



Rep. Robert Rita

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1 AMENDMENT TO SENATE BILL 3452

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3452 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is  
5 amended by changing Sections 26, 26.8, 26.9, and 27 as follows:

6 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

7 Sec. 26. Wagering.

8 (a) Any licensee may conduct and supervise the pari-mutuel  
9 system of wagering, as defined in Section 3.12 of this Act, on  
10 horse races conducted by an Illinois organization licensee or  
11 conducted at a racetrack located in another state or country  
12 and televised in Illinois in accordance with subsection (g) of  
13 Section 26 of this Act. Subject to the prior consent of the  
14 Board, licensees may supplement any pari-mutuel pool in order  
15 to guarantee a minimum distribution. Such pari-mutuel method of  
16 wagering shall not, under any circumstances if conducted under

1 the provisions of this Act, be held or construed to be  
2 unlawful, other statutes of this State to the contrary  
3 notwithstanding. Subject to rules for advance wagering  
4 promulgated by the Board, any licensee may accept wagers in  
5 advance of the day of the race wagered upon occurs.

6 (b) No other method of betting, pool making, wagering or  
7 gambling shall be used or permitted by the licensee. Each  
8 licensee may retain, subject to the payment of all applicable  
9 taxes and purses, an amount not to exceed 17% of all money  
10 wagered under subsection (a) of this Section, except as may  
11 otherwise be permitted under this Act.

12 (b-5) An individual may place a wager under the pari-mutuel  
13 system from any licensed location authorized under this Act  
14 provided that wager is electronically recorded in the manner  
15 described in Section 3.12 of this Act. Any wager made  
16 electronically by an individual while physically on the  
17 premises of a licensee shall be deemed to have been made at the  
18 premises of that licensee.

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

1 Rehabilitation Fund of the State treasury, except as provided  
2 in subsection (g) of Section 27 of this Act.

3 (c-5) Beginning January 1, 2000, the sum held by any  
4 licensee for payment of outstanding pari-mutuel tickets, if  
5 unclaimed prior to December 31 of the next year, shall be  
6 retained by the licensee for payment of such tickets until that  
7 date. Within 10 days thereafter, the balance of such sum  
8 remaining unclaimed, less any uncashed supplements contributed  
9 by such licensee for the purpose of guaranteeing minimum  
10 distributions of any pari-mutuel pool, shall be evenly  
11 distributed to the purse account of the organization licensee  
12 and the organization licensee.

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

18 (e) No licensee shall knowingly permit any minor, other  
19 than an employee of such licensee or an owner, trainer, jockey,  
20 driver, or employee thereof, to be admitted during a racing  
21 program unless accompanied by a parent or guardian, or any  
22 minor to be a patron of the pari-mutuel system of wagering  
23 conducted or supervised by it. The admission of any  
24 unaccompanied minor, other than an employee of the licensee or  
25 an owner, trainer, jockey, driver, or employee thereof at a  
26 race track is a Class C misdemeanor.

1 (f) Notwithstanding the other provisions of this Act, an  
2 organization licensee may contract with an entity in another  
3 state or country to permit any legal wagering entity in another  
4 state or country to accept wagers solely within such other  
5 state or country on races conducted by the organization  
6 licensee in this State. Beginning January 1, 2000, these wagers  
7 shall not be subject to State taxation. Until January 1, 2000,  
8 when the out-of-State entity conducts a pari-mutuel pool  
9 separate from the organization licensee, a privilege tax equal  
10 to 7 1/2% of all monies received by the organization licensee  
11 from entities in other states or countries pursuant to such  
12 contracts is imposed on the organization licensee, and such  
13 privilege tax shall be remitted to the Department of Revenue  
14 within 48 hours of receipt of the moneys from the simulcast.  
15 When the out-of-State entity conducts a combined pari-mutuel  
16 pool with the organization licensee, the tax shall be 10% of  
17 all monies received by the organization licensee with 25% of  
18 the receipts from this 10% tax to be distributed to the county  
19 in which the race was conducted.

