~~, in addition to the surcharge imposed in
24 Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this Act, each

1 licensee shall impose a surcharge of 0.2% on winning wagers and
2 winnings from wagers. The surcharge shall be deducted from
3 winnings prior to payout. All amounts collected from the
4 surcharges imposed under this Section shall be remitted to the
5 Board. From amounts collected under this Section, the Board
6 shall deposit an amount not to exceed \$100,000 annually into
7 the Quarter Horse Purse Fund and all remaining amounts into the
8 Horse Racing Fund.

9 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

10 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

11 Sec. 27. (a) In addition to the organization license fee
12 provided by this Act, until January 1, 2000, a graduated
13 privilege tax is hereby imposed for conducting the pari-mutuel
14 system of wagering permitted under this Act. Until January 1,
15 2000, except as provided in subsection (g) of Section 27 of
16 this Act, all of the breakage of each racing day held by any
17 licensee in the State shall be paid to the State. Until January
18 1, 2000, such daily graduated privilege tax shall be paid by
19 the licensee from the amount permitted to be retained under
20 this Act. Until January 1, 2000, each day's graduated privilege
21 tax, breakage, and Horse Racing Tax Allocation funds shall be
22 remitted to the Department of Revenue within 48 hours after the
23 close of the racing day upon which it is assessed or within
24 such other time as the Board prescribes. The privilege tax
25 hereby imposed, until January 1, 2000, shall be a flat tax at

1 the rate of 2% of the daily pari-mutuel handle except as
2 provided in Section 27.1.

3 In addition, every organization licensee, except as
4 provided in Section 27.1 of this Act, which conducts multiple
5 wagering shall pay, until January 1, 2000, as a privilege tax
6 on multiple wagers an amount equal to 1.25% of all moneys
7 wagered each day on such multiple wagers, plus an additional
8 amount equal to 3.5% of the amount wagered each day on any
9 other multiple wager which involves a single betting interest
10 on 3 or more horses. The licensee shall remit the amount of
11 such taxes to the Department of Revenue within 48 hours after
12 the close of the racing day on which it is assessed or within
13 such other time as the Board prescribes.

14 This subsection (a) shall be inoperative and of no force
15 and effect on and after January 1, 2000.

16 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
17 at the rate of 1.5% of the daily pari-mutuel handle is imposed
18 at all pari-mutuel wagering facilities and on advance deposit
19 wagering from a location other than a wagering facility, except
20 as otherwise provided for in this subsection (a-5). In addition
21 to the pari-mutuel tax imposed on advance deposit wagering
22 pursuant to this subsection (a-5), beginning on August 24, 2012
23 (the effective date of Public Act 97-1060) ~~and through December~~
24 ~~31, 2018~~, an additional pari-mutuel tax at the rate of 0.25%
25 shall be imposed on advance deposit wagering. Until August 25,
26 2012, the additional 0.25% pari-mutuel tax imposed on advance

1 deposit wagering by Public Act 96-972 shall be deposited into
2 the Quarter Horse Purse Fund, which shall be created as a
3 non-appropriated trust fund administered by the Board for
4 grants to thoroughbred organization licensees for payment of
5 purses for quarter horse races conducted by the organization
6 licensee. Beginning on August 26, 2012, the additional 0.25%
7 pari-mutuel tax imposed on advance deposit wagering shall be
8 deposited into the Standardbred Purse Fund, which shall be
9 created as a non-appropriated trust fund administered by the
10 Board, for grants to the standardbred organization licensees
11 for payment of purses for standardbred horse races conducted by
12 the organization licensee. Thoroughbred organization licensees
13 may petition the Board to conduct quarter horse racing and
14 receive purse grants from the Quarter Horse Purse Fund. The
15 Board shall have complete discretion in distributing the
16 Quarter Horse Purse Fund to the petitioning organization
17 licensees. Beginning on July 26, 2010 (the effective date of
18 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of
19 the daily pari-mutuel handle is imposed at a pari-mutuel
20 facility whose license is derived from a track located in a
21 county that borders the Mississippi River and conducted live
22 racing in the previous year. The pari-mutuel tax imposed by
23 this subsection (a-5) shall be remitted to the Department of
24 Revenue within 48 hours after the close of the racing day upon
25 which it is assessed or within such other time as the Board
26 prescribes.

1 (a-10) Beginning on the date when an organization licensee
2 begins conducting electronic gaming pursuant to an electronic
3 gaming license, the following pari-mutuel tax is imposed upon
4 an organization licensee on Illinois races at the licensee's
5 race track:

6 1.5% of the pari-mutuel handle at or below the average
7 daily pari-mutuel handle for 2011.

8 2% of the pari-mutuel handle above the average daily
9 pari-mutuel handle for 2011 up to 125% of the average daily
10 pari-mutuel handle for 2011.

11 2.5% of the pari-mutuel handle 125% or more above the
12 average daily pari-mutuel handle for 2011 up to 150% of the
13 average daily pari-mutuel handle for 2011.

14 3% of the pari-mutuel handle 150% or more above the
15 average daily pari-mutuel handle for 2011 up to 175% of the
16 average daily pari-mutuel handle for 2011.

17 3.5% of the pari-mutuel handle 175% or more above the
18 average daily pari-mutuel handle for 2011.

19 The pari-mutuel tax imposed by this subsection (a-10) shall
20 be remitted to the Board within 48 hours after the close of the
21 racing day upon which it is assessed or within such other time
22 as the Board prescribes.

23 (b) On or before December 31, 1999, in the event that any
24 organization licensee conducts 2 separate programs of races on
25 any day, each such program shall be considered a separate
26 racing day for purposes of determining the daily handle and

1 computing the privilege tax on such daily handle as provided in
2 subsection (a) of this Section.

3 (c) Licensees shall at all times keep accurate books and
4 records of all monies wagered on each day of a race meeting and
5 of the taxes paid to the Department of Revenue under the
6 provisions of this Section. The Board or its duly authorized
7 representative or representatives shall at all reasonable
8 times have access to such records for the purpose of examining
9 and checking the same and ascertaining whether the proper
10 amount of taxes is being paid as provided. The Board shall
11 require verified reports and a statement of the total of all
12 monies wagered daily at each wagering facility upon which the
13 taxes are assessed and may prescribe forms upon which such
14 reports and statement shall be made.

15 (d) Before a license is issued or re-issued, the licensee
16 shall post a bond in the sum of \$500,000 to the State of
17 Illinois. The bond shall be used to guarantee that the licensee
18 faithfully makes the payments, keeps the books and records and
19 makes reports, and conducts games of chance in conformity with
20 this Act and the rules adopted by the Board. The bond shall not
21 be canceled by a surety on less than 30 days' notice in writing
22 to the Board. If a bond is canceled and the licensee fails to
23 file a new bond with the Board in the required amount on or
24 before the effective date of cancellation, the licensee's
25 license shall be revoked. The total and aggregate liability of
26 the surety on the bond is limited to the amount specified in

1 ~~the bond. Any licensee failing or refusing to pay the amount of~~
2 ~~any tax due under this Section shall be guilty of a business~~
3 ~~offense and upon conviction shall be fined not more than \$5,000~~
4 ~~in addition to the amount found due as tax under this Section.~~
5 ~~Each day's violation shall constitute a separate offense. All~~
6 ~~finer paid into Court by a licensee hereunder shall be~~
7 ~~transmitted and paid over by the Clerk of the Court to the~~
8 ~~Board.~~

9 (e) No other license fee, privilege tax, excise tax, or
10 racing fee, except as provided in this Act, shall be assessed
11 or collected from any such licensee by the State.

12 (f) No other license fee, privilege tax, excise tax or
13 racing fee shall be assessed or collected from any such
14 licensee by units of local government except as provided in
15 paragraph 10.1 of subsection (h) and subsection (f) of Section
16 26 of this Act. However, any municipality that has a Board
17 licensed horse race meeting at a race track wholly within its
18 corporate boundaries or a township that has a Board licensed
19 horse race meeting at a race track wholly within the
20 unincorporated area of the township may charge a local
21 amusement tax not to exceed 10¢ per admission to such horse
22 race meeting by the enactment of an ordinance. However, any
23 municipality or county that has a Board licensed inter-track
24 wagering location facility wholly within its corporate
25 boundaries may each impose an admission fee not to exceed \$1.00
26 per admission to such inter-track wagering location facility,

1 so that a total of not more than \$2.00 per admission may be
2 imposed. Except as provided in subparagraph (g) of Section 27
3 of this Act, the inter-track wagering location licensee shall
4 collect any and all such fees and ~~within 48 hours~~ remit the
5 fees to the Board as the Board prescribes, which shall,
6 pursuant to rule, cause the fees to be distributed to the
7 county or municipality.

8 (g) Notwithstanding any provision in this Act to the
9 contrary, if in any calendar year the total taxes and fees from
10 wagering on live racing and from inter-track wagering required
11 to be collected from licensees and distributed under this Act
12 to all State and local governmental authorities exceeds the
13 amount of such taxes and fees distributed to each State and
14 local governmental authority to which each State and local
15 governmental authority was entitled under this Act for calendar
16 year 1994, then the first \$11 million of that excess amount
17 shall be allocated at the earliest possible date for
18 distribution as purse money for the succeeding calendar year.
19 Upon reaching the 1994 level, and until the excess amount of
20 taxes and fees exceeds \$11 million, the Board shall direct all
21 licensees to cease paying the subject taxes and fees and the
22 Board shall direct all licensees to allocate any such excess
23 amount for purses as follows:

24 (i) the excess amount shall be initially divided
25 between thoroughbred and standardbred purses based on the
26 thoroughbred's and standardbred's respective percentages

1 of total Illinois live wagering in calendar year 1994;

2 (ii) each thoroughbred and standardbred organization
3 licensee issued an organization licensee in that
4 succeeding allocation year shall be allocated an amount
5 equal to the product of its percentage of total Illinois
6 live thoroughbred or standardbred wagering in calendar
7 year 1994 (the total to be determined based on the sum of
8 1994 on-track wagering for all organization licensees
9 issued organization licenses in both the allocation year
10 and the preceding year) multiplied by the total amount
11 allocated for standardbred or thoroughbred purses,
12 provided that the first \$1,500,000 of the amount allocated
13 to standardbred purses under item (i) shall be allocated to
14 the Department of Agriculture to be expended with the
15 assistance and advice of the Illinois Standardbred
16 Breeders Funds Advisory Board for the purposes listed in
17 subsection (g) of Section 31 of this Act, before the amount
18 allocated to standardbred purses under item (i) is
19 allocated to standardbred organization licensees in the
20 succeeding allocation year.

21 To the extent the excess amount of taxes and fees to be
22 collected and distributed to State and local governmental
23 authorities exceeds \$11 million, that excess amount shall be
24 collected and distributed to State and local authorities as
25 provided for under this Act.

26 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 99-756,

1 eff. 8-12-16.)

2 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

3 Sec. 30. (a) The General Assembly declares that it is the
4 policy of this State to encourage the breeding of thoroughbred
5 horses in this State and the ownership of such horses by
6 residents of this State in order to provide for: sufficient
7 numbers of high quality thoroughbred horses to participate in
8 thoroughbred racing meetings in this State, and to establish
9 and preserve the agricultural and commercial benefits of such
10 breeding and racing industries to the State of Illinois. It is
11 the intent of the General Assembly to further this policy by
12 the provisions of this Act.

13 (b) Each organization licensee conducting a thoroughbred
14 racing meeting pursuant to this Act shall provide at least two
15 races each day limited to Illinois conceived and foaled horses
16 or Illinois foaled horses or both. A minimum of 6 races shall
17 be conducted each week limited to Illinois conceived and foaled
18 or Illinois foaled horses or both. No horses shall be permitted
19 to start in such races unless duly registered under the rules
20 of the Department of Agriculture.

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

1 consent of the Board, be eliminated for that day and substitute
2 races provided.

3 (d) There is hereby created a special fund of the State
4 Treasury to be known as the Illinois Thoroughbred Breeders
5 Fund.

6 Beginning on the effective date of this amendatory Act of
7 the 100th General Assembly, the Illinois Thoroughbred Breeders
8 Fund shall become a non-appropriated trust fund held separately
9 from State moneys. Expenditures from this Fund shall no longer
10 be subject to appropriation.

11 Except as provided in subsection (g) of Section 27 of this
12 Act, 8.5% of all the monies received by the State as privilege
13 taxes on Thoroughbred racing meetings shall be paid into the
14 Illinois Thoroughbred Breeders Fund.

15 Notwithstanding any provision of law to the contrary,
16 amounts deposited into the Illinois Thoroughbred Breeders Fund
17 from revenues generated by electronic gaming after the
18 effective date of this amendatory Act of the 100th General
19 Assembly shall be in addition to tax and fee amounts paid under
20 this Section for calendar year 2017 and thereafter.

21 (e) The Illinois Thoroughbred Breeders Fund shall be
22 administered by the Department of Agriculture with the advice
23 and assistance of the Advisory Board created in subsection (f)
24 of this Section.

25 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
26 shall consist of the Director of the Department of Agriculture,

1 who shall serve as Chairman; a member of the Illinois Racing
2 Board, designated by it; 2 representatives of the organization
3 licensees conducting thoroughbred racing meetings, recommended
4 by them; 2 representatives of the Illinois Thoroughbred
5 Breeders and Owners Foundation, recommended by it; one
6 representative ~~and 2 representatives~~ of the Horsemen's
7 Benevolent Protective Association; and one representative from
8 the Illinois Thoroughbred Horsemen's Association ~~or any~~
9 ~~successor organization established in Illinois comprised of~~
10 ~~the largest number of owners and trainers, recommended by it,~~
11 ~~with one representative of the Horsemen's Benevolent and~~
12 ~~Protective Association to come from its Illinois Division, and~~
13 ~~one from its Chicago Division.~~ Advisory Board members shall
14 serve for 2 years commencing January 1 of each odd numbered
15 year. If representatives of the organization licensees
16 conducting thoroughbred racing meetings, the Illinois
17 Thoroughbred Breeders and Owners Foundation, ~~and~~ the
18 Horsemen's Benevolent Protection Association, and the Illinois
19 Thoroughbred Horsemen's Association have not been recommended
20 by January 1, of each odd numbered year, the Director of the
21 Department of Agriculture shall make an appointment for the
22 organization failing to so recommend a member of the Advisory
23 Board. Advisory Board members shall receive no compensation for
24 their services as members but shall be reimbursed for all
25 actual and necessary expenses and disbursements incurred in the
26 execution of their official duties.

1 (g) ~~No monies shall be expended from the Illinois~~
2 ~~Thoroughbred Breeders Fund except as appropriated by the~~
3 ~~General Assembly.~~ Monies expended appropriated from the
4 Illinois Thoroughbred Breeders Fund shall be expended by the
5 Department of Agriculture, with the advice and assistance of
6 the Illinois Thoroughbred Breeders Fund Advisory Board, for the
7 following purposes only:

8 (1) To provide purse supplements to owners of horses
9 participating in races limited to Illinois conceived and
10 foaled and Illinois foaled horses. Any such purse
11 supplements shall not be included in and shall be paid in
12 addition to any purses, stakes, or breeders' awards offered
13 by each organization licensee as determined by agreement
14 between such organization licensee and an organization
15 representing the horsemen. No monies from the Illinois
16 Thoroughbred Breeders Fund shall be used to provide purse
17 supplements for claiming races in which the minimum
18 claiming price is less than \$7,500.

19 (2) To provide stakes and awards to be paid to the
20 owners of the winning horses in certain races limited to
21 Illinois conceived and foaled and Illinois foaled horses
22 designated as stakes races.

23 (2.5) To provide an award to the owner or owners of an
24 Illinois conceived and foaled or Illinois foaled horse that
25 wins a maiden special weight, an allowance, overnight
26 handicap race, or claiming race with claiming price of

1 \$10,000 or more providing the race is not restricted to
2 Illinois conceived and foaled or Illinois foaled horses.
3 Awards shall also be provided to the owner or owners of
4 Illinois conceived and foaled and Illinois foaled horses
5 that place second or third in those races. To the extent
6 that additional moneys are required to pay the minimum
7 additional awards of 40% of the purse the horse earns for
8 placing first, second or third in those races for Illinois
9 foaled horses and of 60% of the purse the horse earns for
10 placing first, second or third in those races for Illinois
11 conceived and foaled horses, those moneys shall be provided
12 from the purse account at the track where earned.

13 (3) To provide stallion awards to the owner or owners
14 of any stallion that is duly registered with the Illinois
15 Thoroughbred Breeders Fund Program ~~prior to the effective~~
16 ~~date of this amendatory Act of 1995~~ whose duly registered
17 Illinois conceived and foaled offspring wins a race
18 conducted at an Illinois thoroughbred racing meeting other
19 than a claiming race, provided that the stallion stood
20 service within Illinois at the time the offspring was
21 conceived and that the stallion did not stand for service
22 outside of Illinois at any time during the year in which
23 the offspring was conceived. ~~Such award shall not be paid~~
24 ~~to the owner or owners of an Illinois stallion that served~~
25 ~~outside this State at any time during the calendar year in~~
26 ~~which such race was conducted.~~

1 (4) To provide \$75,000 annually for purses to be
2 distributed to county fairs that provide for the running of
3 races during each county fair exclusively for the
4 thoroughbreds conceived and foaled in Illinois. The
5 conditions of the races shall be developed by the county
6 fair association and reviewed by the Department with the
7 advice and assistance of the Illinois Thoroughbred
8 Breeders Fund Advisory Board. There shall be no wagering of
9 any kind on the running of Illinois conceived and foaled
10 races at county fairs.

11 (4.1) To provide purse money for an Illinois stallion
12 stakes program.

13 (5) No less than 90% ~~80%~~ of all monies appropriated
14 from the Illinois Thoroughbred Breeders Fund shall be
15 expended for the purposes in (1), (2), (2.5), (3), (4),
16 (4.1), and (5) as shown above.

17 (6) To provide for educational programs regarding the
18 thoroughbred breeding industry.

19 (7) To provide for research programs concerning the
20 health, development and care of the thoroughbred horse.

21 (8) To provide for a scholarship and training program
22 for students of equine veterinary medicine.

23 (9) To provide for dissemination of public information
24 designed to promote the breeding of thoroughbred horses in
25 Illinois.

26 (10) To provide for all expenses incurred in the

1 administration of the Illinois Thoroughbred Breeders Fund.

2 (h) The Illinois Thoroughbred Breeders Fund is not subject
3 to administrative charges or chargebacks, including, but not
4 limited to, those authorized under Section 8h of the State
5 Finance Act. ~~Whenever the Governor finds that the amount in the~~
6 ~~Illinois Thoroughbred Breeders Fund is more than the total of~~
7 ~~the outstanding appropriations from such fund, the Governor~~
8 ~~shall notify the State Comptroller and the State Treasurer of~~
9 ~~such fact. The Comptroller and the State Treasurer, upon~~
10 ~~receipt of such notification, shall transfer such excess amount~~
11 ~~from the Illinois Thoroughbred Breeders Fund to the General~~
12 ~~Revenue Fund.~~

13 (i) A sum equal to 13% of the first prize money of every
14 purse won by an Illinois foaled or Illinois conceived and
15 foaled horse in races not limited to Illinois foaled horses or
16 Illinois conceived and foaled horses, or both, shall be paid by
17 the organization licensee conducting the horse race meeting.
18 Such sum shall be paid 50% from the organization licensee's
19 share of the money wagered and 50% from the purse account as
20 follows: 11 1/2% to the breeder of the winning horse and 1 1/2%
21 to the organization representing thoroughbred breeders and
22 owners who representative serves on the Illinois Thoroughbred
23 Breeders Fund Advisory Board for verifying the amounts of
24 breeders' awards earned, ensuring their distribution in
25 accordance with this Act, and servicing and promoting the
26 Illinois thoroughbred horse racing industry. Beginning in the

1 calendar year in which an organization licensee that is
2 eligible to receive payments under paragraph (13) of subsection
3 (g) of Section 26 of this Act begins to receive funds from
4 electronic gaming, a sum equal to 21 1/2% of the first prize
5 money of every purse won by an Illinois foaled or an Illinois
6 conceived and foaled horse in races not limited to an Illinois
7 conceived and foaled horse, or both, shall be paid 30% from the
8 organization licensee's account and 70% from the purse account
9 as follows: 20% to the breeder of the winning horse and 1 1/2%
10 to the organization representing thoroughbred breeders and
11 owners whose representatives serves on the Illinois
12 Thoroughbred Breeders Fund Advisory Board for verifying the
13 amounts of breeders' awards earned, assuring their
14 distribution in accordance with this Act, and servicing and
15 promoting the Illinois Thoroughbred racing industry. A sum
16 ~~equal to 12 1/2% of the first prize money of every purse won by~~
17 ~~an Illinois foaled or an Illinois conceived and foaled horse in~~
18 ~~races not limited to Illinois foaled horses or Illinois~~
19 ~~conceived and foaled horses, or both, shall be paid by the~~
20 ~~organization licensee conducting the horse race meeting. Such~~
21 ~~sum shall be paid from the organization licensee's share of the~~
22 ~~money wagered as follows: 11 1/2% to the breeder of the winning~~
23 ~~horse and 1% to the organization representing thoroughbred~~
24 ~~breeders and owners whose representative serves on the Illinois~~
25 ~~Thoroughbred Breeders Fund Advisory Board for verifying the~~
26 ~~amounts of breeders' awards earned, assuring their~~

1 ~~distribution in accordance with this Act, and servicing and~~
2 ~~promoting the Illinois thoroughbred horse racing industry.~~ The
3 organization representing thoroughbred breeders and owners
4 shall cause all expenditures of monies received under this
5 subsection (i) to be audited at least annually by a registered
6 public accountant. The organization shall file copies of each
7 annual audit with the Racing Board, the Clerk of the House of
8 Representatives and the Secretary of the Senate, and shall make
9 copies of each annual audit available to the public upon
10 request and upon payment of the reasonable cost of photocopying
11 the requested number of copies. Such payments shall not reduce
12 any award to the owner of the horse or reduce the taxes payable
13 under this Act. Upon completion of its racing meet, each
14 organization licensee shall deliver to the organization
15 representing thoroughbred breeders and owners whose
16 representative serves on the Illinois Thoroughbred Breeders
17 Fund Advisory Board a listing of all the Illinois foaled and
18 the Illinois conceived and foaled horses which won breeders'
19 awards and the amount of such breeders' awards under this
20 subsection to verify accuracy of payments and assure proper
21 distribution of breeders' awards in accordance with the
22 provisions of this Act. Such payments shall be delivered by the
23 organization licensee within 30 days of the end of each race
24 meeting.

25 (j) A sum equal to 13% of the first prize money won in
26 every race limited to Illinois foaled horses or Illinois

1 conceived and foaled horses, or both, shall be paid in the
2 following manner by the organization licensee conducting the
3 horse race meeting, 50% from the organization licensee's share
4 of the money wagered and 50% from the purse account as follows:
5 11 1/2% to the breeders of the horses in each such race which
6 are the official first, second, third, and fourth finishers and
7 1 1/2% to the organization representing thoroughbred breeders
8 and owners whose representatives serves on the Illinois
9 Thoroughbred Breeders Fund Advisory Board for verifying the
10 amounts of breeders' awards earned, ensuring their proper
11 distribution in accordance with this Act, and servicing and
12 promoting the Illinois horse racing industry. Beginning in the
13 calendar year in which an organization licensee that is
14 eligible to receive payments under paragraph (13) of subsection
15 (g) of Section 26 of this Act begins to receive funds from
16 electronic gaming, a sum of 21 1/2% of every purse in a race
17 limited to Illinois foaled horses or Illinois conceived and
18 foaled horses, or both, shall be paid by the organization
19 licensee conducting the horse race meeting. Such sum shall be
20 paid 30% from the organization licensee's account and 70% from
21 the purse account as follows: 20% to the breeders of the horses
22 in each such race who are official first, second, third and
23 fourth finishers and 1 1/2% to the organization representing
24 thoroughbred breeders and owners whose representatives serve
25 on the Illinois Thoroughbred Breeders Fund Advisory Board for
26 verifying the amounts of breeders' awards earned, ensuring

1 their proper distribution in accordance with this Act, and
2 servicing and promoting the Illinois thoroughbred horse racing
3 industry. The organization representing thoroughbred breeders
4 and owners shall cause all expenditures of moneys received
5 under this subsection (j) to be audited at least annually by a
6 registered public accountant. The organization shall file
7 copies of each annual audit with the Racing Board, the Clerk of
8 the House of Representatives and the Secretary of the Senate,
9 and shall make copies of each annual audit available to the
10 public upon request and upon payment of the reasonable cost of
11 photocopying the requested number of copies. A sum equal to 12
12 1/2% of the first prize money won in each race limited to
13 Illinois foaled horses or Illinois conceived and foaled horses,
14 or both, shall be paid in the following manner by the
15 organization licensee conducting the horse race meeting, from
16 the organization licensee's share of the money wagered: 11 1/2%
17 to the breeders of the horses in each such race which are the
18 official first, second, third and fourth finishers and 1% to
19 the organization representing thoroughbred breeders and owners
20 whose representative serves on the Illinois Thoroughbred
21 Breeders Fund Advisory Board for verifying the amounts of
22 breeders' awards earned, assuring their proper distribution in
23 accordance with this Act, and servicing and promoting the
24 Illinois thoroughbred horse racing industry. The organization
25 representing thoroughbred breeders and owners shall cause all
26 expenditures of monies received under this subsection (j) to be

1 ~~audited at least annually by a registered public accountant.~~
2 ~~The organization shall file copies of each annual audit with~~
3 ~~the Racing Board, the Clerk of the House of Representatives and~~
4 ~~the Secretary of the Senate, and shall make copies of each~~
5 ~~annual audit available to the public upon request and upon~~
6 ~~payment of the reasonable cost of photocopying the requested~~
7 ~~number of copies.~~

8 The amounts ~~11 1/2%~~ paid to the breeders in accordance with
9 this subsection shall be distributed as follows:

10 (1) 60% of such sum shall be paid to the breeder of the
11 horse which finishes in the official first position;

12 (2) 20% of such sum shall be paid to the breeder of the
13 horse which finishes in the official second position;

14 (3) 15% of such sum shall be paid to the breeder of the
15 horse which finishes in the official third position; and

16 (4) 5% of such sum shall be paid to the breeder of the
17 horse which finishes in the official fourth position.

18 Such payments shall not reduce any award to the owners of a
19 horse or reduce the taxes payable under this Act. Upon
20 completion of its racing meet, each organization licensee shall
21 deliver to the organization representing thoroughbred breeders
22 and owners whose representative serves on the Illinois
23 Thoroughbred Breeders Fund Advisory Board a listing of all the
24 Illinois foaled and the Illinois conceived and foaled horses
25 which won breeders' awards and the amount of such breeders'
26 awards in accordance with the provisions of this Act. Such

1 payments shall be delivered by the organization licensee within
2 30 days of the end of each race meeting.

3 (k) The term "breeder", as used herein, means the owner of
4 the mare at the time the foal is dropped. An "Illinois foaled
5 horse" is a foal dropped by a mare which enters this State on
6 or before December 1, in the year in which the horse is bred,
7 provided the mare remains continuously in this State until its
8 foal is born. An "Illinois foaled horse" also means a foal born
9 of a mare in the same year as the mare enters this State on or
10 before March 1, and remains in this State at least 30 days
11 after foaling, is bred back during the season of the foaling to
12 an Illinois Registered Stallion (unless a veterinarian
13 certifies that the mare should not be bred for health reasons),
14 and is not bred to a stallion standing in any other state
15 during the season of foaling. An "Illinois foaled horse" also
16 means a foal born in Illinois of a mare purchased at public
17 auction subsequent to the mare entering this State on or before
18 March 1 ~~prior to February 1~~ of the foaling year providing the
19 mare is owned solely by one or more Illinois residents or an
20 Illinois entity that is entirely owned by one or more Illinois
21 residents.

22 (l) The Department of Agriculture shall, by rule, with the
23 advice and assistance of the Illinois Thoroughbred Breeders
24 Fund Advisory Board:

25 (1) Qualify stallions for Illinois breeding; such
26 stallions to stand for service within the State of Illinois

1 at the time of a foal's conception. Such stallion must not
2 stand for service at any place outside the State of
3 Illinois during the calendar year in which the foal is
4 conceived. The Department of Agriculture may assess and
5 collect an application fee of up to \$500 ~~fees~~ for the
6 registration of Illinois-eligible stallions. All fees
7 collected are to be held in trust accounts for the purposes
8 set forth in this Act and in accordance with Section 205-15
9 of the Department of Agriculture Law ~~paid into the Illinois~~
10 ~~Thoroughbred Breeders Fund.~~

11 (2) Provide for the registration of Illinois conceived
12 and foaled horses and Illinois foaled horses. No such horse
13 shall compete in the races limited to Illinois conceived
14 and foaled horses or Illinois foaled horses or both unless
15 registered with the Department of Agriculture. The
16 Department of Agriculture may prescribe such forms as are
17 necessary to determine the eligibility of such horses. The
18 Department of Agriculture may assess and collect
19 application fees for the registration of Illinois-eligible
20 foals. All fees collected are to be held in trust accounts
21 for the purposes set forth in this Act and in accordance
22 with Section 205-15 of the Department of Agriculture Law
23 ~~paid into the Illinois Thoroughbred Breeders Fund.~~ No
24 person shall knowingly prepare or cause preparation of an
25 application for registration of such foals containing
26 false information.

1 (m) The Department of Agriculture, with the advice and
2 assistance of the Illinois Thoroughbred Breeders Fund Advisory
3 Board, shall provide that certain races limited to Illinois
4 conceived and foaled and Illinois foaled horses be stakes races
5 and determine the total amount of stakes and awards to be paid
6 to the owners of the winning horses in such races.

7 In determining the stakes races and the amount of awards
8 for such races, the Department of Agriculture shall consider
9 factors, including but not limited to, the amount of money
10 appropriated for the Illinois Thoroughbred Breeders Fund
11 program, organization licensees' contributions, availability
12 of stakes caliber horses as demonstrated by past performances,
13 whether the race can be coordinated into the proposed racing
14 dates within organization licensees' racing dates, opportunity
15 for colts and fillies and various age groups to race, public
16 wagering on such races, and the previous racing schedule.

17 (n) The Board and the organization ~~organizational~~ licensee
18 shall notify the Department of the conditions and minimum
19 purses for races limited to Illinois conceived and foaled and
20 Illinois foaled horses conducted for each organization
21 ~~organizational~~ licensee conducting a thoroughbred racing
22 meeting. The Department of Agriculture with the advice and
23 assistance of the Illinois Thoroughbred Breeders Fund Advisory
24 Board may allocate monies for purse supplements for such races.
25 In determining whether to allocate money and the amount, the
26 Department of Agriculture shall consider factors, including

1 but not limited to, the amount of money appropriated for the
2 Illinois Thoroughbred Breeders Fund program, the number of
3 races that may occur, and the organization ~~organizational~~
4 licensee's purse structure.

5 (o) (Blank).

6 (Source: P.A. 98-692, eff. 7-1-14.)

7 (230 ILCS 5/30.5)

8 Sec. 30.5. Illinois Racing Quarter Horse Breeders Fund.

9 (a) The General Assembly declares that it is the policy of
10 this State to encourage the breeding of racing quarter horses
11 in this State and the ownership of such horses by residents of
12 this State in order to provide for sufficient numbers of high
13 quality racing quarter horses in this State and to establish
14 and preserve the agricultural and commercial benefits of such
15 breeding and racing industries to the State of Illinois. It is
16 the intent of the General Assembly to further this policy by
17 the provisions of this Act.

18 (b) There is hereby created non-appropriated trust ~~a~~
19 ~~special fund in the State Treasury~~ to be known as the Illinois
20 Racing Quarter Horse Breeders Fund, which is held separately
21 from State moneys. Except as provided in subsection (g) of
22 Section 27 of this Act, 8.5% of all the moneys received by the
23 State as pari-mutuel taxes on quarter horse racing shall be
24 paid into the Illinois Racing Quarter Horse Breeders Fund. The
25 Illinois Racing Quarter Horse Breeders Fund shall not be

1 subject to administrative charges or chargebacks, including,
2 but not limited to, those authorized under Section 8h of the
3 State Finance Act.

4 (c) The Illinois Racing Quarter Horse Breeders Fund shall
5 be administered by the Department of Agriculture with the
6 advice and assistance of the Advisory Board created in
7 subsection (d) of this Section.

8 (d) The Illinois Racing Quarter Horse Breeders Fund
9 Advisory Board shall consist of the Director of the Department
10 of Agriculture, who shall serve as Chairman; a member of the
11 Illinois Racing Board, designated by it; one representative of
12 the organization licensees conducting pari-mutuel quarter
13 horse racing meetings, recommended by them; 2 representatives
14 of the Illinois Running Quarter Horse Association, recommended
15 by it; and the Superintendent of Fairs and Promotions from the
16 Department of Agriculture. Advisory Board members shall serve
17 for 2 years commencing January 1 of each odd numbered year. If
18 representatives have not been recommended by January 1 of each
19 odd numbered year, the Director of the Department of
20 Agriculture may make an appointment for the organization
21 failing to so recommend a member of the Advisory Board.
22 Advisory Board members shall receive no compensation for their
23 services as members but may be reimbursed for all actual and
24 necessary expenses and disbursements incurred in the execution
25 of their official duties.

26 (e) Moneys in ~~No moneys shall be expended from the Illinois~~

1 ~~Racing Quarter Horse Breeders Fund except as appropriated by~~
2 ~~the General Assembly. Moneys appropriated from the Illinois~~
3 Racing Quarter Horse Breeders Fund shall be expended by the
4 Department of Agriculture, with the advice and assistance of
5 the Illinois Racing Quarter Horse Breeders Fund Advisory Board,
6 for the following purposes only:

7 (1) To provide stakes and awards to be paid to the
8 owners of the winning horses in certain races. This
9 provision is limited to Illinois conceived and foaled
10 horses.

11 (2) To provide an award to the owner or owners of an
12 Illinois conceived and foaled horse that wins a race when
13 pari-mutuel wagering is conducted; providing the race is
14 not restricted to Illinois conceived and foaled horses.

15 (3) To provide purse money for an Illinois stallion
16 stakes program.

17 (4) To provide for purses to be distributed for the
18 running of races during the Illinois State Fair and the
19 DuQuoin State Fair exclusively for quarter horses
20 conceived and foaled in Illinois.

21 (5) To provide for purses to be distributed for the
22 running of races at Illinois county fairs exclusively for
23 quarter horses conceived and foaled in Illinois.

24 (6) To provide for purses to be distributed for running
25 races exclusively for quarter horses conceived and foaled
26 in Illinois at locations in Illinois determined by the

1 Department of Agriculture with advice and consent of the
2 Illinois Racing Quarter Horse Breeders Fund Advisory
3 Board.

4 (7) No less than 90% of all moneys appropriated from
5 the Illinois Racing Quarter Horse Breeders Fund shall be
6 expended for the purposes in items (1), (2), (3), (4), and
7 (5) of this subsection (e).

8 (8) To provide for research programs concerning the
9 health, development, and care of racing quarter horses.

10 (9) To provide for dissemination of public information
11 designed to promote the breeding of racing quarter horses
12 in Illinois.

13 (10) To provide for expenses incurred in the
14 administration of the Illinois Racing Quarter Horse
15 Breeders Fund.

16 (f) The Department of Agriculture shall, by rule, with the
17 advice and assistance of the Illinois Racing Quarter Horse
18 Breeders Fund Advisory Board:

19 (1) Qualify stallions for Illinois breeding; such
20 stallions to stand for service within the State of
21 Illinois, at the time of a foal's conception. Such stallion
22 must not stand for service at any place outside the State
23 of Illinois during the calendar year in which the foal is
24 conceived. The Department of Agriculture may assess and
25 collect application fees for the registration of
26 Illinois-eligible stallions. All fees collected are to be

1 paid into the Illinois Racing Quarter Horse Breeders Fund.

2 (2) Provide for the registration of Illinois conceived
3 and foaled horses. No such horse shall compete in the races
4 limited to Illinois conceived and foaled horses unless it
5 is registered with the Department of Agriculture. The
6 Department of Agriculture may prescribe such forms as are
7 necessary to determine the eligibility of such horses. The
8 Department of Agriculture may assess and collect
9 application fees for the registration of Illinois-eligible
10 foals. All fees collected are to be paid into the Illinois
11 Racing Quarter Horse Breeders Fund. No person shall
12 knowingly prepare or cause preparation of an application
13 for registration of such foals that contains false
14 information.

15 (g) The Department of Agriculture, with the advice and
16 assistance of the Illinois Racing Quarter Horse Breeders Fund
17 Advisory Board, shall provide that certain races limited to
18 Illinois conceived and foaled be stakes races and determine the
19 total amount of stakes and awards to be paid to the owners of
20 the winning horses in such races.

21 (Source: P.A. 98-463, eff. 8-16-13.)

22 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

23 Sec. 31. (a) The General Assembly declares that it is the
24 policy of this State to encourage the breeding of standardbred
25 horses in this State and the ownership of such horses by

1 residents of this State in order to provide for: sufficient
2 numbers of high quality standardbred horses to participate in
3 harness racing meetings in this State, and to establish and
4 preserve the agricultural and commercial benefits of such
5 breeding and racing industries to the State of Illinois. It is
6 the intent of the General Assembly to further this policy by
7 the provisions of this Section of this Act.

8 (b) Each organization licensee conducting a harness racing
9 meeting pursuant to this Act shall provide for at least two
10 races each race program limited to Illinois conceived and
11 foaled horses. A minimum of 6 races shall be conducted each
12 week limited to Illinois conceived and foaled horses. No horses
13 shall be permitted to start in such races unless duly
14 registered under the rules of the Department of Agriculture.

15 (b-5) Organization licensees, not including the Illinois
16 State Fair or the DuQuoin State Fair, shall provide stake races
17 and early closer races for Illinois conceived and foaled horses
18 so that purses distributed for such races shall be no less than
19 17% of total purses distributed for harness racing in that
20 calendar year in addition to any stakes payments and starting
21 fees contributed by horse owners.

22 (b-10) Each organization licensee conducting a harness
23 racing meeting pursuant to this Act shall provide an owner
24 award to be paid from the purse account equal to 25% of the
25 amount earned by Illinois conceived and foaled horses in races
26 that are not restricted to Illinois conceived and foaled

1 horses. The owner awards shall not be paid on races below the
2 \$10,000 claiming class.