20 An organization licensee may permit one or more of its  
21 races to be utilized for pari-mutuel wagering at one or more  
22 locations in other states and may transmit audio and visual  
23 signals of races the organization licensee conducts to one or  
24 more locations outside the State or country and may also permit  
25 pari-mutuel pools in other states or countries to be combined  
26 with its gross or net wagering pools or with wagering pools

1 established by other states.

2 (g) A host track may accept interstate simulcast wagers on  
3 horse races conducted in other states or countries and shall  
4 control the number of signals and types of breeds of racing in  
5 its simulcast program, subject to the disapproval of the Board.  
6 The Board may prohibit a simulcast program only if it finds  
7 that the simulcast program is clearly adverse to the integrity  
8 of racing. The host track simulcast program shall include the  
9 signal of live racing of all organization licensees. All  
10 non-host licensees and advance deposit wagering licensees  
11 shall carry the signal of and accept wagers on live racing of  
12 all organization licensees. Advance deposit wagering licensees  
13 shall not be permitted to accept out-of-state wagers on any  
14 Illinois signal provided pursuant to this Section without the  
15 approval and consent of the organization licensee providing the  
16 signal. For one year after August 15, 2014 (the effective date  
17 of Public Act 98-968), non-host licensees may carry the host  
18 track simulcast program and shall accept wagers on all races  
19 included as part of the simulcast program of horse races  
20 conducted at race tracks located within North America upon  
21 which wagering is permitted. For a period of one year after  
22 August 15, 2014 (the effective date of Public Act 98-968), on  
23 horse races conducted at race tracks located outside of North  
24 America, non-host licensees may accept wagers on all races  
25 included as part of the simulcast program upon which wagering  
26 is permitted. Beginning August 15, 2015 (one year after the

1 effective date of Public Act 98-968), non-host licensees may  
2 carry the host track simulcast program and shall accept wagers  
3 on all races included as part of the simulcast program upon  
4 which wagering is permitted. All organization licensees shall  
5 provide their live signal to all advance deposit wagering  
6 licensees for a simulcast commission fee not to exceed 6% of  
7 the advance deposit wagering licensee's Illinois handle on the  
8 organization licensee's signal without prior approval by the  
9 Board. The Board may adopt rules under which it may permit  
10 simulcast commission fees in excess of 6%. The Board shall  
11 adopt rules limiting the interstate commission fees charged to  
12 an advance deposit wagering licensee. The Board shall adopt  
13 rules regarding advance deposit wagering on interstate  
14 simulcast races that shall reflect, among other things, the  
15 General Assembly's desire to maximize revenues to the State,  
16 horsemen purses, and organizational licensees. However,  
17 organization licensees providing live signals pursuant to the  
18 requirements of this subsection (g) may petition the Board to  
19 withhold their live signals from an advance deposit wagering  
20 licensee if the organization licensee discovers and the Board  
21 finds reputable or credible information that the advance  
22 deposit wagering licensee is under investigation by another  
23 state or federal governmental agency, the advance deposit  
24 wagering licensee's license has been suspended in another  
25 state, or the advance deposit wagering licensee's license is in  
26 revocation proceedings in another state. The organization

1 licensee's provision of their live signal to an advance deposit  
2 wagering licensee under this subsection (g) pertains to wagers  
3 placed from within Illinois. Advance deposit wagering  
4 licensees may place advance deposit wagering terminals at  
5 wagering facilities as a convenience to customers. The advance  
6 deposit wagering licensee shall not charge or collect any fee  
7 from purses for the placement of the advance deposit wagering  
8 terminals. The costs and expenses of the host track and  
9 non-host licensees associated with interstate simulcast  
10 wagering, other than the interstate commission fee, shall be  
11 borne by the host track and all non-host licensees incurring  
12 these costs. The interstate commission fee shall not exceed 5%  
13 of Illinois handle on the interstate simulcast race or races  
14 without prior approval of the Board. The Board shall promulgate  
15 rules under which it may permit interstate commission fees in  
16 excess of 5%. The interstate commission fee and other fees  
17 charged by the sending racetrack, including, but not limited  
18 to, satellite decoder fees, shall be uniformly applied to the  
19 host track and all non-host licensees.