3 (c) Conditions of races under subsection (b) shall be
4 commensurate with past performance, quality and class of
5 Illinois conceived and foaled horses available. If, however,
6 sufficient competition cannot be had among horses of that class
7 on any day, the races may, with consent of the Board, be
8 eliminated for that day and substitute races provided.

9 (d) There is hereby created a special fund of the State
10 Treasury to be known as the Illinois Standardbred Breeders
11 Fund.

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

17 (e) The Illinois Standardbred Breeders Fund shall be
18 administered by the Department of Agriculture with the
19 assistance and advice of the Advisory Board created in
20 subsection (f) of this Section.

21 (f) The Illinois Standardbred Breeders Fund Advisory Board
22 is hereby created. The Advisory Board shall consist of the
23 Director of the Department of Agriculture, who shall serve as
24 Chairman; the Superintendent of the Illinois State Fair; a
25 member of the Illinois Racing Board, designated by it; a
26 representative of the largest association of Illinois

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

1 Advisory Board members shall receive no compensation for their
2 services as members but shall be reimbursed for all actual and
3 necessary expenses and disbursements incurred in the execution
4 of their official duties.

5 (g) No monies shall be expended from the Illinois
6 Standardbred Breeders Fund except as appropriated by the
7 General Assembly. Monies appropriated from the Illinois
8 Standardbred Breeders Fund shall be expended by the Department
9 of Agriculture, with the assistance and advice of the Illinois
10 Standardbred Breeders Fund Advisory Board for the following
11 purposes only:

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

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

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

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

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

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

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

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

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

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

19 10. To pay up to \$100,000 annually for distribution to
20 Illinois county fairs to supplement premiums offered in
21 junior classes.

22 11. To pay up to \$100,000 annually for division and
23 equal distribution to the animal sciences department of
24 each Illinois public university system engaged in equine
25 research and education on or before the effective date of
26 this amendatory Act of the 100th General Assembly for

1 equine research and education.

2 (h) (Blank) ~~Whenever the Governor finds that the amount in~~
3 ~~the Illinois Standardbred Breeders Fund is more than the total~~
4 ~~of the outstanding appropriations from such fund, the Governor~~
5 ~~shall notify the State Comptroller and the State Treasurer of~~
6 ~~such fact. The Comptroller and the State Treasurer, upon~~
7 ~~receipt of such notification, shall transfer such excess amount~~
8 ~~from the Illinois Standardbred Breeders Fund to the General~~
9 ~~Revenue Fund.~~

10 (i) A sum equal to 13% ~~12 1/2%~~ of the first prize money of
11 the gross ~~every~~ purse won by an Illinois conceived and foaled
12 horse shall be paid 50% by the organization licensee conducting
13 the horse race meeting to the breeder of such winning horse
14 from the organization licensee's account and 50% from the purse
15 account of the licensee ~~share of the money wagered~~. Such
16 payment shall not reduce any award to the owner of the horse or
17 reduce the taxes payable under this Act. Such payment shall be
18 delivered by the organization licensee at the end of each
19 quarter ~~race meeting~~.

20 (j) The Department of Agriculture shall, by rule, with the
21 assistance and advice of the Illinois Standardbred Breeders
22 Fund Advisory Board:

23 1. Qualify stallions for Illinois Standardbred
24 Breeders Fund breeding; ~~such stallion shall be owned by a~~
25 ~~resident of the State of Illinois or by an Illinois~~
26 ~~corporation all of whose shareholders, directors, officers~~

1 ~~and incorporators are residents of the State of Illinois.~~
2 Such stallion shall stand for service at and within the
3 State of Illinois at the time of a foal's conception, and
4 such stallion must not stand for service at any place, ~~nor~~
5 ~~may semen from such stallion be transported,~~ outside the
6 State of Illinois during that calendar year in which the
7 foal is conceived ~~and that the owner of the stallion was~~
8 ~~for the 12 months prior, a resident of Illinois.~~ Foals
9 conceived outside the State of Illinois from shipped semen
10 from a stallion qualified for breeders' awards under this
11 Section are not eligible to participate in the Illinois
12 conceived and foaled program. ~~The articles of agreement of~~
13 ~~any partnership, joint venture, limited partnership,~~
14 ~~syndicate, association or corporation and any bylaws and~~
15 ~~stock certificates must contain a restriction that~~
16 ~~provides that the ownership or transfer of interest by any~~
17 ~~one of the persons a party to the agreement can only be~~
18 ~~made to a person who qualifies as an Illinois resident.~~

19 2. Provide for the registration of Illinois conceived
20 and foaled horses and no such horse shall compete in the
21 races limited to Illinois conceived and foaled horses
22 unless registered with the Department of Agriculture. The
23 Department of Agriculture may prescribe such forms as may
24 be necessary to determine the eligibility of such horses.
25 No person shall knowingly prepare or cause preparation of
26 an application for registration of such foals containing

1 false information. A mare (dam) must be in the state at
2 least 180 ~~30~~ days prior to foaling or remain in the State
3 at least 30 days at the time of foaling. Beginning with the
4 1996 breeding season and for foals of 1997 and thereafter,
5 a foal conceived in the State of Illinois by transported
6 fresh semen may be eligible for Illinois conceived and
7 foaled registration provided all breeding and foaling
8 requirements are met. The stallion must be qualified for
9 Illinois Standardbred Breeders Fund breeding at the time of
10 conception and the mare must be inseminated within the
11 State of Illinois. The foal must be dropped in Illinois and
12 properly registered with the Department of Agriculture in
13 accordance with this Act.

14 3. Provide that at least a 5 day racing program shall
15 be conducted at the State Fair each year, which program
16 shall include at least the following races limited to
17 Illinois conceived and foaled horses: (a) a two year old
18 Trot and Pace, and Filly Division of each; (b) a three year
19 old Trot and Pace, and Filly Division of each; (c) an aged
20 Trot and Pace, and Mare Division of each.

21 4. Provide for the payment of nominating, sustaining
22 and starting fees for races promoting the sport of harness
23 racing and for the races to be conducted at the State Fair
24 as provided in subsection (j) 3 of this Section provided
25 that the nominating, sustaining and starting payment
26 required from an entrant shall not exceed 2% of the purse

1 of such race. All nominating, sustaining and starting
2 payments shall be held for the benefit of entrants and
3 shall be paid out as part of the respective purses for such
4 races. Nominating, sustaining and starting fees shall be
5 held in trust accounts for the purposes as set forth in
6 this Act and in accordance with Section 205-15 of the
7 Department of Agriculture Law (20 ILCS 205/205-15).

8 5. Provide for the registration with the Department of
9 Agriculture of Colt Associations or county fairs desiring
10 to sponsor races at county fairs.

11 6. Provide for the promotion of producing standardbred
12 racehorses by providing a bonus award program for owners of
13 2-year-old horses that win multiple major stakes races that
14 are limited to Illinois conceived and foaled horses.

15 (k) The Department of Agriculture, with the advice and
16 assistance of the Illinois Standardbred Breeders Fund Advisory
17 Board, may allocate monies for purse supplements for such
18 races. In determining whether to allocate money and the amount,
19 the Department of Agriculture shall consider factors,
20 including but not limited to, the amount of money appropriated
21 for the Illinois Standardbred Breeders Fund program, the number
22 of races that may occur, and an organization ~~organizational~~
23 licensee's purse structure. The organization ~~organizational~~
24 licensee shall notify the Department of Agriculture of the
25 conditions and minimum purses for races limited to Illinois
26 conceived and foaled horses to be conducted by each

1 organization ~~organizational~~ licensee conducting a harness
2 racing meeting for which purse supplements have been
3 negotiated.

4 (l) All races held at county fairs and the State Fair which
5 receive funds from the Illinois Standardbred Breeders Fund
6 shall be conducted in accordance with the rules of the United
7 States Trotting Association unless otherwise modified by the
8 Department of Agriculture.

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

25 (Source: P.A. 99-756, eff. 8-12-16.)

1 (230 ILCS 5/32.1)

2 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack
3 real estate equalization.

4 (a) In order to encourage new investment in Illinois
5 racetrack facilities and mitigate differing real estate tax
6 burdens among all racetracks, the licensees affiliated or
7 associated with each racetrack that has been awarded live
8 racing dates in the current year shall receive an immediate
9 pari-mutuel tax credit in an amount equal to the greater of (i)
10 50% of the amount of the real estate taxes paid in the prior
11 year attributable to that racetrack, or (ii) the amount by
12 which the real estate taxes paid in the prior year attributable
13 to that racetrack exceeds 60% of the average real estate taxes
14 paid in the prior year for all racetracks awarded live horse
15 racing meets in the current year.

16 Each year, regardless of whether the organization licensee
17 conducted live racing in the year of certification, the Board
18 shall certify in writing, prior to December 31, the real estate
19 taxes paid in that year for each racetrack and the amount of
20 the pari-mutuel tax credit that each organization licensee,
21 inter-track ~~intertrack~~ wagering licensee, and inter-track
22 ~~intertrack~~ wagering location licensee that derives its license
23 from such racetrack is entitled in the succeeding calendar
24 year. The real estate taxes considered under this Section for
25 any racetrack shall be those taxes on the real estate parcels
26 and related facilities used to conduct a horse race meeting and

1 inter-track wagering at such racetrack under this Act. In no
2 event shall the amount of the tax credit under this Section
3 exceed the amount of pari-mutuel taxes otherwise calculated
4 under this Act. The amount of the tax credit under this Section
5 shall be retained by each licensee and shall not be subject to
6 any reallocation or further distribution under this Act. The
7 Board may promulgate emergency rules to implement this Section.

8 (b) After the end of the 7-year period beginning on January
9 1 of the calendar year immediately following the effective date
10 of this amendatory Act of the 100th General Assembly, the
11 organization licensee shall be ineligible to receive a tax
12 credit under this Section.

13 (Source: P.A. 91-40, eff. 6-25-99; revised 9-2-16.)

14 (230 ILCS 5/34.3 new)

15 Sec. 34.3. Drug testing. The Illinois Racing Board and the
16 Department of Agriculture shall jointly establish a program for
17 the purpose of conducting drug testing of horses at county
18 fairs and shall adopt any rules necessary for enforcement of
19 the program. The rules shall include appropriate penalties for
20 violations.

21 (230 ILCS 5/36) (from Ch. 8, par. 37-36)

22 Sec. 36. (a) Whoever administers or conspires to administer
23 to any horse a hypnotic, narcotic, stimulant, depressant or any
24 chemical substance which may affect the speed of a horse at any

1 time in any race where the purse or any part of the purse is
2 made of money authorized by any Section of this Act, except
3 those chemical substances permitted by ruling of the Board,
4 internally, externally or by hypodermic method in a race or
5 prior thereto, or whoever knowingly enters a horse in any race
6 within a period of 24 hours after any hypnotic, narcotic,
7 stimulant, depressant or any other chemical substance which may
8 affect the speed of a horse at any time, except those chemical
9 substances permitted by ruling of the Board, has been
10 administered to such horse either internally or externally or
11 by hypodermic method for the purpose of increasing or retarding
12 the speed of such horse shall be guilty of a Class 4 felony.
13 The Board shall suspend or revoke such violator's license.

14 (b) The term "hypnotic" as used in this Section includes
15 all barbituric acid preparations and derivatives.

16 (c) The term "narcotic" as used in this Section includes
17 opium and all its alkaloids, salts, preparations and
18 derivatives, cocaine and all its salts, preparations and
19 derivatives and substitutes.

20 (d) The provisions of this Section 36 and the treatment
21 authorized herein apply to horses entered in and competing in
22 race meetings as defined in Section 3.07 of this Act and to
23 horses entered in and competing at any county fair.

24 (Source: P.A. 79-1185.)

25 (230 ILCS 5/40) (from Ch. 8, par. 37-40)

1 Sec. 40. (a) The imposition of any fine or penalty provided
2 in this Act shall not preclude the Board in its rules and
3 regulations from imposing a fine or penalty for any other
4 action which, in the Board's discretion, is a detriment or
5 impediment to horse racing.

6 (b) The Director of Agriculture or his or her authorized
7 representative shall impose the following monetary penalties
8 and hold administrative hearings as required for failure to
9 submit the following applications, lists, or reports within the
10 time period, date or manner required by statute or rule or for
11 removing a foal from Illinois prior to inspection:

12 (1) late filing of a renewal application for offering
13 or standing stallion for service:

14 (A) if an application is submitted no more than 30
15 days late, \$50;

16 (B) if an application is submitted no more than 45
17 days late, \$150; or

18 (C) if an application is submitted more than 45
19 days late, if filing of the application is allowed
20 under an administrative hearing, \$250;

21 (2) late filing of list or report of mares bred:

22 (A) if a list or report is submitted no more than
23 30 days late, \$50;

24 (B) if a list or report is submitted no more than
25 60 days late, \$150; or

26 (C) if a list or report is submitted more than 60

1 days late, if filing of the list or report is allowed
2 under an administrative hearing, \$250;

3 (3) filing an Illinois foaled thoroughbred mare status
4 report after the statutory deadline as provided in
5 subsection (k) of Section 30 of this Act ~~December 31~~:

6 (A) if a report is submitted no more than 30 days
7 late, \$50;

8 (B) if a report is submitted no more than 90 days
9 late, \$150;

10 (C) if a report is submitted no more than 150 days
11 late, \$250; or

12 (D) if a report is submitted more than 150 days
13 late, if filing of the report is allowed under an
14 administrative hearing, \$500;

15 (4) late filing of application for foal eligibility
16 certificate:

17 (A) if an application is submitted no more than 30
18 days late, \$50;

19 (B) if an application is submitted no more than 90
20 days late, \$150;

21 (C) if an application is submitted no more than 150
22 days late, \$250; or

23 (D) if an application is submitted more than 150
24 days late, if filing of the application is allowed
25 under an administrative hearing, \$500;

26 (5) failure to report the intent to remove a foal from

1 Illinois prior to inspection, identification and
2 certification by a Department of Agriculture investigator,
3 \$50; and

4 (6) if a list or report of mares bred is incomplete,
5 \$50 per mare not included on the list or report.

6 Any person upon whom monetary penalties are imposed under
7 this Section 3 times within a 5-year ~~5-year~~ period shall have
8 any further monetary penalties imposed at double the amounts
9 set forth above. All monies assessed and collected for
10 violations relating to thoroughbreds shall be paid into the
11 Illinois Thoroughbred Breeders Fund. All monies assessed and
12 collected for violations relating to standardbreds shall be
13 paid into the Illinois Standardbred Breeders Fund.

14 (Source: P.A. 87-397; revised 9-2-16.)

15 (230 ILCS 5/54.75)

16 Sec. 54.75. Horse Racing Equity Trust Fund.

17 (a) There is created a Fund to be known as the Horse Racing
18 Equity Trust Fund, which is a non-appropriated trust fund held
19 separate and apart from State moneys. The Fund shall consist of
20 moneys paid into it by owners licensees under the Illinois
21 ~~Riverboat~~ Gambling Act for the purposes described in this
22 Section. The Fund shall be administered by the Board. Moneys in
23 the Fund shall be distributed as directed and certified by the
24 Board in accordance with the provisions of subsection (b).

25 (b) The moneys deposited into the Fund, plus any accrued

1 interest on those moneys, shall be distributed within 10 days
2 after those moneys are deposited into the Fund as follows:

3 (1) Sixty percent of all moneys distributed under this
4 subsection shall be distributed to organization licensees
5 to be distributed at their race meetings as purses.
6 Fifty-seven percent of the amount distributed under this
7 paragraph (1) shall be distributed for thoroughbred race
8 meetings and 43% shall be distributed for standardbred race
9 meetings. Within each breed, moneys shall be allocated to
10 each organization licensee's purse fund in accordance with
11 the ratio between the purses generated for that breed by
12 that licensee during the prior calendar year and the total
13 purses generated throughout the State for that breed during
14 the prior calendar year by licensees in the current
15 calendar year.

16 (2) The remaining 40% of the moneys distributed under
17 this subsection (b) shall be distributed as follows:

18 (A) 11% shall be distributed to any person (or its
19 successors or assigns) who had operating control of a
20 racetrack that conducted live racing in 2002 at a
21 racetrack in a county with at least 230,000 inhabitants
22 that borders the Mississippi River and is a licensee in
23 the current year; and

24 (B) the remaining 89% shall be distributed pro rata
25 according to the aggregate proportion of total handle
26 from wagering on live races conducted in Illinois

1 (irrespective of where the wagers are placed) for
2 calendar years 2004 and 2005 to any person (or its
3 successors or assigns) who (i) had majority operating
4 control of a racing facility at which live racing was
5 conducted in calendar year 2002, (ii) is a licensee in
6 the current year, and (iii) is not eligible to receive
7 moneys under subparagraph (A) of this paragraph (2).

8 The moneys received by an organization licensee
9 under this paragraph (2) shall be used by each
10 organization licensee to improve, maintain, market,
11 and otherwise operate its racing facilities to conduct
12 live racing, which shall include backstretch services
13 and capital improvements related to live racing and the
14 backstretch. Any organization licensees sharing common
15 ownership may pool the moneys received and spent at all
16 racing facilities commonly owned in order to meet these
17 requirements.

18 If any person identified in this paragraph (2) becomes
19 ineligible to receive moneys from the Fund, such amount
20 shall be redistributed among the remaining persons in
21 proportion to their percentages otherwise calculated.

22 (c) The Board shall monitor organization licensees to
23 ensure that moneys paid to organization licensees under this
24 Section are distributed by the organization licensees as
25 provided in subsection (b).

26 (Source: P.A. 95-1008, eff. 12-15-08.)

1 (230 ILCS 5/56 new)

2 Sec. 56. Electronic gaming.

3 (a) A person, firm, corporation, or limited liability
4 company having operating control of a race track may apply to
5 the Illinois Gaming Board for an electronic gaming license. An
6 electronic gaming license shall authorize its holder to conduct
7 electronic gaming on the grounds of the race track controlled
8 by the licensee's race track. Only one electronic gaming
9 license may be awarded for any race track. A holder of an
10 electronic gaming license shall be subject to the Riverboat
11 Gambling Act and rules of the Illinois Gaming Board concerning
12 electronic gaming. If the person, firm, corporation, or limited
13 liability company having operating control of a race track is
14 found by the Illinois Gaming Board to be unsuitable for an
15 electronic gaming license under the Riverboat Gambling Act and
16 rules of the Illinois Gaming Board, that person, firm,
17 corporation, or limited liability company shall not be granted
18 an electronic gaming license. Each license shall specify the
19 number of gaming positions that its holder may operate.

20 An electronic gaming licensee may not permit persons under
21 21 years of age to be present in its electronic gaming
22 facility, but the licensee may accept wagers on live racing and
23 inter-track wagers at its electronic gaming facility.

24 (b) For purposes of this subsection, "adjusted gross
25 receipts" means an electronic gaming licensee's gross receipts

1 less winnings paid to wagerers and shall also include any
2 amounts that would otherwise be deducted pursuant to subsection
3 (a-9) of Section 13 of the Riverboat Gambling Act. The adjusted
4 gross receipts by an electronic gaming licensee from electronic
5 gaming remaining after the payment of taxes under Section 13 of
6 the Riverboat Gambling Act shall be distributed as follows:

7 (1) Amounts shall be paid to the purse account at the
8 track at which the organization licensee is conducting
9 racing equal to the following:

10 12.75% of annual adjusted gross receipts up to and
11 including \$75,000,000;

12 20% of annual adjusted gross receipts in excess of
13 \$75,000,000 but not exceeding \$100,000,000;

14 26.5% of annual adjusted gross receipts in excess
15 of \$100,000,000 but not exceeding \$125,000,000; and

16 20.5% of annual adjusted gross receipts in excess
17 of \$125,000,000.

18 (2) The remainder shall be retained by the electronic
19 gaming licensee.

20 (c) Electronic gaming receipts placed into the purse
21 account of an organization licensee racing thoroughbred horses
22 shall be used for purses, for health care services or worker's
23 compensation for racing industry workers, for equine research,
24 for programs to care for and transition injured and retired
25 thoroughbred horses that race at the race track, or for horse
26 ownership promotion, in accordance with the agreement of the

1 horsemen's association representing the largest number of
2 owners and trainers who race at that organization licensee's
3 race meetings.

4 Annually, from the purse account of an organization
5 licensee racing thoroughbred horses in this State, except for
6 in Madison County, an amount equal to 12% of the electronic
7 gaming receipts placed into the purse accounts shall be paid to
8 the Illinois Thoroughbred Breeders Fund and shall be used for
9 owner awards; a stallion program pursuant to paragraph (3) of
10 subsection (g) of Section 30 of this Act; and Illinois
11 conceived and foaled stakes races pursuant to paragraph (2) of
12 subsection (g) of Section 30 of this Act, as specifically
13 designated by the horsemen's association representing the
14 largest number of owners and trainers who race at the
15 organization licensee's race meetings.

16 Annually, from the purse account of an organization
17 licensee racing thoroughbred horses in Madison County, an
18 amount equal to 10% of the electronic gaming receipts placed
19 into the purse accounts shall be paid to the Illinois
20 Thoroughbred Breeders Fund and shall be used for owner awards;
21 a stallion program pursuant to paragraph (3) of subsection (g)
22 of Section 30 of this Act; and Illinois conceived and foaled
23 stakes races pursuant to paragraph (2) of subsection (g) of
24 Section 30 of this Act, as specifically designated by the
25 horsemen's association representing the largest number of
26 owners and trainers who race at the organization licensee's

1 race meetings.

2 Annually, from the purse account of an organization
3 licensee conducting thoroughbred races at a race track in
4 Madison County, an amount equal to 1% of the electronic gaming
5 receipts distributed to purses per subsection (b) of this
6 Section 56 shall be paid as follows: 0.33 1/3% to Southern
7 Illinois University Department of Animal Sciences for equine
8 research and education, an amount equal to 0.33 1/3% of the
9 electronic gaming receipts shall be used to operate laundry
10 facilities or a kitchen for backstretch workers at that race
11 track, and an amount equal to 0.33 1/3% of the electronic
12 gaming receipts shall be paid to R.A.C.E., Inc., a 501(c)(3)
13 non-profit organization that cares for injured and unwanted
14 horses that race at that race track.

15 Annually, from the purse account of organization licensees
16 conducting thoroughbred races at race tracks in Cook County,
17 \$100,000 shall be paid for division and equal distribution to
18 the animal sciences department of each Illinois public
19 university system engaged in equine research and education on
20 or before the effective date of this amendatory Act of the
21 100th General Assembly for equine research and education.

22 (d) Annually, from the purse account of an organization
23 licensee racing standardbred horses, an amount equal to 15% of
24 the electronic gaming receipts placed into that purse account
25 shall be paid to the Illinois Colt Stakes Purse Distribution
26 Fund. Moneys deposited into the Illinois Colt Stakes Purse

1 Distribution Fund shall be used for standardbred racing as
2 authorized in paragraphs 1, 2, 3, 8, 9, 10, and 11 of
3 subsection (g) of Section 31 of this Act and for bonus awards
4 as authorized under paragraph 6 of subsection (j) of Section 31
5 of this Act.

6 Section 15. The Riverboat Gambling Act is amended by
7 changing Sections 3, 4, 5, 5.1, 8, 9, 11, 11.1, 12, 13, 14, 15,
8 17.1, 18, 18.1, 19, and 20 and by adding Sections 7.7 and 7.8
9 as follows:

10 (230 ILCS 10/3) (from Ch. 120, par. 2403)

11 Sec. 3. ~~Riverboat~~ Gambling Authorized.

12 (a) Riverboat gambling operations and electronic gaming
13 operations ~~and the system of wagering incorporated therein~~, as
14 defined in this Act, are hereby authorized to the extent that
15 they are carried out in accordance with the provisions of this
16 Act.

17 (b) This Act does not apply to the pari-mutuel system of
18 wagering used or intended to be used in connection with the
19 horse-race meetings as authorized under the Illinois Horse
20 Racing Act of 1975, lottery games authorized under the Illinois
21 Lottery Law, bingo authorized under the Bingo License and Tax
22 Act, charitable games authorized under the Charitable Games Act
23 or pull tabs and jar games conducted under the Illinois Pull
24 Tabs and Jar Games Act. This Act applies to electronic gaming

1 authorized under the Illinois Horse Racing Act of 1975 to the
2 extent provided in that Act and in this Act.

3 (c) Riverboat gambling conducted pursuant to this Act may
4 be authorized upon any water within the State of Illinois or
5 any water other than Lake Michigan which constitutes a boundary
6 of the State of Illinois. A licensee may conduct riverboat
7 gambling authorized under this Act regardless of whether it
8 conducts excursion cruises. A licensee may permit the
9 continuous ingress and egress of passengers for the purpose of
10 gambling.

11 (d) Gambling that is conducted in accordance with this Act
12 using slot machines and video games of chance and other
13 electronic gambling games as defined in both this Act and the
14 Illinois Horse Racing Act of 1975 is authorized.

15 (Source: P.A. 91-40, eff. 6-25-99.)

16 (230 ILCS 10/4) (from Ch. 120, par. 2404)

17 Sec. 4. Definitions. As used in this Act:

18 ~~(a)~~ "Board" means the Illinois Gaming Board.

19 ~~(b)~~ "Occupational license" means a license issued by the
20 Board to a person or entity to perform an occupation which the
21 Board has identified as requiring a license to engage in
22 riverboat gambling or electronic gaming in Illinois.

23 ~~(c)~~ "Gambling game" includes, but is not limited to,
24 baccarat, twenty-one, poker, craps, slot machine, video game of
25 chance, roulette wheel, klondike table, punchboard, faro

1 layout, keno layout, numbers ticket, push card, jar ticket, or
2 pull tab which is authorized by the Board as a wagering device
3 under this Act.

4 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
5 permanently moored barge, or permanently moored barges that are
6 permanently fixed together to operate as one vessel, on which
7 lawful gambling is authorized and licensed as provided in this
8 Act.

9 "Slot machine" means any mechanical, electrical, or other
10 device, contrivance, or machine that is authorized by the Board
11 as a wagering device under this Act which, upon insertion of a
12 coin, currency, token, or similar object therein, or upon
13 payment of any consideration whatsoever, is available to play
14 or operate, the play or operation of which may deliver or
15 entitle the person playing or operating the machine to receive
16 cash, premiums, merchandise, tokens, or anything of value
17 whatsoever, whether the payoff is made automatically from the
18 machine or in any other manner whatsoever. A slot machine:

19 (1) may utilize spinning reels or video displays or
20 both;

21 (2) may or may not dispense coins, tickets, or tokens
22 to winning patrons;

23 (3) may use an electronic credit system for receiving
24 wagers and making payouts; and

25 (4) may simulate a table game.

26 "Slot machine" does not include table games authorized by

1 the Board as a wagering device under this Act.

2 ~~(e)~~ "Managers license" means a license issued by the Board
3 to a person or entity to manage gambling operations conducted
4 by the State pursuant to Section 7.3.

5 ~~(f)~~ "Dock" means the location where a riverboat moors for
6 the purpose of embarking passengers for and disembarking
7 passengers from the riverboat.

8 ~~(g)~~ "Gross receipts" means the total amount of money
9 exchanged for the purchase of chips, tokens, or electronic
10 cards by riverboat patrons.

11 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
12 winnings paid to wagerers.

13 ~~(i)~~ "Cheat" means to alter the selection of criteria which
14 determine the result of a gambling game or the amount or
15 frequency of payment in a gambling game.

16 ~~(j)~~ (Blank).

17 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
18 gambling games authorized under this Act upon a riverboat or
19 authorized under this Act and the Illinois Horse Racing Act of
20 1975 at an electronic gaming facility.

21 ~~(l)~~ "License bid" means the lump sum amount of money that
22 an applicant bids and agrees to pay the State in return for an
23 owners license that is re-issued on or after July 1, 2003.

24 "Table game" means a live gaming apparatus upon which
25 gaming is conducted or that determines an outcome that is the
26 object of a wager, including, but not limited to, baccarat,

1 twenty-one, blackjack, poker, craps, roulette wheel, klondike
2 table, punchboard, faro layout, keno layout, numbers ticket,
3 push card, jar ticket, pull tab, or other similar games that
4 are authorized by the Board as a wagering device under this
5 Act. "Table game" does not include slot machines or video games
6 of chance.

7 ~~(m)~~ The terms "minority person", "female", and "person with
8 a disability" shall have the same meaning as defined in Section
9 2 of the Business Enterprise for Minorities, Females, and
10 Persons with Disabilities Act.

11 "Owners license" means a license to conduct riverboat
12 gambling operations, but does not include an electronic gaming
13 license.

14 "Licensed owner" means a person who holds an owners
15 license.

16 "Electronic gaming" means slot machine gambling, video
17 game of chance gambling, or gambling with electronic gambling
18 games as defined in this Act or defined by the Board that is
19 conducted at a race track pursuant to an electronic gaming
20 license.

21 "Electronic gaming facility" means the area where the Board
22 has authorized electronic gaming at a race track of an
23 organization licensee under the Illinois Horse Racing Act of
24 1975 that holds an electronic gaming license.

25 "Electronic gaming license" means a license issued by the
26 Board under Section 7.7 of this Act authorizing electronic

1 gaming at an electronic gaming facility.

2 "Electronic gaming licensee" means an entity that holds an
3 electronic gaming license.

4 "Organization licensee" means an entity authorized by the
5 Illinois Racing Board to conduct pari-mutuel wagering in
6 accordance with the Illinois Horse Racing Act of 1975. With
7 respect only to electronic gaming, "organization licensee"
8 includes the authorization for electronic gaming created under
9 subsection (a) of Section 56 of the Illinois Horse Racing Act
10 of 1975.

11 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

12 (230 ILCS 10/5) (from Ch. 120, par. 2405)

13 Sec. 5. Gaming Board.

14 (a) (1) There is hereby established the Illinois Gaming
15 Board, which shall have the powers and duties specified in this
16 Act, and all other powers necessary and proper to fully and
17 effectively execute this Act for the purpose of administering,
18 regulating, and enforcing the system of riverboat gambling and
19 electronic gaming established by this Act. Its jurisdiction
20 shall extend under this Act to every person, association,
21 corporation, partnership and trust involved in riverboat
22 gambling operations and electronic gaming in the State of
23 Illinois.

24 (2) The Board shall consist of 5 members to be appointed by
25 the Governor with the advice and consent of the Senate, one of

1 whom shall be designated by the Governor to be chairman. Each
2 member shall have a reasonable knowledge of the practice,
3 procedure and principles of gambling operations. Each member
4 shall either be a resident of Illinois or shall certify that he
5 will become a resident of Illinois before taking office.

6 At least one member shall be experienced in law enforcement
7 and criminal investigation, at least one member shall be a
8 certified public accountant experienced in accounting and
9 auditing, and at least one member shall be a lawyer licensed to
10 practice law in Illinois.

11 (3) The terms of office of the Board members shall be 3
12 years, except that the terms of office of the initial Board
13 members appointed pursuant to this Act will commence from the
14 effective date of this Act and run as follows: one for a term
15 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
16 a term ending July 1, 1993. Upon the expiration of the
17 foregoing terms, the successors of such members shall serve a
18 term for 3 years and until their successors are appointed and
19 qualified for like terms. Vacancies in the Board shall be
20 filled for the unexpired term in like manner as original
21 appointments. Each member of the Board shall be eligible for
22 reappointment at the discretion of the Governor with the advice
23 and consent of the Senate.

24 (4) Each member of the Board shall receive \$300 for each
25 day the Board meets and for each day the member conducts any
26 hearing pursuant to this Act. Each member of the Board shall

1 also be reimbursed for all actual and necessary expenses and
2 disbursements incurred in the execution of official duties.

3 (5) No person shall be appointed a member of the Board or
4 continue to be a member of the Board who is, or whose spouse,
5 child or parent is, a member of the board of directors of, or a
6 person financially interested in, any gambling operation
7 subject to the jurisdiction of this Board, or any race track,
8 race meeting, racing association or the operations thereof
9 subject to the jurisdiction of the Illinois Racing Board. No
10 Board member shall hold any other public office. No person
11 shall be a member of the Board who is not of good moral
12 character or who has been convicted of, or is under indictment
13 for, a felony under the laws of Illinois or any other state, or
14 the United States.

15 (5.5) No member of the Board shall engage in any political
16 activity. For the purposes of this Section, "political" means
17 any activity in support of or in connection with any campaign
18 for federal, State, or local elective office or any political
19 organization, but does not include activities (i) relating to
20 the support or opposition of any executive, legislative, or
21 administrative action (as those terms are defined in Section 2
22 of the Lobbyist Registration Act), (ii) relating to collective
23 bargaining, or (iii) that are otherwise in furtherance of the
24 person's official State duties or governmental and public
25 service functions.

26 (6) Any member of the Board may be removed by the Governor

1 for neglect of duty, misfeasance, malfeasance, or nonfeasance
2 in office or for engaging in any political activity.

3 (7) Before entering upon the discharge of the duties of his
4 office, each member of the Board shall take an oath that he
5 will faithfully execute the duties of his office according to
6 the laws of the State and the rules and regulations adopted
7 therewith and shall give bond to the State of Illinois,
8 approved by the Governor, in the sum of \$25,000. Every such
9 bond, when duly executed and approved, shall be recorded in the
10 office of the Secretary of State. Whenever the Governor
11 determines that the bond of any member of the Board has become
12 or is likely to become invalid or insufficient, he shall
13 require such member forthwith to renew his bond, which is to be
14 approved by the Governor. Any member of the Board who fails to
15 take oath and give bond within 30 days from the date of his
16 appointment, or who fails to renew his bond within 30 days
17 after it is demanded by the Governor, shall be guilty of
18 neglect of duty and may be removed by the Governor. The cost of
19 any bond given by any member of the Board under this Section
20 shall be taken to be a part of the necessary expenses of the
21 Board.

22 (7.5) For the examination of all mechanical,
23 electromechanical, or electronic table games, slot machines,
24 slot accounting systems, and other electronic gaming equipment
25 for compliance with this Act, the Board may utilize the
26 services of one or more independent outside testing

1 laboratories that have been accredited by a national
2 accreditation body and that, in the judgment of the Board, are
3 qualified to perform such examinations.

4 (8) The Board shall employ such personnel as may be
5 necessary to carry out its functions and shall determine the
6 salaries of all personnel, except those personnel whose
7 salaries are determined under the terms of a collective
8 bargaining agreement. No person shall be employed to serve the
9 Board who is, or whose spouse, parent or child is, an official
10 of, or has a financial interest in or financial relation with,
11 any operator engaged in gambling operations within this State
12 or any organization engaged in conducting horse racing within
13 this State. Any employee violating these prohibitions shall be
14 subject to termination of employment.

15 (9) An Administrator shall perform any and all duties that
16 the Board shall assign him. The salary of the Administrator
17 shall be determined by the Board and, in addition, he shall be
18 reimbursed for all actual and necessary expenses incurred by
19 him in discharge of his official duties. The Administrator
20 shall keep records of all proceedings of the Board and shall
21 preserve all records, books, documents and other papers
22 belonging to the Board or entrusted to its care. The
23 Administrator shall devote his full time to the duties of the
24 office and shall not hold any other office or employment.

25 (b) The Board shall have general responsibility for the
26 implementation of this Act. Its duties include, without

1 limitation, the following:

2 (1) To decide promptly and in reasonable order all
3 license applications. Any party aggrieved by an action of
4 the Board denying, suspending, revoking, restricting or
5 refusing to renew a license may request a hearing before
6 the Board. A request for a hearing must be made to the
7 Board in writing within 5 days after service of notice of
8 the action of the Board. Notice of the action of the Board
9 shall be served either by personal delivery or by certified
10 mail, postage prepaid, to the aggrieved party. Notice
11 served by certified mail shall be deemed complete on the
12 business day following the date of such mailing. The Board
13 shall conduct all requested hearings promptly and in
14 reasonable order;

15 (2) To conduct all hearings pertaining to civil
16 violations of this Act or rules and regulations promulgated
17 hereunder;

18 (3) To promulgate such rules and regulations as in its
19 judgment may be necessary to protect or enhance the
20 credibility and integrity of gambling operations
21 authorized by this Act and the regulatory process
22 hereunder;

23 (4) To provide for the establishment and collection of
24 all license and registration fees and taxes imposed by this
25 Act and the rules and regulations issued pursuant hereto.
26 All such fees and taxes shall be deposited into the State

1 Gaming Fund;

2 (5) To provide for the levy and collection of penalties
3 and fines for the violation of provisions of this Act and
4 the rules and regulations promulgated hereunder. All such
5 fines and penalties shall be deposited into the Education
6 Assistance Fund, created by Public Act 86-0018, of the
7 State of Illinois;

8 (6) To be present through its inspectors and agents any
9 time gambling operations are conducted on any riverboat or
10 at any electronic gaming facility for the purpose of
11 certifying the revenue thereof, receiving complaints from
12 the public, and conducting such other investigations into
13 the conduct of the gambling games and the maintenance of
14 the equipment as from time to time the Board may deem
15 necessary and proper;

16 (7) To review and rule upon any complaint by a licensee
17 regarding any investigative procedures of the State which
18 are unnecessarily disruptive of gambling operations. The
19 need to inspect and investigate shall be presumed at all
20 times. The disruption of a licensee's operations shall be
21 proved by clear and convincing evidence, and establish
22 that: (A) the procedures had no reasonable law enforcement
23 purposes, and (B) the procedures were so disruptive as to
24 unreasonably inhibit gambling operations;

25 (8) To hold at least one meeting each quarter of the
26 fiscal year. In addition, special meetings may be called by

1 the Chairman or any 2 Board members upon 72 hours written
2 notice to each member. All Board meetings shall be subject
3 to the Open Meetings Act. Three members of the Board shall
4 constitute a quorum, and 3 votes shall be required for any
5 final determination by the Board. The Board shall keep a
6 complete and accurate record of all its meetings. A
7 majority of the members of the Board shall constitute a
8 quorum for the transaction of any business, for the
9 performance of any duty, or for the exercise of any power
10 which this Act requires the Board members to transact,
11 perform or exercise en banc, except that, upon order of the
12 Board, one of the Board members or an administrative law
13 judge designated by the Board may conduct any hearing
14 provided for under this Act or by Board rule and may
15 recommend findings and decisions to the Board. The Board
16 member or administrative law judge conducting such hearing
17 shall have all powers and rights granted to the Board in
18 this Act. The record made at the time of the hearing shall
19 be reviewed by the Board, or a majority thereof, and the
20 findings and decision of the majority of the Board shall
21 constitute the order of the Board in such case;

22 (9) To maintain records which are separate and distinct
23 from the records of any other State board or commission.
24 Such records shall be available for public inspection and
25 shall accurately reflect all Board proceedings;

26 (10) To file a written annual report with the Governor

1 on or before March 1 each year and such additional reports
2 as the Governor may request. The annual report shall
3 include a statement of receipts and disbursements by the
4 Board, actions taken by the Board, and any additional
5 information and recommendations which the Board may deem
6 valuable or which the Governor may request;

7 (11) (Blank);

8 (12) (Blank);

9 (13) To assume responsibility for administration and
10 enforcement of the Video Gaming Act; ~~and~~

11 (13.1) To assume responsibility for the administration
12 and enforcement of operations at electronic gaming
13 facilities pursuant to this Act and the Illinois Horse
14 Racing Act of 1975; and

15 (14) To adopt, by rule, a code of conduct governing
16 Board members and employees that ensure, to the maximum
17 extent possible, that persons subject to this Code avoid
18 situations, relationships, or associations that may
19 represent or lead to a conflict of interest.