20 Notwithstanding any other provision of this Act, through  
21 June 30, 2020 ~~December 31, 2018~~, an organization licensee, with  
22 the consent of the horsemen association representing the  
23 largest number of owners, trainers, jockeys, or standardbred  
24 drivers who race horses at that organization licensee's racing  
25 meeting, may maintain a system whereby advance deposit wagering  
26 may take place or an organization licensee, with the consent of

1 the horsemen association representing the largest number of  
2 owners, trainers, jockeys, or standardbred drivers who race  
3 horses at that organization licensee's racing meeting, may  
4 contract with another person to carry out a system of advance  
5 deposit wagering. Such consent may not be unreasonably  
6 withheld. Only with respect to an appeal to the Board that  
7 consent for an organization licensee that maintains its own  
8 advance deposit wagering system is being unreasonably  
9 withheld, the Board shall issue a final order within 30 days  
10 after initiation of the appeal, and the organization licensee's  
11 advance deposit wagering system may remain operational during  
12 that 30-day period. The actions of any organization licensee  
13 who conducts advance deposit wagering or any person who has a  
14 contract with an organization licensee to conduct advance  
15 deposit wagering who conducts advance deposit wagering on or  
16 after January 1, 2013 and prior to June 7, 2013 (the effective  
17 date of Public Act 98-18) taken in reliance on the changes made  
18 to this subsection (g) by Public Act 98-18 are hereby  
19 validated, provided payment of all applicable pari-mutuel  
20 taxes are remitted to the Board. All advance deposit wagers  
21 placed from within Illinois must be placed through a  
22 Board-approved advance deposit wagering licensee; no other  
23 entity may accept an advance deposit wager from a person within  
24 Illinois. All advance deposit wagering is subject to any rules  
25 adopted by the Board. The Board may adopt rules necessary to  
26 regulate advance deposit wagering through the use of emergency



1 rulemaking in accordance with Section 5-45 of the Illinois  
2 Administrative Procedure Act. The General Assembly finds that  
3 the adoption of rules to regulate advance deposit wagering is  
4 deemed an emergency and necessary for the public interest,  
5 safety, and welfare. An advance deposit wagering licensee may  
6 retain all moneys as agreed to by contract with an organization  
7 licensee. Any moneys retained by the organization licensee from  
8 advance deposit wagering, not including moneys retained by the  
9 advance deposit wagering licensee, shall be paid 50% to the  
10 organization licensee's purse account and 50% to the  
11 organization licensee. With the exception of any organization  
12 licensee that is owned by a publicly traded company that is  
13 incorporated in a state other than Illinois and advance deposit  
14 wagering licensees under contract with such organization  
15 licensees, organization licensees that maintain advance  
16 deposit wagering systems and advance deposit wagering  
17 licensees that contract with organization licensees shall  
18 provide sufficiently detailed monthly accountings to the  
19 horsemen association representing the largest number of  
20 owners, trainers, jockeys, or standardbred drivers who race  
21 horses at that organization licensee's racing meeting so that  
22 the horsemen association, as an interested party, can confirm  
23 the accuracy of the amounts paid to the purse account at the  
24 horsemen association's affiliated organization licensee from  
25 advance deposit wagering. If more than one breed races at the  
26 same race track facility, then the 50% of the moneys to be paid

1 to an organization licensee's purse account shall be allocated  
2 among all organization licensees' purse accounts operating at  
3 that race track facility proportionately based on the actual  
4 number of host days that the Board grants to that breed at that  
5 race track facility in the current calendar year. To the extent  
6 any fees from advance deposit wagering conducted in Illinois  
7 for wagers in Illinois or other states have been placed in  
8 escrow or otherwise withheld from wagers pending a  
9 determination of the legality of advance deposit wagering, no  
10 action shall be brought to declare such wagers or the  
11 disbursement of any fees previously escrowed illegal.