20 (c) The Board shall have jurisdiction over and shall
21 supervise all gambling operations governed by this Act. The
22 Board shall have all powers necessary and proper to fully and
23 effectively execute the provisions of this Act, including, but
24 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 ~~riverboat~~ gambling operations authorized under this Act ~~in~~
5 ~~this State~~ and all persons in places ~~on riverboats~~ where
6 gambling operations are conducted.

7 (3) To promulgate rules and regulations for the purpose
8 of administering the provisions of this Act and to
9 prescribe rules, regulations and conditions under which
10 all ~~riverboat~~ gambling operations subject to this Act ~~in~~
11 ~~the State~~ shall be conducted. Such rules and regulations
12 are to provide for the prevention of practices detrimental
13 to the public interest and for the best interests of
14 ~~riverboat~~ gambling, including rules and regulations
15 regarding the inspection of electronic gaming facilities
16 and such riverboats, and the review of any permits or
17 licenses necessary to operate a riverboat or an electronic
18 gaming facility under any laws or regulations applicable to
19 riverboats or electronic gaming facilities, and to impose
20 penalties for violations thereof.

21 (4) To enter the office, riverboats, electronic gaming
22 facilities, and other facilities, or other places of
23 business of a licensee, where evidence of the compliance or
24 noncompliance with the provisions of this Act is likely to
25 be found.

26 (5) To investigate alleged violations of this Act or

1 the rules of the Board and to take appropriate disciplinary
2 action against a licensee or a holder of an occupational
3 license for a violation, or institute appropriate legal
4 action for enforcement, or both.

5 (6) To adopt standards for the licensing of all persons
6 and entities under this Act, as well as for electronic or
7 mechanical gambling games, and to establish fees for such
8 licenses.

9 (7) To adopt appropriate standards for all electronic
10 gaming facilities, riverboats, and other facilities
11 authorized under this Act.

12 (8) To require that the records, including financial or
13 other statements of any licensee under this Act, shall be
14 kept in such manner as prescribed by the Board and that any
15 such licensee involved in the ownership or management of
16 gambling operations submit to the Board an annual balance
17 sheet and profit and loss statement, list of the
18 stockholders or other persons having a 1% or greater
19 beneficial interest in the gambling activities of each
20 licensee, and any other information the Board deems
21 necessary in order to effectively administer this Act and
22 all rules, regulations, orders and final decisions
23 promulgated under this Act.

24 (9) To conduct hearings, issue subpoenas for the
25 attendance of witnesses and subpoenas duces tecum for the
26 production of books, records and other pertinent documents

1 in accordance with the Illinois Administrative Procedure
2 Act, and to administer oaths and affirmations to the
3 witnesses, when, in the judgment of the Board, it is
4 necessary to administer or enforce this Act or the Board
5 rules.

6 (10) To prescribe a form to be used by any licensee
7 involved in the ownership or management of gambling
8 operations as an application for employment for their
9 employees.

10 (11) To revoke or suspend licenses, as the Board may
11 see fit and in compliance with applicable laws of the State
12 regarding administrative procedures, and to review
13 applications for the renewal of licenses. The Board may
14 suspend an owners license or electronic gaming license,
15 without notice or hearing, upon a determination that the
16 safety or health of patrons or employees is jeopardized by
17 continuing a gambling operation conducted under that
18 license ~~riverboat's~~ operation. The suspension may remain
19 in effect until the Board determines that the cause for
20 suspension has been abated. The Board may revoke an ~~the~~
21 owners license or electronic gaming license upon a
22 determination that the licensee ~~owner~~ has not made
23 satisfactory progress toward abating the hazard.

24 (12) To eject or exclude or authorize the ejection or
25 exclusion of, any person from ~~riverboat~~ gambling
26 facilities where that ~~such~~ person is in violation of this

1 Act, rules and regulations thereunder, or final orders of
2 the Board, or where such person's conduct or reputation is
3 such that his or her presence within the ~~riverboat~~ gambling
4 facilities may, in the opinion of the Board, call into
5 question the honesty and integrity of the gambling
6 operations or interfere with the orderly conduct thereof;
7 provided that the propriety of such ejection or exclusion
8 is subject to subsequent hearing by the Board.

9 (13) To require all licensees of gambling operations to
10 utilize a cashless wagering system whereby all players'
11 money is converted to tokens, electronic cards, or chips
12 which shall be used only for wagering in the gambling
13 establishment.

14 (14) (Blank).

15 (15) To suspend, revoke or restrict licenses, to
16 require the removal of a licensee or an employee of a
17 licensee for a violation of this Act or a Board rule or for
18 engaging in a fraudulent practice, and to impose civil
19 penalties of up to \$5,000 against individuals and up to
20 \$10,000 or an amount equal to the daily gross receipts,
21 whichever is larger, against licensees for each violation
22 of any provision of the Act, any rules adopted by the
23 Board, any order of the Board or any other action which, in
24 the Board's discretion, is a detriment or impediment to
25 ~~riverboat~~ gambling operations.

26 (16) To hire employees to gather information, conduct

1 investigations and carry out any other tasks contemplated
2 under this Act.

3 (17) To establish minimum levels of insurance to be
4 maintained by licensees.

5 (18) To authorize a licensee to sell or serve alcoholic
6 liquors, wine or beer as defined in the Liquor Control Act
7 of 1934 on board a riverboat and to have exclusive
8 authority to establish the hours for sale and consumption
9 of alcoholic liquor on board a riverboat, notwithstanding
10 any provision of the Liquor Control Act of 1934 or any
11 local ordinance, and regardless of whether the riverboat
12 makes excursions. The establishment of the hours for sale
13 and consumption of alcoholic liquor on board a riverboat is
14 an exclusive power and function of the State. A home rule
15 unit may not establish the hours for sale and consumption
16 of alcoholic liquor on board a riverboat. This subdivision
17 (18) ~~amendatory Act of 1991~~ is a denial and limitation of
18 home rule powers and functions under subsection (h) of
19 Section 6 of Article VII of the Illinois Constitution.

20 (19) After consultation with the U.S. Army Corps of
21 Engineers, to establish binding emergency orders upon the
22 concurrence of a majority of the members of the Board
23 regarding the navigability of water, relative to
24 excursions, in the event of extreme weather conditions,
25 acts of God or other extreme circumstances.

26 (20) To delegate the execution of any of its powers

1 under this Act for the purpose of administering and
2 enforcing this Act and the ~~its~~ rules adopted by the Board
3 under this Act and regulations hereunder.

4 (20.5) To approve any contract entered into on its
5 behalf.

6 (20.6) To appoint investigators to conduct
7 investigations, searches, seizures, arrests, and other
8 duties imposed under this Act, as deemed necessary by the
9 Board. These investigators have and may exercise all of the
10 rights and powers of peace officers, provided that these
11 powers shall be limited to offenses or violations occurring
12 or committed in an electronic gaming facility or on a
13 riverboat or dock, as defined in subsections (d) and (f) of
14 Section 4, or as otherwise provided by this Act or any
15 other law.

16 (20.7) To contract with the Department of State Police
17 for the use of trained and qualified State police officers
18 and with the Department of Revenue for the use of trained
19 and qualified Department of Revenue investigators to
20 conduct investigations, searches, seizures, arrests, and
21 other duties imposed under this Act and to exercise all of
22 the rights and powers of peace officers, provided that the
23 powers of Department of Revenue investigators under this
24 subdivision (20.7) shall be limited to offenses or
25 violations occurring or committed in an electronic gaming
26 facility or on a riverboat or dock, as defined in

1 subsections (d) and (f) of Section 4, or as otherwise
2 provided by this Act or any other law. In the event the
3 Department of State Police or the Department of Revenue is
4 unable to fill contracted police or investigative
5 positions, the Board may appoint investigators to fill
6 those positions pursuant to subdivision (20.6).

7 (21) To adopt rules concerning the conduct of
8 electronic gaming.

9 (22) To have the same jurisdiction and supervision over
10 electronic gaming facilities as the Board has over
11 riverboats, including, but not limited to, the power to (i)
12 investigate, review, and approve contracts as that power is
13 applied to riverboats, (ii) adopt rules for administering
14 the provisions of this Act, (iii) adopt standards for the
15 licensing of all persons involved with an electronic gaming
16 facility, (iv) investigate alleged violations of this Act
17 by any person involved with an electronic gaming facility,
18 and (v) require that records, including financial or other
19 statements of any electronic gaming facility, shall be kept
20 in such manner as prescribed by the Board.

21 (23) ~~(21)~~ To take any other action as may be reasonable
22 or appropriate to enforce this Act and rules adopted by the
23 Board under this Act and regulations hereunder.

24 (d) The Board may seek and shall receive the cooperation of
25 the Department of State Police in conducting background
26 investigations of applicants and in fulfilling its

1 responsibilities under this Section. Costs incurred by the
2 Department of State Police as a result of such cooperation
3 shall be paid by the Board in conformance with the requirements
4 of Section 2605-400 of the Department of State Police Law (20
5 ILCS 2605/2605-400).

6 (e) The Board must authorize to each investigator and to
7 any other employee of the Board exercising the powers of a
8 peace officer a distinct badge that, on its face, (i) clearly
9 states that the badge is authorized by the Board and (ii)
10 contains a unique identifying number. No other badge shall be
11 authorized by the Board.

12 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

13 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

14 Sec. 5.1. Disclosure of records.

15 (a) Notwithstanding any applicable statutory provision to
16 the contrary, the Board shall, on written request from any
17 person, provide information furnished by an applicant or
18 licensee concerning the applicant or licensee, his products,
19 services or gambling enterprises and his business holdings, as
20 follows:

21 (1) The name, business address and business telephone
22 number of any applicant or licensee.

23 (2) An identification of any applicant or licensee
24 including, if an applicant or licensee is not an
25 individual, the state of incorporation or registration,

1 the corporate officers, and the identity of all
2 shareholders or participants. If an applicant or licensee
3 has a pending registration statement filed with the
4 Securities and Exchange Commission, only the names of those
5 persons or entities holding interest of 5% or more must be
6 provided.

7 (3) An identification of any business, including, if
8 applicable, the state of incorporation or registration, in
9 which an applicant or licensee or an applicant's or
10 licensee's spouse or children has an equity interest of
11 more than 1%. If an applicant or licensee is a corporation,
12 partnership or other business entity, the applicant or
13 licensee shall identify any other corporation, partnership
14 or business entity in which it has an equity interest of 1%
15 or more, including, if applicable, the state of
16 incorporation or registration. This information need not
17 be provided by a corporation, partnership or other business
18 entity that has a pending registration statement filed with
19 the Securities and Exchange Commission.

20 (4) Whether an applicant or licensee has been indicted,
21 convicted, pleaded guilty or nolo contendere, or forfeited
22 bail concerning any criminal offense under the laws of any
23 jurisdiction, either felony or misdemeanor (except for
24 traffic violations), including the date, the name and
25 location of the court, arresting agency and prosecuting
26 agency, the case number, the offense, the disposition and

1 the location and length of incarceration.

2 (5) Whether an applicant or licensee has had any
3 license or certificate issued by a licensing authority in
4 Illinois or any other jurisdiction denied, restricted,
5 suspended, revoked or not renewed and a statement
6 describing the facts and circumstances concerning the
7 denial, restriction, suspension, revocation or
8 non-renewal, including the licensing authority, the date
9 each such action was taken, and the reason for each such
10 action.

11 (6) Whether an applicant or licensee has ever filed or
12 had filed against it a proceeding in bankruptcy or has ever
13 been involved in any formal process to adjust, defer,
14 suspend or otherwise work out the payment of any debt
15 including the date of filing, the name and location of the
16 court, the case and number of the disposition.

17 (7) Whether an applicant or licensee has filed, or been
18 served with a complaint or other notice filed with any
19 public body, regarding the delinquency in the payment of,
20 or a dispute over the filings concerning the payment of,
21 any tax required under federal, State or local law,
22 including the amount, type of tax, the taxing agency and
23 time periods involved.

24 (8) A statement listing the names and titles of all
25 public officials or officers of any unit of government, and
26 relatives of said public officials or officers who,

1 directly or indirectly, own any financial interest in, have
2 any beneficial interest in, are the creditors of or hold
3 any debt instrument issued by, or hold or have any interest
4 in any contractual or service relationship with, an
5 applicant or licensee.

6 (9) Whether an applicant or licensee has made, directly
7 or indirectly, any political contribution, or any loans,
8 donations or other payments, to any candidate or office
9 holder, within 5 years from the date of filing the
10 application, including the amount and the method of
11 payment.

12 (10) The name and business telephone number of the
13 counsel representing an applicant or licensee in matters
14 before the Board.

15 (11) A description of any proposed or approved
16 riverboat gaming or electronic gaming operation, including
17 the type of boat, home dock or electronic gaming location,
18 expected economic benefit to the community, anticipated or
19 actual number of employees, any statement from an applicant
20 or licensee regarding compliance with federal and State
21 affirmative action guidelines, projected or actual
22 admissions and projected or actual adjusted gross gaming
23 receipts.

24 (12) A description of the product or service to be
25 supplied by an applicant for a supplier's license.

26 (b) Notwithstanding any applicable statutory provision to

1 the contrary, the Board shall, on written request from any
2 person, also provide the following information:

3 (1) The amount of the wagering tax and admission tax
4 paid daily to the State of Illinois by the holder of an
5 owner's license.

6 (2) Whenever the Board finds an applicant for an
7 owner's license unsuitable for licensing, a copy of the
8 written letter outlining the reasons for the denial.

9 (3) Whenever the Board has refused to grant leave for
10 an applicant to withdraw his application, a copy of the
11 letter outlining the reasons for the refusal.

12 (c) Subject to the above provisions, the Board shall not
13 disclose any information which would be barred by:

14 (1) Section 7 of the Freedom of Information Act; or

15 (2) The statutes, rules, regulations or
16 intergovernmental agreements of any jurisdiction.

17 (d) The Board may assess fees for the copying of
18 information in accordance with Section 6 of the Freedom of
19 Information Act.

20 (Source: P.A. 96-1392, eff. 1-1-11.)

21 (230 ILCS 10/7.7 new)

22 Sec. 7.7. Electronic gaming.

23 (a) The General Assembly finds that the horse racing and
24 riverboat gambling industries share many similarities and
25 collectively comprise the bulk of the State's gaming industry.

1 One feature common to both industries is that each is highly
2 regulated by the State of Illinois. The General Assembly
3 further finds, however, that despite their shared features each
4 industry is distinct from the other in that horse racing is and
5 continues to be intimately tied to Illinois' agricultural
6 economy and is, at its core, a spectator sport. This
7 distinction requires the General Assembly to utilize different
8 methods to regulate and promote the horse racing industry
9 throughout the State. The General Assembly finds that in order
10 to promote live horse racing as a spectator sport in Illinois
11 and the agricultural economy of this State, it is necessary to
12 allow electronic gaming at Illinois race tracks as an ancillary
13 use given the success of other states in increasing live racing
14 purse accounts and improving the quality of horses
15 participating in horse race meetings.

16 (b) The Illinois Gaming Board shall award one electronic
17 gaming license to each person or entity having operating
18 control of a race track that applies under Section 56 of the
19 Illinois Horse Racing Act of 1975, subject to the application
20 and eligibility requirements of this Section. Within 60 days
21 after the effective date of this amendatory Act of the 100th
22 General Assembly, a person or entity having operating control
23 of a race track may submit an application for an electronic
24 gaming license. The application shall be made on such forms as
25 provided by the Board and shall contain such information as the
26 Board prescribes, including, but not limited to, the identity

1 of any race track at which electronic gaming will be conducted,
2 detailed information regarding the ownership and management of
3 the applicant, and detailed personal information regarding the
4 applicant. The application shall specify the number of gaming
5 positions the applicant intends to use and the place where the
6 electronic gaming facility will operate. A person who knowingly
7 makes a false statement on an application is guilty of a Class
8 A misdemeanor.

9 Each applicant shall disclose the identity of every person
10 or entity having a direct or indirect pecuniary interest
11 greater than 1% in any race track with respect to which the
12 license is sought. If the disclosed entity is a corporation,
13 the applicant shall disclose the names and addresses of all
14 stockholders and directors. If the disclosed entity is a
15 limited liability company, the applicant shall disclose the
16 names and addresses of all members and managers. If the
17 disclosed entity is a partnership, the applicant shall disclose
18 the names and addresses of all partners, both general and
19 limited. If the disclosed entity is a trust, the applicant
20 shall disclose the names and addresses of all beneficiaries.

21 An application shall be filed and considered in accordance
22 with the rules of the Board. Each application for an electronic
23 gaming license shall include a non-refundable application fee
24 of \$100,000. In addition, a non-refundable fee of \$50,000 shall
25 be paid at the time of filing to defray the costs associated
26 with background investigations conducted by the Board. If the

1 costs of the background investigation exceed \$50,000, the
2 applicant shall pay the additional amount to the Board within 7
3 days after a request by the Board. If the costs of the
4 investigation are less than \$50,000, the applicant shall
5 receive a refund of the remaining amount. All information,
6 records, interviews, reports, statements, memoranda, or other
7 data supplied to or used by the Board in the course of this
8 review or investigation of an applicant for an electronic
9 gaming license under this Act shall be privileged and strictly
10 confidential and shall be used only for the purpose of
11 evaluating an applicant for an electronic gaming license or a
12 renewal. Such information, records, interviews, reports,
13 statements, memoranda, or other data shall not be admissible as
14 evidence nor discoverable in any action of any kind in any
15 court or before any tribunal, board, agency or person, except
16 for any action deemed necessary by the Board. The application
17 fee shall be deposited into the Gaming Facilities Fee Revenue
18 Fund.

19 Each applicant shall submit with his or her application, on
20 forms provided by the Board, 2 sets of his or her fingerprints.
21 The Board shall charge each applicant a fee set by the
22 Department of State Police to defray the costs associated with
23 the search and classification of fingerprints obtained by the
24 Board with respect to the applicant's application. This fee
25 shall be paid into the State Police Services Fund.

26 (c) The Board shall determine within 120 days after

1 receiving an application for an electronic gaming license
2 whether to grant an electronic gaming license to the applicant.
3 If the Board does not make a determination within that time
4 period, then the Board shall give a written explanation to the
5 applicant as to why it has not reached a determination and when
6 it reasonably expects to make a determination.

7 The electronic gaming licensee shall purchase up to the
8 amount of electronic gaming positions authorized under this Act
9 within 120 days after receiving its electronic gaming license.
10 If an electronic gaming licensee is prepared to purchase the
11 electronic gaming positions, but is temporarily prohibited
12 from doing so by order of a court of competent jurisdiction or
13 the Board, then the 120-day period is tolled until a resolution
14 is reached.

15 An electronic gaming license shall authorize its holder to
16 conduct gaming under this Act at its racetracks on the same
17 days of the year and hours of the day that owner licenses are
18 allowed to operate under approval of the Board.

19 A license to conduct electronic gaming and any renewal of
20 an electronic gaming license shall authorize electronic gaming
21 for a period of 4 years. The fee for the issuance or renewal of
22 an electronic gaming license shall be \$100,000.

23 (d) To be eligible to conduct electronic gaming, a person
24 or entity having operating control of a race track must (i)
25 obtain an electronic gaming license, (ii) hold an organization
26 license under the Illinois Horse Racing Act of 1975, (iii) hold

1 an inter-track wagering license, (iv) pay an initial fee of
2 \$30,000 per gaming position from electronic gaming licensees
3 where electronic gaming is conducted in Cook County and \$17,500
4 for electronic gaming licensees where electronic gaming is
5 located outside of Cook County before beginning to conduct
6 electronic gaming plus make the reconciliation payment
7 required under subsection (i), (v) conduct at least 240 live
8 races at each track per year or for a licensee that is only
9 authorized 350 gaming positions pursuant to subsection (d) of
10 Section 7.7 of this Act, have a fully operational facility
11 running at least 96 live races over a period of at least 15
12 days per year until such time as the total number of gaming
13 positions is increased to 900, (vi) meet the requirements of
14 subsection (a) of Section 56 of the Illinois Horse Racing Act
15 of 1975, (vii) for organization licensees conducting
16 standardbred race meetings that had an open backstretch in
17 2009, keep backstretch barns and dormitories open and
18 operational year-round unless a lesser schedule is mutually
19 agreed to by the organization licensee and the horsemen's
20 association racing at that organization licensee's race
21 meeting, (viii) for organization licensees conducting
22 thoroughbred race meetings, the organization licensee must
23 maintain accident medical expense liability insurance coverage
24 of \$1,000,000 for jockeys, and (ix) meet all other requirements
25 of this Act that apply to owners licensees. Only those persons
26 or entities (or its successors or assigns) that had operating

1 control of a race track and held an inter-track wagering
2 license authorized by the Illinois Racing Board in 2009 are
3 eligible.

4 An electronic gaming licensee may enter into a joint
5 venture with a licensed owner to own, manage, conduct, or
6 otherwise operate the electronic gaming licensee's electronic
7 gaming facilities, unless the electronic gaming licensee has a
8 parent company or other affiliated company that is, directly or
9 indirectly, wholly owned by a parent company that is also
10 licensed to conduct electronic gaming or its equivalent in
11 another state.

12 All payments by licensees under this subsection (c) shall
13 be deposited into the Gaming Facilities Fee Revenue Fund.

14 (e) A person or entity is ineligible to receive an
15 electronic gaming license if:

16 (1) the person or entity has been convicted of a felony
17 under the laws of this State, any other state, or the
18 United States, including a conviction under the Racketeer
19 Influenced and Corrupt Organizations Act;

20 (2) the person or entity has been convicted of any
21 violation of Article 28 of the Criminal Code of 2012, or
22 substantially similar laws of any other jurisdiction;

23 (3) the person or entity has submitted an application
24 for a license under this Act that contains false
25 information;

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

1 (5) a person defined in (1), (2), (3), or (4) of this
2 subsection (e) is an officer, director, or managerial
3 employee of the entity;

4 (6) the person or entity employs a person defined in
5 (1), (2), (3), or (4) of this subsection (e) who
6 participates in the management or operation of gambling
7 operations authorized under this Act; or

8 (7) a license of the person or entity issued under this
9 Act or a license to own or operate gambling facilities in
10 any other jurisdiction has been revoked.

11 (f) The Board may approve electronic gaming positions
12 statewide as provided in this Section. The authority to operate
13 electronic gaming positions under this Section shall be
14 allocated as follows: up to 1,200 gaming positions for any
15 electronic gaming licensee in Cook County whose electronic
16 gaming license originates with an organization licensee that
17 conducted live racing in calendar year 2016; up to 900 gaming
18 positions for any electronic gaming licensee outside of Cook
19 County whose electronic gaming license originates with an
20 organization licensee that conducted live racing in calendar
21 year 2016; and up to 350 gaming positions for any electronic
22 gaming licensee whose electronic gaming license originates
23 with an organization licensee that did not conduct live racing
24 in calendar year 2010, which shall increase to 900 gaming
25 positions in the calendar year following the year in which the
26 electronic gaming licensee conducts 96 live races.

1 (g) Each applicant for an electronic gaming license shall
2 specify in its application for licensure the number of gaming
3 positions it will operate, up to the applicable limitation set
4 forth in subsection (f) of this Section. Any unreserved gaming
5 positions that are not specified shall be forfeited and
6 retained by the Board. For the purposes of this subsection (g),
7 an electronic gaming licensee that did not conduct live racing
8 in 2010 may reserve up to 900 positions and shall not be
9 penalized under this Section for not operating those positions
10 until it meets the requirements of subsection (f) of this
11 Section, but such licensee shall not request unreserved gaming
12 positions under this subsection (g) until its 900 positions are
13 all operational.

14 Thereafter, the Board shall publish the number of
15 unreserved electronic gaming positions and shall accept
16 requests for additional positions from any electronic gaming
17 licensee that initially reserved all of the positions that were
18 offered. The Board shall allocate expeditiously the unreserved
19 electronic gaming positions to requesting electronic gaming
20 licensees in a manner that maximizes revenue to the State. The
21 Board may allocate any such unused electronic gaming positions
22 pursuant to an open and competitive bidding process, as
23 provided under Section 7.5 of this Act. This process shall
24 continue until all unreserved gaming positions have been
25 purchased. All positions obtained pursuant to this process and
26 all positions the electronic gaming licensee specified it would

1 operate in its application must be in operation within 18
2 months after they were obtained or the electronic gaming
3 licensee forfeits the right to operate those positions, but is
4 not entitled to a refund of any fees paid. The Board may, after
5 holding a public hearing, grant extensions so long as the
6 electronic gaming licensee is working in good faith to make the
7 positions operational. The extension may be for a period of 6
8 months. If, after the period of the extension, the electronic
9 gaming licensee has not made the positions operational, then
10 another public hearing must be held by the Board before it may
11 grant another extension.

12 Unreserved gaming positions retained from and allocated to
13 electronic gaming licensees by the Board pursuant to this
14 subsection (g) shall not be allocated to owners licensees
15 pursuant to subsection (h-10) of Section 7 of this Act.

16 For the purpose of this subsection (g), the unreserved
17 gaming positions for each electronic gaming licensee shall be
18 the applicable limitation set forth in subsection (f) of this
19 Section, less the number of reserved gaming positions by such
20 electronic gaming licensee, and the total unreserved gaming
21 positions shall be the aggregate of the unreserved gaming
22 positions for all electronic gaming licensees.

23 (h) Subject to the approval of the Illinois Gaming Board,
24 an electronic gaming licensee may make modification or
25 additions to any existing buildings and structures to comply
26 with the requirements of this Act. The Illinois Gaming Board

1 shall make its decision after consulting with the Illinois
2 Racing Board. In no case, however, shall the Illinois Gaming
3 Board approve any modification or addition that alters the
4 grounds of the organization licensee such that the act of live
5 racing is an ancillary activity to electronic gaming.
6 Electronic gaming may take place in existing structures where
7 inter-track wagering is conducted at the race track or a
8 facility within 300 yards of the race track in accordance with
9 the provisions of this Act and the Illinois Horse Racing Act of
10 1975.

11 (i) An electronic gaming licensee may conduct electronic
12 gaming at a temporary facility pending the construction of a
13 permanent facility or the remodeling or relocation of an
14 existing facility to accommodate electronic gaming
15 participants for up to 24 months after the temporary facility
16 begins to conduct electronic gaming. Upon request by an
17 electronic gaming licensee and upon a showing of good cause by
18 the electronic gaming licensee, the Board shall extend the
19 period during which the licensee may conduct electronic gaming
20 at a temporary facility by up to 12 months. The Board shall
21 make rules concerning the conduct of electronic gaming from
22 temporary facilities.

23 Electronic gaming may take place in existing structures
24 where inter-track wagering is conducted at the race track or a
25 facility within 300 yards of the race track in accordance with
26 the provisions of this Act and the Illinois Horse Racing Act of

1 1975.

2 (j) The Illinois Gaming Board must adopt emergency rules in
3 accordance with Section 5-45 of the Illinois Administrative
4 Procedure Act as necessary to ensure compliance with the
5 provisions of this amendatory Act of the 100th General Assembly
6 concerning electronic gaming. The adoption of emergency rules
7 authorized by this subsection (j) shall be deemed to be
8 necessary for the public interest, safety, and welfare.

9 (k) Each electronic gaming licensee who obtains electronic
10 gaming positions must make a reconciliation payment 3 years
11 after the date the electronic gaming licensee begins operating
12 the positions in an amount equal to 75% of the difference
13 between its adjusted gross receipts from electronic gaming and
14 amounts paid to its purse accounts pursuant to item (1) of
15 subsection (b) of Section 56 of the Illinois Horse Racing Act
16 of 1975 for the 12-month period for which such difference was
17 the largest, minus an amount equal to the initial per position
18 fee paid by the electronic gaming licensee. If this calculation
19 results in a negative amount, then the electronic gaming
20 licensee is not entitled to any reimbursement of fees
21 previously paid. This reconciliation payment may be made in
22 installments over a period of no more than 2 years, subject to
23 Board approval. Any installment payments shall include an
24 annual market interest rate as determined by the Board.

25 All payments by licensees under this subsection (i) shall
26 be deposited into the Gaming Facilities Fee Revenue Fund.

1 (1) As soon as practical after a request is made by the
2 Illinois Gaming Board, to minimize duplicate submissions by the
3 applicant, the Illinois Racing Board must provide information
4 on an applicant for an electronic gaming license to the
5 Illinois Gaming Board.

6 (230 ILCS 10/7.8 new)

7 Sec. 7.8. Home rule. The regulation and licensing of
8 electronic gaming and electronic gaming licensees are
9 exclusive powers and functions of the State. A home rule unit
10 may not regulate or license electronic gaming or electronic
11 gaming licensees. This Section is a denial and limitation of
12 home rule powers and functions under subsection (h) of Section
13 6 of Article VII of the Illinois Constitution.

14 (230 ILCS 10/8) (from Ch. 120, par. 2408)

15 Sec. 8. Suppliers licenses.

16 (a) The Board may issue a suppliers license to such
17 persons, firms or corporations which apply therefor upon the
18 payment of a non-refundable application fee set by the Board,
19 upon a determination by the Board that the applicant is
20 eligible for a suppliers license and upon payment of a \$5,000
21 annual license fee.

22 (b) The holder of a suppliers license is authorized to sell
23 or lease, and to contract to sell or lease, gambling equipment
24 and supplies to any licensee involved in the ownership or

1 management of gambling operations.

2 (c) Gambling supplies and equipment may not be distributed
3 unless supplies and equipment conform to standards adopted by
4 rules of the Board.

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

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

9 (2) the person has been convicted of any violation of
10 Article 28 of the Criminal Code of 1961 or the Criminal
11 Code of 2012, or substantially similar laws of any other
12 jurisdiction;

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

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

16 (5) the entity ~~firm or corporation~~ is one in which a
17 person defined in (1), (2), (3) or (4), is an officer,
18 director or managerial employee;

19 (6) the firm or corporation employs a person who
20 participates in the management or operation of riverboat
21 gambling authorized under this Act;

22 (7) the license of the person, firm or corporation
23 issued under this Act, or a license to own or operate
24 gambling facilities in any other jurisdiction, has been
25 revoked.

26 (e) Any person that supplies any equipment, devices, or

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

1 electronic gaming license under the Act shall file an annual
2 report listing its inventories of gambling equipment, devices
3 and supplies.

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

6 (g) Any gambling equipment, devices and supplies provided
7 by any licensed supplier may either be repaired on the
8 riverboat or at the electronic gaming facility or removed from
9 the riverboat or electronic gaming facility to a ~~an on shore~~
10 facility owned by the holder of an owners license or electronic
11 gaming license for repair.

12 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;
13 98-756, eff. 7-16-14.)

14 (230 ILCS 10/9) (from Ch. 120, par. 2409)

15 Sec. 9. Occupational licenses.

16 (a) The Board may issue an occupational license to an
17 applicant upon the payment of a non-refundable fee set by the
18 Board, upon a determination by the Board that the applicant is
19 eligible for an occupational license and upon payment of an
20 annual license fee in an amount to be established. To be
21 eligible for an occupational license, an applicant must:

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

1 (2) not have been convicted of a felony offense, a
2 violation of Article 28 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, or a similar statute of any other
4 jurisdiction;

5 (2.5) not have been convicted of a crime, other than a
6 crime described in item (2) of this subsection (a),
7 involving dishonesty or moral turpitude, except that the
8 Board may, in its discretion, issue an occupational license
9 to a person who has been convicted of a crime described in
10 this item (2.5) more than 10 years prior to his or her
11 application and has not subsequently been convicted of any
12 other crime;

13 (3) have demonstrated a level of skill or knowledge
14 which the Board determines to be necessary in order to
15 operate gambling aboard a riverboat or at an electronic
16 gaming facility; and

17 (4) have met standards for the holding of an
18 occupational license as adopted by rules of the Board. Such
19 rules shall provide that any person or entity seeking an
20 occupational license to manage gambling operations under
21 this Act ~~hereunder~~ shall be subject to background inquiries
22 and further requirements similar to those required of
23 applicants for an owners license. Furthermore, such rules
24 shall provide that each such entity shall be permitted to
25 manage gambling operations for only one licensed owner.

26 (b) Each application for an occupational license shall be

1 on forms prescribed by the Board and shall contain all
2 information required by the Board. The applicant shall set
3 forth in the application: whether he has been issued prior
4 gambling related licenses; whether he has been licensed in any
5 other state under any other name, and, if so, such name and his
6 age; and whether or not a permit or license issued to him in
7 any other state has been suspended, restricted or revoked, and,
8 if so, for what period of time.

9 (c) Each applicant shall submit with his application, on
10 forms provided by the Board, 2 sets of his fingerprints. The
11 Board shall charge each applicant a fee set by the Department
12 of State Police to defray the costs associated with the search
13 and classification of fingerprints obtained by the Board with
14 respect to the applicant's application. These fees shall be
15 paid into the State Police Services Fund.

16 (d) The Board may in its discretion refuse an occupational
17 license to any person: (1) who is unqualified to perform the
18 duties required of such applicant; (2) who fails to disclose or
19 states falsely any information called for in the application;
20 (3) who has been found guilty of a violation of this Act or
21 whose prior gambling related license or application therefor
22 has been suspended, restricted, revoked or denied for just
23 cause in any other state; or (4) for any other just cause.

24 (e) The Board may suspend, revoke or restrict any
25 occupational licensee: (1) for violation of any provision of
26 this Act; (2) for violation of any of the rules and regulations

1 of the Board; (3) for any cause which, if known to the Board,
2 would have disqualified the applicant from receiving such
3 license; or (4) for default in the payment of any obligation or
4 debt due to the State of Illinois; or (5) for any other just
5 cause.

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

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

10 (h) Nothing in this Act shall be interpreted to prohibit a
11 licensed owner or electronic gaming licensee from entering into
12 an agreement with a public community college or a school
13 approved under the Private Business and Vocational Schools Act
14 of 2012 for the training of any occupational licensee. Any
15 training offered by such a school shall be in accordance with a
16 written agreement between the licensed owner or electronic
17 gaming licensee and the school.

18 (i) Any training provided for occupational licensees may be
19 conducted either at the site of the gambling facility ~~on the~~
20 ~~riverboat~~ or at a school with which a licensed owner or
21 electronic gaming licensee has entered into an agreement
22 pursuant to subsection (h).

23 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;
24 97-1150, eff. 1-25-13.)

25 (230 ILCS 10/11) (from Ch. 120, par. 2411)

1 Sec. 11. Conduct of gambling. Gambling may be conducted by
2 licensed owners or licensed managers on behalf of the State
3 aboard riverboats. Gambling may be conducted by electronic
4 gaming licensees at electronic gaming facilities. Gambling
5 authorized under this Section is⁷ subject to the following
6 standards:

7 (1) A licensee may conduct riverboat gambling
8 authorized under this Act regardless of whether it conducts
9 excursion cruises. A licensee may permit the continuous
10 ingress and egress of patrons ~~passengers~~ on a riverboat not
11 used for excursion cruises for the purpose of gambling.
12 Excursion cruises shall not exceed 4 hours for a round
13 trip. However, the Board may grant express approval for an
14 extended cruise on a case-by-case basis.

15 (2) (Blank).

16 (3) Minimum and maximum wagers on games shall be set by
17 the licensee.

18 (4) Agents of the Board and the Department of State
19 Police may board and inspect any riverboat or enter and
20 inspect any portion of an electronic gaming facility at any
21 time for the purpose of determining whether this Act is
22 being complied with. Every riverboat, if under way and
23 being hailed by a law enforcement officer or agent of the
24 Board, must stop immediately and lay to.

25 (5) Employees of the Board shall have the right to be
26 present on the riverboat or on adjacent facilities under

1 the control of the licensee and at the electronic gaming
2 facility under the control of the electronic gaming
3 licensee.

4 (6) Gambling equipment and supplies customarily used
5 in conducting riverboat gambling or electronic gaming must
6 be purchased or leased only from suppliers licensed for
7 such purpose under this Act. The Board may approve the
8 transfer, sale, or lease of gambling equipment and supplies
9 by a licensed owner from or to an affiliate of the licensed
10 owner as long as the gambling equipment and supplies were
11 initially acquired from a supplier licensed in Illinois.

12 (7) Persons licensed under this Act shall permit no
13 form of wagering on gambling games except as permitted by
14 this Act.

15 (8) Wagers may be received only from a person present
16 on a licensed riverboat or at an electronic gaming
17 facility. No person present on a licensed riverboat or at
18 an electronic gaming facility shall place or attempt to
19 place a wager on behalf of another person who is not
20 present on the riverboat or at the electronic gaming
21 facility.

22 (9) Wagering, including electronic gaming, shall not
23 be conducted with money or other negotiable currency.