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

1 non-host licensee and its affiliated non-host licensees  
2 receiving the simulcast.

3 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
4 inter-track wagering licensee other than the host track may  
5 receive supplemental interstate simulcasts only with the  
6 consent of the host track, except when the Board finds that  
7 the simulcast is clearly adverse to the integrity of  
8 racing. Consent granted under this paragraph (2) to any  
9 inter-track wagering licensee shall be deemed consent to  
10 all non-host licensees. The interstate commission fee for  
11 the supplemental interstate simulcast shall be paid by all  
12 participating non-host licensees.

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

1 to the provisions of subparagraph (B) of paragraph (11) of  
2 subsection (h) of Section 26 of this Act.

3 (4) A licensee who receives an interstate simulcast may  
4 combine its gross or net pools with pools at the sending  
5 racetracks pursuant to rules established by the Board. All  
6 licensees combining their gross pools at a sending  
7 racetrack shall adopt the take-out percentages of the  
8 sending racetrack. A licensee may also establish a separate  
9 pool and takeout structure for wagering purposes on races  
10 conducted at race tracks outside of the State of Illinois.  
11 The licensee may permit pari-mutuel wagers placed in other  
12 states or countries to be combined with its gross or net  
13 wagering pools or other wagering pools.

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

23 (A) For interstate simulcast wagers made at a host  
24 track, 50% to the host track and 50% to purses at the  
25 host track.

26 (B) For wagers placed on interstate simulcast

1 races, supplemental simulcasts as defined in  
2 subparagraphs (1) and (2), and separately pooled races  
3 conducted outside of the State of Illinois made at a  
4 non-host licensee, 25% to the host track, 25% to the  
5 non-host licensee, and 50% to the purses at the host  
6 track.

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

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

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

1 interstate simulcast is a standardbred race, the purse  
2 share to its standardbred purse account;

3 (B) Between January 1 and the third Friday in  
4 February, inclusive, if no live thoroughbred racing is  
5 occurring in Illinois during this period, and the  
6 interstate simulcast is a thoroughbred race, the purse  
7 share to its interstate simulcast purse pool to be  
8 distributed under paragraph (10) of this subsection  
9 (g);

10 (C) Between January 1 and the third Friday in  
11 February, inclusive, if live thoroughbred racing is  
12 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
13 the purse share from wagers made during this time  
14 period to its thoroughbred purse account and between  
15 6:30 p.m. and 6:30 a.m. the purse share from wagers  
16 made during this time period to its standardbred purse  
17 accounts;

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

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

26 (7.1) Notwithstanding any other provision of this Act

1 to the contrary, if no standardbred racing is conducted at  
2 a racetrack located in Madison County during any calendar  
3 year beginning on or after January 1, 2002, all moneys  
4 derived by that racetrack from simulcast wagering and  
5 inter-track wagering that (1) are to be used for purses and  
6 (2) are generated between the hours of 6:30 p.m. and 6:30  
7 a.m. during that calendar year shall be paid as follows:

8 (A) If the licensee that conducts horse racing at  
9 that racetrack requests from the Board at least as many  
10 racing dates as were conducted in calendar year 2000,  
11 80% shall be paid to its thoroughbred purse account;  
12 and

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

1           Advisory Board.

2           (7.2) Notwithstanding any other provision of this Act  
3           to the contrary, if no thoroughbred racing is conducted at  
4           a racetrack located in Madison County during any calendar  
5           year beginning on or after January 1, 2002, all moneys  
6           derived by that racetrack from simulcast wagering and  
7           inter-track wagering that (1) are to be used for purses and  
8           (2) are generated between the hours of 6:30 a.m. and 6:30  
9           p.m. during that calendar year shall be deposited as  
10          follows:

11           (A) If the licensee that conducts horse racing at  
12          that racetrack requests from the Board at least as many  
13          racing dates as were conducted in calendar year 2000,  
14          80% shall be deposited into its standardbred purse  
15          account; and