24 (10) A person under age 21 shall not be permitted on an
25 area of a riverboat where gambling is being conducted or at
26 an electronic gaming facility where gambling is being

1 conducted, except for a person at least 18 years of age who
2 is an employee of the riverboat gambling operation or
3 electronic gaming operation. No employee under age 21 shall
4 perform any function involved in gambling by the patrons.
5 No person under age 21 shall be permitted to make a wager
6 under this Act, and any winnings that are a result of a
7 wager by a person under age 21, whether or not paid by a
8 licensee, shall be treated as winnings for the privilege
9 tax purposes, confiscated, and forfeited to the State and
10 deposited into the Education Assistance Fund.

11 (11) Gambling excursion cruises are permitted only
12 when the waterway for which the riverboat is licensed is
13 navigable, as determined by the Board in consultation with
14 the U.S. Army Corps of Engineers. This paragraph (11) does
15 not limit the ability of a licensee to conduct gambling
16 authorized under this Act when gambling excursion cruises
17 are not permitted.

18 (12) All tokens, chips or electronic cards used to make
19 wagers must be purchased (i) from a licensed owner or
20 manager, in the case of a riverboat, either aboard a
21 riverboat or at an onshore facility which has been approved
22 by the Board and which is located where the riverboat docks
23 or (ii) from an electronic gaming licensee at the
24 electronic gaming facility. The tokens, chips or
25 electronic cards may be purchased by means of an agreement
26 under which the owner or manager extends credit to the

1 patron. Such tokens, chips or electronic cards may be used
2 while aboard the riverboat or at the electronic gaming
3 facility only for the purpose of making wagers on gambling
4 games.

5 (13) Notwithstanding any other Section of this Act, in
6 addition to the other licenses authorized under this Act,
7 the Board may issue special event licenses allowing persons
8 who are not otherwise licensed to conduct riverboat
9 gambling to conduct such gambling on a specified date or
10 series of dates. Riverboat gambling under such a license
11 may take place on a riverboat not normally used for
12 riverboat gambling. The Board shall establish standards,
13 fees and fines for, and limitations upon, such licenses,
14 which may differ from the standards, fees, fines and
15 limitations otherwise applicable under this Act. All such
16 fees shall be deposited into the State Gaming Fund. All
17 such fines shall be deposited into the Education Assistance
18 Fund, created by Public Act 86-0018, of the State of
19 Illinois.

20 (14) In addition to the above, gambling must be
21 conducted in accordance with all rules adopted by the
22 Board.

23 (Source: P.A. 96-1392, eff. 1-1-11.)

24 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

25 Sec. 11.1. Collection of amounts owing under credit

1 agreements. Notwithstanding any applicable statutory provision
2 to the contrary, a licensed owner, licensed ~~or~~ manager, or
3 electronic gaming licensee who extends credit to a riverboat
4 gambling patron or an electronic gaming patron pursuant to
5 Section 11 (a) (12) of this Act is expressly authorized to
6 institute a cause of action to collect any amounts due and
7 owing under the extension of credit, as well as the licensed
8 owner's, licensed ~~or~~ manager's, or electronic gaming licensee's
9 costs, expenses and reasonable attorney's fees incurred in
10 collection.

11 (Source: P.A. 93-28, eff. 6-20-03.)

12 (230 ILCS 10/12) (from Ch. 120, par. 2412)

13 Sec. 12. Admission tax; fees.

14 (a) A tax is hereby imposed upon admissions to riverboats
15 operated by licensed owners authorized pursuant to this Act.
16 Until July 1, 2002, the rate is \$2 per person admitted. From
17 July 1, 2002 until July 1, 2003, the rate is \$3 per person
18 admitted. From July 1, 2003 until August 23, 2005 (the
19 effective date of Public Act 94-673), for a licensee that
20 admitted 1,000,000 persons or fewer in the previous calendar
21 year, the rate is \$3 per person admitted; for a licensee that
22 admitted more than 1,000,000 but no more than 2,300,000 persons
23 in the previous calendar year, the rate is \$4 per person
24 admitted; and for a licensee that admitted more than 2,300,000
25 persons in the previous calendar year, the rate is \$5 per

1 person admitted. Beginning on August 23, 2005 (the effective
2 date of Public Act 94-673), for a licensee that admitted
3 1,000,000 persons or fewer in calendar year 2004, the rate is
4 \$2 per person admitted, and for all other licensees, including
5 licensees that were not conducting gambling operations in 2004,
6 the rate is \$3 per person admitted. This admission tax is
7 imposed upon the licensed owner conducting gambling.

8 (1) The admission tax shall be paid for each admission,
9 except that a person who exits a riverboat gambling
10 facility and reenters that riverboat gambling facility
11 within the same gaming day shall be subject only to the
12 initial admission tax.

13 (2) (Blank).

14 (3) The riverboat licensee may issue tax-free passes to
15 actual and necessary officials and employees of the
16 licensee or other persons actually working on the
17 riverboat.

18 (4) The number and issuance of tax-free passes is
19 subject to the rules of the Board, and a list of all
20 persons to whom the tax-free passes are issued shall be
21 filed with the Board.

22 (a-5) A fee is hereby imposed upon admissions operated by
23 licensed managers on behalf of the State pursuant to Section
24 7.3 at the rates provided in this subsection (a-5). For a
25 licensee that admitted 1,000,000 persons or fewer in the
26 previous calendar year, the rate is \$3 per person admitted; for

1 a licensee that admitted more than 1,000,000 but no more than
2 2,300,000 persons in the previous calendar year, the rate is \$4
3 per person admitted; and for a licensee that admitted more than
4 2,300,000 persons in the previous calendar year, the rate is \$5
5 per person admitted.

6 (1) The admission fee shall be paid for each admission.

7 (2) (Blank).

8 (3) The licensed manager may issue fee-free passes to
9 actual and necessary officials and employees of the manager
10 or other persons actually working on the riverboat.

11 (4) The number and issuance of fee-free passes is
12 subject to the rules of the Board, and a list of all
13 persons to whom the fee-free passes are issued shall be
14 filed with the Board.

15 (b) From the tax imposed under subsection (a) and the fee
16 imposed under subsection (a-5), a municipality shall receive
17 from the State \$1 for each person embarking on a riverboat
18 docked within the municipality, and a county shall receive \$1
19 for each person embarking on a riverboat docked within the
20 county but outside the boundaries of any municipality. The
21 municipality's or county's share shall be collected by the
22 Board on behalf of the State and remitted quarterly by the
23 State, subject to appropriation, to the treasurer of the unit
24 of local government for deposit in the general fund.

25 (c) The licensed owner shall pay the entire admission tax
26 to the Board and the licensed manager shall pay the entire

1 admission fee to the Board. Such payments shall be made daily.
2 Accompanying each payment shall be a return on forms provided
3 by the Board which shall include other information regarding
4 admissions as the Board may require. Failure to submit either
5 the payment or the return within the specified time may result
6 in suspension or revocation of the owners or managers license.

7 (c-5) A tax is imposed on admissions to electronic gaming
8 facilities at the rate of \$3 per person admitted by an
9 electronic gaming licensee. The tax is imposed upon the
10 electronic gaming licensee.

11 (1) The admission tax shall be paid for each admission,
12 except that a person who exits an electronic gaming
13 facility and reenters that electronic gaming facility
14 within the same gaming day, as the term "gaming day" is
15 defined by the Board by rule, shall be subject only to the
16 initial admission tax. The Board shall establish, by rule,
17 a procedure to determine whether a person admitted to an
18 electronic gaming facility has paid the admission tax.

19 (2) An electronic gaming licensee may issue tax-free
20 passes to actual and necessary officials and employees of
21 the licensee and other persons associated with electronic
22 gaming operations.

23 (3) The number and issuance of tax-free passes is
24 subject to the rules of the Board, and a list of all
25 persons to whom the tax-free passes are issued shall be
26 filed with the Board.

1 (4) The electronic gaming licensee shall pay the entire
2 admission tax to the Board.

3 Such payments shall be made daily. Accompanying each
4 payment shall be a return on forms provided by the Board, which
5 shall include other information regarding admission as the
6 Board may require. Failure to submit either the payment or the
7 return within the specified time may result in suspension or
8 revocation of the electronic gaming license.

9 From the tax imposed under this subsection (c-5), a
10 municipality other than the Village of Stickney or the City of
11 Collinsville in which an electronic gaming facility is located,
12 or if the electronic gaming facility is not located within a
13 municipality, then the county in which the electronic gaming
14 facility is located, except as otherwise provided in this
15 Section, shall receive, subject to appropriation, \$1 for each
16 person who enters the electronic gaming facility. For each
17 admission to the electronic gaming facility in excess of
18 1,500,000 in a year, from the tax imposed under this subsection
19 (c-5), the county in which the electronic gaming facility is
20 located shall receive, subject to appropriation, \$0.30, which
21 shall be in addition to any other moneys paid to the county
22 under this Section.

23 From the tax imposed under this subsection (c-5) on an
24 electronic gaming facility located in the Village of Stickney,
25 \$1 for each person who enters the electronic gaming facility
26 shall be distributed as follows, subject to appropriation:

1 \$0.24 to the Village of Stickney, \$0.49 to the Town of Cicero,
2 \$0.05 to the City of Berwyn, and \$0.17 to the Stickney Public
3 Health District, and \$0.05 to the City of Bridgeview.

4 From the tax imposed under this subsection (c-5) on an
5 electronic gaming facility located in the City of Collinsville,
6 \$1 for each person who enters the electronic gaming facility
7 shall be distributed as follows, subject to appropriation:
8 \$0.45 to the City of Alton, \$0.45 to the City of East St.
9 Louis, and \$0.10 to the City of Collinsville.

10 After payments required under this subsection (c-5) have
11 been made, all remaining amounts shall be deposited into the
12 Education Assistance Fund.

13 (d) The Board shall administer and collect the admission
14 tax imposed by this Section, to the extent practicable, in a
15 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
16 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
17 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
18 Penalty and Interest Act.

19 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

20 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

25 (a-1) From January 1, 1998 until July 1, 2002, a privilege

1 tax is imposed on persons engaged in the business of conducting
2 riverboat gambling operations, based on the adjusted gross
3 receipts received by a licensed owner from gambling games
4 authorized under this Act at the following rates:

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

7 20% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000;

9 25% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 30% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 35% of annual adjusted gross receipts in excess of
14 \$100,000,000.

15 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
16 is imposed on persons engaged in the business of conducting
17 riverboat gambling operations, other than licensed managers
18 conducting riverboat gambling operations on behalf of the
19 State, based on the adjusted gross receipts received by a
20 licensed owner from gambling games authorized under this Act at
21 the following rates:

22 15% of annual adjusted gross receipts up to and
23 including \$25,000,000;

24 22.5% of annual adjusted gross receipts in excess of
25 \$25,000,000 but not exceeding \$50,000,000;

26 27.5% of annual adjusted gross receipts in excess of

1 \$50,000,000 but not exceeding \$75,000,000;
2 32.5% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$100,000,000;
4 37.5% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$150,000,000;
6 45% of annual adjusted gross receipts in excess of
7 \$150,000,000 but not exceeding \$200,000,000;
8 50% of annual adjusted gross receipts in excess of
9 \$200,000,000.

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

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;
19 27.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$37,500,000;
21 32.5% of annual adjusted gross receipts in excess of
22 \$37,500,000 but not exceeding \$50,000,000;
23 37.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;
25 45% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 50% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$250,000,000;

3 70% of annual adjusted gross receipts in excess of
4 \$250,000,000.

5 An amount equal to the amount of wagering taxes collected
6 under this subsection (a-3) that are in addition to the amount
7 of wagering taxes that would have been collected if the
8 wagering tax rates under subsection (a-2) were in effect shall
9 be paid into the Common School Fund.

10 The privilege tax imposed under this subsection (a-3) shall
11 no longer be imposed beginning on the earlier of (i) July 1,
12 2005; (ii) the first date after June 20, 2003 that riverboat
13 gambling operations are conducted pursuant to a dormant
14 license; or (iii) the first day that riverboat gambling
15 operations are conducted under the authority of an owners
16 license that is in addition to the 10 owners licenses initially
17 authorized under this Act. For the purposes of this subsection
18 (a-3), the term "dormant license" means an owners license that
19 is authorized by this Act under which no riverboat gambling
20 operations are being conducted on June 20, 2003.

21 (a-4) Beginning on the first day on which the tax imposed
22 under subsection (a-3) is no longer imposed, a privilege tax is
23 imposed on persons engaged in the business of conducting
24 riverboat gambling or electronic gaming operations, other than
25 licensed managers conducting riverboat gambling operations on
26 behalf of the State, based on the adjusted gross receipts

1 received by a licensed owner from gambling games authorized
2 under this Act at the following rates:

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

5 22.5% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$100,000,000 but not exceeding \$150,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$150,000,000 but not exceeding \$200,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$200,000,000.

17 For the imposition of the privilege tax in this subsection
18 (a-4), amounts paid pursuant to item (1) of subsection (b) of
19 Section 56 of the Illinois Horse Racing Act of 1975 shall not
20 be included in the determination of adjusted gross receipts.

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

24 (a-10) The taxes imposed by this Section shall be paid by
25 the licensed owner or the electronic gaming licensee to the
26 Board not later than 5:00 o'clock p.m. of the day after the day

1 when the wagers were made.

2 (a-15) If the privilege tax imposed under subsection (a-3)
3 is no longer imposed pursuant to item (i) of the last paragraph
4 of subsection (a-3), then by June 15 of each year, each owners
5 licensee, other than an owners licensee that admitted 1,000,000
6 persons or fewer in calendar year 2004, must, in addition to
7 the payment of all amounts otherwise due under this Section,
8 pay to the Board a reconciliation payment in the amount, if
9 any, by which the licensed owner's base amount exceeds the
10 amount of net privilege tax paid by the licensed owner to the
11 Board in the then current State fiscal year. A licensed owner's
12 net privilege tax obligation due for the balance of the State
13 fiscal year shall be reduced up to the total of the amount paid
14 by the licensed owner in its June 15 reconciliation payment.
15 The obligation imposed by this subsection (a-15) is binding on
16 any person, firm, corporation, or other entity that acquires an
17 ownership interest in any such owners license. The obligation
18 imposed under this subsection (a-15) terminates on the earliest
19 of: (i) July 1, 2007, (ii) the first day after the effective
20 date of this amendatory Act of the 94th General Assembly that
21 riverboat gambling operations are conducted pursuant to a
22 dormant license, (iii) the first day that riverboat gambling
23 operations are conducted under the authority of an owners
24 license that is in addition to the 10 owners licenses initially
25 authorized under this Act, or (iv) the first day that a
26 licensee under the Illinois Horse Racing Act of 1975 conducts

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

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

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

19 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (b-5) Beginning on the effective date of this amendatory
6 Act of the 100th General Assembly, from the tax revenue
7 deposited in the State Gaming Fund under this Section, an
8 amount equal to 3% of adjusted gross receipts generated by each
9 electronic gaming facility located outside Madison County
10 shall be paid monthly, subject to appropriation by the General
11 Assembly, to a municipality other than the Village of Stickney
12 in which each electronic gaming facility is located or, if the
13 electronic gaming facility is not located within a
14 municipality, to the county in which the electronic gaming
15 facility is located, except as otherwise provided in this
16 Section. From the tax revenue deposited in the State Gaming
17 Fund under this Section, an amount equal to 3% of adjusted
18 gross receipts generated by an electronic gaming facility
19 located in the Village of Stickney shall be paid monthly,
20 subject to appropriation by the General Assembly, as follows:
21 25% to the Village of Stickney, 5% to the City of Berwyn, 50%
22 to the Town of Cicero, and 20% to the Stickney Public Health
23 District.

24 From the tax revenue deposited in the State Gaming Fund
25 under this Section, an amount equal to 5% of adjusted gross
26 receipts generated by an electronic gaming facility located in

1 the City of Collinsville shall be paid monthly, subject to
2 appropriation by the General Assembly, as follows: 45% to the
3 City of Alton, 45% to the City of East St. Louis, and 10% to the
4 City of Collinsville.

5 Municipalities and counties may refund any portion of the
6 payment that they receive pursuant to this subsection (b-5) to
7 the electronic gaming facility.

8 (b-6) Beginning on the effective date of this amendatory
9 Act of the 100th General Assembly, from the tax revenue
10 deposited in the State Gaming Fund under this Section, an
11 amount equal to 2% of adjusted gross receipts generated by an
12 electronic gaming facility located outside Madison County
13 shall be paid monthly, subject to appropriation by the General
14 Assembly, to the county in which the electronic gaming facility
15 is located for the purposes of its criminal justice system or
16 health care system.

17 Counties may refund any portion of the payment that they
18 receive pursuant to this subsection (b-6) to the electronic
19 gaming facility.

20 (c) Appropriations, as approved by the General Assembly,
21 may be made from the State Gaming Fund to the Board (i) for the
22 administration and enforcement of this Act and the Video Gaming
23 Act, (ii) for distribution to the Department of State Police
24 and to the Department of Revenue for the enforcement of this
25 Act, and (iii) to the Department of Human Services for the
26 administration of programs to treat problem gambling.

1 (c-3) Appropriations, as approved by the General Assembly,
2 may be made from the tax revenue deposited into the State
3 Gaming Fund from electronic gaming pursuant to this Section for
4 the administration and enforcement of this Act.

5 (c-4) After payments required under subsections (b),
6 (b-5), (b-6), (c), and (c-3) have been made from the tax
7 revenue from electronic gaming deposited into the State Gaming
8 Fund under this Section, all remaining amounts from electronic
9 gaming shall be deposited into the Education Assistance Fund.

10 (c-5) Before May 26, 2006 (the effective date of Public Act
11 94-804) and beginning on the effective date of this amendatory
12 Act of the 95th General Assembly, unless any organization
13 licensee under the Illinois Horse Racing Act of 1975 begins to
14 operate a slot machine or video game of chance under the
15 Illinois Horse Racing Act of 1975 or this Act, after the
16 payments required under subsections (b) and (c) have been made,
17 an amount equal to 15% of the adjusted gross receipts of (1) an
18 owners licensee that relocates pursuant to Section 11.2, (2) an
19 owners licensee conducting riverboat gambling operations
20 pursuant to an owners license that is initially issued after
21 June 25, 1999, or (3) the first riverboat gambling operations
22 conducted by a licensed manager on behalf of the State under
23 Section 7.3, whichever comes first, shall be paid from the
24 State Gaming Fund into the Horse Racing Equity Fund.

25 (c-10) Each year the General Assembly shall appropriate
26 from the General Revenue Fund to the Education Assistance Fund

1 an amount equal to the amount paid into the Horse Racing Equity
2 Fund pursuant to subsection (c-5) in the prior calendar year.

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

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

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

23 (c-30) On July 1, 2013 or as soon as possible thereafter,
24 \$92,000,000 shall be transferred from the State Gaming Fund to
25 the School Infrastructure Fund and \$23,000,000 shall be
26 transferred from the State Gaming Fund to the Horse Racing

1 Equity Fund.

2 (c-35) Beginning on July 1, 2013, in addition to any amount
3 transferred under subsection (c-30) of this Section,
4 \$5,530,000 shall be transferred monthly from the State Gaming
5 Fund to the School Infrastructure Fund.

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

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

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

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

22 (230 ILCS 10/14) (from Ch. 120, par. 2414)

23 Sec. 14. Licensees - Records - Reports - Supervision.

24 (a) Licensed owners and electronic gaming licensees ~~A~~
25 ~~licensed owner~~ shall keep ~~his~~ books and records so as to

1 clearly show the following:

2 (1) The amount received daily from admission fees.

3 (2) The total amount of gross receipts.

4 (3) The total amount of the adjusted gross receipts.

5 (b) Licensed owners and electronic gaming licensees ~~The~~
6 ~~licensed owner~~ shall furnish to the Board reports and
7 information as the Board may require with respect to its
8 activities on forms designed and supplied for such purpose by
9 the Board.

10 (c) The books and records kept by a licensed owner as
11 provided by this Section are public records and the
12 examination, publication, and dissemination of the books and
13 records are governed by the provisions of The Freedom of
14 Information Act.

15 (Source: P.A. 86-1029.)

16 (230 ILCS 10/15) (from Ch. 120, par. 2415)

17 Sec. 15. Audit of Licensee Operations. Annually, the
18 licensed owner, ~~or manager,~~ or electronic gaming licensee shall
19 transmit to the Board an audit of the financial transactions
20 and condition of the licensee's or manager's total operations.
21 Additionally, within 90 days after the end of each quarter of
22 each fiscal year, the licensed owner, ~~or manager,~~ or electronic
23 gaming licensee shall transmit to the Board a compliance report
24 on engagement procedures determined by the Board. All audits
25 and compliance engagements shall be conducted by certified

1 public accountants selected by the Board. Each certified public
2 accountant must be registered in the State of Illinois under
3 the Illinois Public Accounting Act. The compensation for each
4 certified public accountant shall be paid directly by the
5 licensed owner, ~~or~~ manager, or electronic gaming licensee to
6 the certified public accountant.

7 (Source: P.A. 96-1392, eff. 1-1-11.)

8 (230 ILCS 10/17.1) (from Ch. 120, par. 2417.1)

9 Sec. 17.1. Judicial Review.

10 (a) Jurisdiction and venue for the judicial review of a
11 final order of the Board relating to licensed owners,
12 suppliers, electronic gaming licensees, and ~~or~~ special event
13 licenses is vested in the Appellate Court of the judicial
14 district in which Sangamon County is located. A petition for
15 judicial review of a final order of the Board must be filed in
16 the Appellate Court, within 35 days from the date that a copy
17 of the decision sought to be reviewed was served upon the party
18 affected by the decision.

19 (b) Judicial review of all other final orders of the Board
20 shall be conducted in accordance with the Administrative Review
21 Law.

22 (Source: P.A. 88-1.)

23 (230 ILCS 10/18) (from Ch. 120, par. 2418)

24 Sec. 18. Prohibited Activities - Penalty.

1 (a) A person is guilty of a Class A misdemeanor for doing
2 any of the following:

3 (1) Conducting gambling where wagering is used or to be
4 used without a license issued by the Board.

5 (2) Conducting gambling where wagering is permitted
6 other than in the manner specified by Section 11.

7 (b) A person is guilty of a Class B misdemeanor for doing
8 any of the following:

9 (1) permitting a person under 21 years to make a wager;

10 or

11 (2) violating paragraph (12) of subsection (a) of
12 Section 11 of this Act.

13 (c) A person wagering or accepting a wager at any location
14 outside the riverboat or electronic gaming facility in
15 violation of paragraph ~~is subject to the penalties in~~
16 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
17 Criminal Code of 2012 is subject to the penalties provided in
18 that Section.

19 (d) A person commits a Class 4 felony and, in addition,
20 shall be barred for life from gambling operations ~~riverboats~~
21 under the jurisdiction of the Board, if the person does any of
22 the following:

23 (1) Offers, promises, or gives anything of value or
24 benefit to a person who is connected with a riverboat owner
25 or electronic gaming licensee, including, but not limited
26 to, an officer or employee of a licensed owner, electronic

1 gaming licensee, or holder of an occupational license
2 pursuant to an agreement or arrangement or with the intent
3 that the promise or thing of value or benefit will
4 influence the actions of the person to whom the offer,
5 promise, or gift was made in order to affect or attempt to
6 affect the outcome of a gambling game, or to influence
7 official action of a member of the Board.

8 (2) Solicits or knowingly accepts or receives a promise
9 of anything of value or benefit while the person is
10 connected with a riverboat or electronic gaming facility,
11 including, but not limited to, an officer or employee of a
12 licensed owner or electronic gaming licensee, or the holder
13 of an occupational license, pursuant to an understanding or
14 arrangement or with the intent that the promise or thing of
15 value or benefit will influence the actions of the person
16 to affect or attempt to affect the outcome of a gambling
17 game, or to influence official action of a member of the
18 Board.

19 (3) Uses or possesses with the intent to use a device
20 to assist:

21 (i) In projecting the outcome of the game.

22 (ii) In keeping track of the cards played.

23 (iii) In analyzing the probability of the
24 occurrence of an event relating to the gambling game.

25 (iv) In analyzing the strategy for playing or
26 betting to be used in the game except as permitted by

1 the Board.

2 (4) Cheats at a gambling game.

3 (5) Manufactures, sells, or distributes any cards,
4 chips, dice, game or device which is intended to be used to
5 violate any provision of this Act.

6 (6) Alters or misrepresents the outcome of a gambling
7 game on which wagers have been made after the outcome is
8 made sure but before it is revealed to the players.

9 (7) Places a bet after acquiring knowledge, not
10 available to all players, of the outcome of the gambling
11 game which is subject of the bet or to aid a person in
12 acquiring the knowledge for the purpose of placing a bet
13 contingent on that outcome.

14 (8) Claims, collects, or takes, or attempts to claim,
15 collect, or take, money or anything of value in or from the
16 gambling games, with intent to defraud, without having made
17 a wager contingent on winning a gambling game, or claims,
18 collects, or takes an amount of money or thing of value of
19 greater value than the amount won.

20 (9) Uses counterfeit chips or tokens in a gambling
21 game.

22 (10) Possesses any key or device designed for the
23 purpose of opening, entering, or affecting the operation of
24 a gambling game, drop box, or an electronic or mechanical
25 device connected with the gambling game or for removing
26 coins, tokens, chips or other contents of a gambling game.

1 This paragraph (10) does not apply to a gambling licensee
2 or employee of a gambling licensee acting in furtherance of
3 the employee's employment.

4 (e) The possession of more than one of the devices
5 described in subsection (d), paragraphs (3), (5), or (10)
6 permits a rebuttable presumption that the possessor intended to
7 use the devices for cheating.

8 (f) A person under the age of 21 who, except as authorized
9 under paragraph (10) of Section 11, enters upon a riverboat or
10 in an electronic gaming facility commits a petty offense and is
11 subject to a fine of not less than \$100 or more than \$250 for a
12 first offense and of not less than \$200 or more than \$500 for a
13 second or subsequent offense.

14 An action to prosecute any crime occurring on a riverboat
15 shall be tried in the county of the dock at which the riverboat
16 is based. An action to prosecute any crime occurring in an
17 electronic gaming facility shall be tried in the county in
18 which the electronic gaming facility is located.

19 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

20 (230 ILCS 10/18.1)

21 Sec. 18.1. Distribution of certain fines. If a fine is
22 imposed on an owner licensee or an electronic gaming licensee
23 for knowingly sending marketing or promotional materials to any
24 person placed on the self-exclusion list, then the Board shall
25 distribute an amount equal to 15% of the fine imposed to the

1 unit of local government in which the riverboat or electronic
2 gaming facility is located for the purpose of awarding grants
3 to non-profit entities that assist gambling addicts.

4 (Source: P.A. 96-224, eff. 8-11-09.)

5 (230 ILCS 10/19) (from Ch. 120, par. 2419)

6 Sec. 19. Forfeiture of property.

7 (a) Except as provided in subsection (b), any riverboat or
8 electronic gaming facility used for the conduct of gambling
9 games in violation of this Act shall be considered a gambling
10 place in violation of Section 28-3 of the Criminal Code of
11 2012. Every gambling device found on a riverboat or at an
12 electronic gaming facility operating gambling games in
13 violation of this Act and every slot machine and video game of
14 chance found at an electronic gaming facility operating
15 gambling games in violation of this Act shall be subject to
16 seizure, confiscation and destruction as provided in Section
17 28-5 of the Criminal Code of 2012.

18 (b) It is not a violation of this Act for a riverboat or
19 other watercraft which is licensed for gaming by a contiguous
20 state to dock on the shores of this State if the municipality
21 having jurisdiction of the shores, or the county in the case of
22 unincorporated areas, has granted permission for docking and no
23 gaming is conducted on the riverboat or other watercraft while
24 it is docked on the shores of this State. No gambling device
25 shall be subject to seizure, confiscation or destruction if the

1 gambling device is located on a riverboat or other watercraft
2 which is licensed for gaming by a contiguous state and which is
3 docked on the shores of this State if the municipality having
4 jurisdiction of the shores, or the county in the case of
5 unincorporated areas, has granted permission for docking and no
6 gaming is conducted on the riverboat or other watercraft while
7 it is docked on the shores of this State.

8 (Source: P.A. 97-1150, eff. 1-25-13.)

9 (230 ILCS 10/20) (from Ch. 120, par. 2420)

10 Sec. 20. Prohibited activities - civil penalties. Any
11 person who conducts a gambling operation without first
12 obtaining a license to do so, or who continues to conduct such
13 games after revocation of his license, or any licensee who
14 conducts or allows to be conducted any unauthorized gambling
15 games on a riverboat or at an electronic gaming facility where
16 it is authorized to conduct its ~~riverboat~~ gambling operation,
17 in addition to other penalties provided, shall be subject to a
18 civil penalty equal to the amount of gross receipts derived
19 from wagering on the gambling games, whether unauthorized or
20 authorized, conducted on that day as well as confiscation and
21 forfeiture of all gambling game equipment used in the conduct
22 of unauthorized gambling games.

23 (Source: P.A. 86-1029.)

24 Section 20. The Criminal Code of 2012 is amended by

1 changing Sections 28-1, 28-1.1, 28-5, and 28-7 as follows:

2 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

3 Sec. 28-1. Gambling.

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

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

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

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

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

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

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

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

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

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

23 (9) knowingly drafts, prints or publishes any lottery
24 ticket or share, or any policy ticket, slip, record,
25 document or similar device, except for such activity
26 related to lotteries, bingo games and raffles authorized by

1 and conducted in accordance with the laws of Illinois or
2 any other state or foreign government;

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

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

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

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

25 (1) Agreements to compensate for loss caused by the
26 happening of chance including without limitation contracts

1 of indemnity or guaranty and life or health or accident
2 insurance.

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

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

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

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

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

25 (6.1) The purchase of lottery tickets through the
26 Internet for a lottery conducted by the State of Illinois

1 under the program established in Section 7.12 of the
2 Illinois Lottery Law.

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

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

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

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

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

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

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

24 (14) Savings promotion raffles authorized under
25 Section 5g of the Illinois Banking Act, Section 7008 of the
26 Savings Bank Act, Section 42.7 of the Illinois Credit Union

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

4 (c) Sentence.

5 Gambling is a Class A misdemeanor. A second or subsequent
6 conviction under subsections (a) (3) through (a) (12), is a Class
7 4 felony.

8 (d) Circumstantial evidence.

9 In prosecutions under this Section circumstantial evidence
10 shall have the same validity and weight as in any criminal
11 prosecution.

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

13 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

14 Sec. 28-1.1. Syndicated gambling.

15 (a) Declaration of Purpose. Recognizing the close
16 relationship between professional gambling and other organized
17 crime, it is declared to be the policy of the legislature to
18 restrain persons from engaging in the business of gambling for
19 profit in this State. This Section shall be liberally construed
20 and administered with a view to carrying out this policy.

21 (b) A person commits syndicated gambling when he or she
22 operates a "policy game" or engages in the business of
23 bookmaking.

24 (c) A person "operates a policy game" when he or she
25 knowingly uses any premises or property for the purpose of

1 receiving or knowingly does receive from what is commonly
2 called "policy":

3 (1) money from a person other than the bettor or player
4 whose bets or plays are represented by the money; or

5 (2) written "policy game" records, made or used over
6 any period of time, from a person other than the bettor or
7 player whose bets or plays are represented by the written
8 record.

9 (d) A person engages in bookmaking when he or she knowingly
10 receives or accepts more than five bets or wagers upon the
11 result of any trials or contests of skill, speed or power of
12 endurance or upon any lot, chance, casualty, unknown or
13 contingent event whatsoever, which bets or wagers shall be of
14 such size that the total of the amounts of money paid or
15 promised to be paid to the bookmaker on account thereof shall
16 exceed \$2,000. Bookmaking is the receiving or accepting of bets
17 or wagers regardless of the form or manner in which the
18 bookmaker records them.

19 (e) Participants in any of the following activities shall
20 not be convicted of syndicated gambling:

21 (1) Agreements to compensate for loss caused by the
22 happening of chance including without limitation contracts
23 of indemnity or guaranty and life or health or accident
24 insurance;

25 (2) Offers of prizes, award or compensation to the
26 actual contestants in any bona fide contest for the

1 determination of skill, speed, strength or endurance or to
2 the owners of animals or vehicles entered in the contest;

3 (3) Pari-mutuel betting as authorized by law of this
4 State;

5 (4) Manufacture of gambling devices, including the
6 acquisition of essential parts therefor and the assembly
7 thereof, for transportation in interstate or foreign
8 commerce to any place outside this State when the
9 transportation is not prohibited by any applicable Federal
10 law;

11 (5) Raffles and poker runs when conducted in accordance
12 with the Raffles and Poker Runs Act;

13 (6) Gambling games conducted on riverboats or at
14 electronic gaming facilities when authorized by the
15 Riverboat Gambling Act;

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

21 (8) Savings promotion raffles authorized under Section
22 5g of the Illinois Banking Act, Section 7008 of the Savings
23 Bank Act, Section 42.7 of the Illinois Credit Union Act,
24 Section 5136B of the National Bank Act (12 U.S.C. 25a), or
25 Section 4 of the Home Owners' Loan Act (12 U.S.C. 1463).

26 (f) Sentence. Syndicated gambling is a Class 3 felony.

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

2 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

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

4 (a) Every device designed for gambling which is incapable
5 of lawful use or every device used unlawfully for gambling
6 shall be considered a "gambling device", and shall be subject
7 to seizure, confiscation and destruction by the Department of
8 State Police or by any municipal, or other local authority,
9 within whose jurisdiction the same may be found. As used in
10 this Section, a "gambling device" includes any slot machine,
11 and includes any machine or device constructed for the
12 reception of money or other thing of value and so constructed
13 as to return, or to cause someone to return, on chance to the
14 player thereof money, property or a right to receive money or
15 property. With the exception of any device designed for
16 gambling which is incapable of lawful use, no gambling device
17 shall be forfeited or destroyed unless an individual with a
18 property interest in said device knows of the unlawful use of
19 the device.

20 (b) Every gambling device shall be seized and forfeited to
21 the county wherein such seizure occurs. Any money or other
22 thing of value integrally related to acts of gambling shall be
23 seized and forfeited to the county wherein such seizure occurs.

24 (c) If, within 60 days after any seizure pursuant to
25 subparagraph (b) of this Section, a person having any property

1 interest in the seized property is charged with an offense, the
2 court which renders judgment upon such charge shall, within 30
3 days after such judgment, conduct a forfeiture hearing to
4 determine whether such property was a gambling device at the
5 time of seizure. Such hearing shall be commenced by a written
6 petition by the State, including material allegations of fact,
7 the name and address of every person determined by the State to
8 have any property interest in the seized property, a
9 representation that written notice of the date, time and place
10 of such hearing has been mailed to every such person by
11 certified mail at least 10 days before such date, and a request
12 for forfeiture. Every such person may appear as a party and
13 present evidence at such hearing. The quantum of proof required
14 shall be a preponderance of the evidence, and the burden of
15 proof shall be on the State. If the court determines that the
16 seized property was a gambling device at the time of seizure,
17 an order of forfeiture and disposition of the seized property
18 shall be entered: a gambling device shall be received by the
19 State's Attorney, who shall effect its destruction, except that
20 valuable parts thereof may be liquidated and the resultant
21 money shall be deposited in the general fund of the county
22 wherein such seizure occurred; money and other things of value
23 shall be received by the State's Attorney and, upon
24 liquidation, shall be deposited in the general fund of the
25 county wherein such seizure occurred. However, in the event
26 that a defendant raises the defense that the seized slot

1 machine is an antique slot machine described in subparagraph
2 (b) (7) of Section 28-1 of this Code and therefore he is exempt
3 from the charge of a gambling activity participant, the seized
4 antique slot machine shall not be destroyed or otherwise
5 altered until a final determination is made by the Court as to
6 whether it is such an antique slot machine. Upon a final
7 determination by the Court of this question in favor of the
8 defendant, such slot machine shall be immediately returned to
9 the defendant. Such order of forfeiture and disposition shall,
10 for the purposes of appeal, be a final order and judgment in a
11 civil proceeding.

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

24 (e) Any gambling device displayed for sale to a riverboat
25 gambling operation or electronic gaming facility or used to
26 train occupational licensees of a riverboat gambling operation

1 or electronic gaming facility as authorized under the Riverboat
2 Gambling Act is exempt from seizure under this Section.

3 (f) Any gambling equipment, devices and supplies provided
4 by a licensed supplier in accordance with the Riverboat
5 Gambling Act which are removed from a ~~the~~ riverboat or
6 electronic gaming facility for repair are exempt from seizure
7 under this Section.

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

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

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

14 (3) Video gaming terminals that are removed from a
15 licensed establishment, licensed truck stop establishment,
16 licensed fraternal establishment, or licensed veterans
17 establishment for repair.

18 (Source: P.A. 98-31, eff. 6-24-13.)

19 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

20 Sec. 28-7. Gambling contracts void.

21 (a) All promises, notes, bills, bonds, covenants,
22 contracts, agreements, judgments, mortgages, or other
23 securities or conveyances made, given, granted, drawn, or
24 entered into, or executed by any person whatsoever, where the
25 whole or any part of the consideration thereof is for any money

1 or thing of value, won or obtained in violation of any Section
2 of this Article are null and void.

3 (b) Any obligation void under this Section may be set aside
4 and vacated by any court of competent jurisdiction, upon a
5 complaint filed for that purpose, by the person so granting,
6 giving, entering into, or executing the same, or by his
7 executors or administrators, or by any creditor, heir, legatee,
8 purchaser or other person interested therein; or if a judgment,
9 the same may be set aside on motion of any person stated above,
10 on due notice thereof given.

11 (c) No assignment of any obligation void under this Section
12 may in any manner affect the defense of the person giving,
13 granting, drawing, entering into or executing such obligation,
14 or the remedies of any person interested therein.

15 (d) This Section shall not prevent a licensed owner of a
16 riverboat gambling operation or an electronic gaming licensee
17 under the Riverboat Gambling Act and the Illinois Horse Racing
18 Act of 1975 from instituting a cause of action to collect any
19 amount due and owing under an extension of credit to a
20 ~~riverboat~~ gambling patron as authorized under Section 11.1 of
21 the Riverboat Gambling Act.

22 (Source: P.A. 87-826.)

23 (30 ILCS 105/5.490 rep.)

24 Section 25. The State Finance Act is amended by repealing
25 Section 5.490.

1 (230 ILCS 5/54 rep.)

2 Section 30. The Illinois Horse Racing Act of 1975 is
3 amended by repealing Section 54.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.

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