16           (B) Twenty percent shall be deposited into the  
17          Illinois Colt Stakes Purse Distribution Fund. Moneys  
18          deposited into the Illinois Colt Stakes Purse  
19          Distribution Fund pursuant to this subparagraph (B)  
20          shall be paid to Illinois conceived and foaled  
21          thoroughbred breeders' programs and to thoroughbred  
22          purses for races conducted at any county fairgrounds  
23          for Illinois conceived and foaled horses at the  
24          discretion of the Department of Agriculture, with the  
25          advice and assistance of the Illinois Thoroughbred  
26          Breeders Fund Advisory Board. The moneys deposited



1           into the Illinois Colt Stakes Purse Distribution Fund  
2           pursuant to this subparagraph (B) shall be deposited  
3           within 2 weeks after the day they were generated, shall  
4           be in addition to and not in lieu of any other moneys  
5           paid to thoroughbred purses under this Act, and shall  
6           not be commingled with other moneys deposited into that  
7           Fund.

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

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

18                 (B) Twenty percent to the Illinois Colt Stakes  
19                 Purse Distribution Fund.

20          Failure to make the payment to the Illinois Colt Stakes  
21          Purse Distribution Fund before January 1, 2002 shall result  
22          in the immediate revocation of the licensee's organization  
23          license, inter-track wagering license, and inter-track  
24          wagering location license.

25          Moneys paid into the Illinois Colt Stakes Purse  
26          Distribution Fund pursuant to this paragraph (7.3) shall be

1       paid to purses for standardbred races for Illinois  
2       conceived and foaled horses conducted at any county  
3       fairgrounds. Moneys paid into the Illinois Colt Stakes  
4       Purse Distribution Fund pursuant to this paragraph (7.3)  
5       shall be used as determined by the Department of  
6       Agriculture, with the advice and assistance of the Illinois  
7       Standardbred Breeders Fund Advisory Board, shall be in  
8       addition to and not in lieu of any other moneys paid to  
9       standardbred purses under this Act, and shall not be  
10      commingled with any other moneys paid into that Fund.

11       (7.4) If live standardbred racing is conducted at a  
12      racetrack located in Madison County at any time in calendar  
13      year 2001 before the payment required under paragraph (7.3)  
14      has been made, the organization licensee who is licensed to  
15      conduct racing at that racetrack shall pay all moneys  
16      derived by that racetrack from simulcast wagering and  
17      inter-track wagering during calendar years 2000 and 2001  
18      that (1) are to be used for purses and (2) are generated  
19      between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
20      2001 to the standardbred purse account at that racetrack to  
21      be used for standardbred purses.

22       (8) Notwithstanding any provision in this Act to the  
23      contrary, an organization licensee from a track located in  
24      a county with a population in excess of 230,000 and that  
25      borders the Mississippi River and its affiliated non-host  
26      licensees shall not be entitled to share in any retention

1 generated on racing, inter-track wagering, or simulcast  
2 wagering at any other Illinois wagering facility.

3 (8.1) Notwithstanding any provisions in this Act to the  
4 contrary, if 2 organization licensees are conducting  
5 standardbred race meetings concurrently between the hours  
6 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
7 State and local taxes and interstate commission fees, the  
8 remainder of the amount retained from simulcast wagering  
9 otherwise attributable to the host track and to host track  
10 purses shall be split daily between the 2 organization  
11 licensees and the purses at the tracks of the 2  
12 organization licensees, respectively, based on each  
13 organization licensee's share of the total live handle for  
14 that day, provided that this provision shall not apply to  
15 any non-host licensee that derives its license from a track  
16 located in a county with a population in excess of 230,000  
17 and that borders the Mississippi River.

18 (9) (Blank).

19 (10) (Blank).

20 (11) (Blank).

21 (12) The Board shall have authority to compel all host  
22 tracks to receive the simulcast of any or all races  
23 conducted at the Springfield or DuQuoin State fairgrounds  
24 and include all such races as part of their simulcast  
25 programs.

26 (13) Notwithstanding any other provision of this Act,

1 in the event that the total Illinois pari-mutuel handle on  
2 Illinois horse races at all wagering facilities in any  
3 calendar year is less than 75% of the total Illinois  
4 pari-mutuel handle on Illinois horse races at all such  
5 wagering facilities for calendar year 1994, then each  
6 wagering facility that has an annual total Illinois  
7 pari-mutuel handle on Illinois horse races that is less  
8 than 75% of the total Illinois pari-mutuel handle on  
9 Illinois horse races at such wagering facility for calendar  
10 year 1994, shall be permitted to receive, from any amount  
11 otherwise payable to the purse account at the race track  
12 with which the wagering facility is affiliated in the  
13 succeeding calendar year, an amount equal to 2% of the  
14 differential in total Illinois pari-mutuel handle on  
15 Illinois horse races at the wagering facility between that  
16 calendar year in question and 1994 provided, however, that  
17 a wagering facility shall not be entitled to any such  
18 payment until the Board certifies in writing to the  
19 wagering facility the amount to which the wagering facility  
20 is entitled and a schedule for payment of the amount to the  
21 wagering facility, based on: (i) the racing dates awarded  
22 to the race track affiliated with the wagering facility  
23 during the succeeding year; (ii) the sums available or  
24 anticipated to be available in the purse account of the  
25 race track affiliated with the wagering facility for purses  
26 during the succeeding year; and (iii) the need to ensure

1 reasonable purse levels during the payment period. The  
2 Board's certification shall be provided no later than  
3 January 31 of the succeeding year. In the event a wagering  
4 facility entitled to a payment under this paragraph (13) is  
5 affiliated with a race track that maintains purse accounts  
6 for both standardbred and thoroughbred racing, the amount  
7 to be paid to the wagering facility shall be divided  
8 between each purse account pro rata, based on the amount of  
9 Illinois handle on Illinois standardbred and thoroughbred  
10 racing respectively at the wagering facility during the  
11 previous calendar year. Annually, the General Assembly  
12 shall appropriate sufficient funds from the General  
13 Revenue Fund to the Department of Agriculture for payment  
14 into the thoroughbred and standardbred horse racing purse  
15 accounts at Illinois pari-mutuel tracks. The amount paid to  
16 each purse account shall be the amount certified by the  
17 Illinois Racing Board in January to be transferred from  
18 each account to each eligible racing facility in accordance  
19 with the provisions of this Section.

20 (h) The Board may approve and license the conduct of  
21 inter-track wagering and simulcast wagering by inter-track  
22 wagering licensees and inter-track wagering location licensees  
23 subject to the following terms and conditions:

24 (1) Any person licensed to conduct a race meeting (i)  
25 at a track where 60 or more days of racing were conducted  
26 during the immediately preceding calendar year or where

1 over the 5 immediately preceding calendar years an average  
2 of 30 or more days of racing were conducted annually may be  
3 issued an inter-track wagering license; (ii) at a track  
4 located in a county that is bounded by the Mississippi  
5 River, which has a population of less than 150,000  
6 according to the 1990 decennial census, and an average of  
7 at least 60 days of racing per year between 1985 and 1993  
8 may be issued an inter-track wagering license; or (iii) at  
9 a track located in Madison County that conducted at least  
10 100 days of live racing during the immediately preceding  
11 calendar year may be issued an inter-track wagering  
12 license, unless a lesser schedule of live racing is the  
13 result of (A) weather, unsafe track conditions, or other  
14 acts of God; (B) an agreement between the organization  
15 licensee and the associations representing the largest  
16 number of owners, trainers, jockeys, or standardbred  
17 drivers who race horses at that organization licensee's  
18 racing meeting; or (C) a finding by the Board of  
19 extraordinary circumstances and that it was in the best  
20 interest of the public and the sport to conduct fewer than  
21 100 days of live racing. Any such person having operating  
22 control of the racing facility may receive inter-track  
23 wagering location licenses. An eligible race track located  
24 in a county that has a population of more than 230,000 and  
25 that is bounded by the Mississippi River may establish up  
26 to 9 inter-track wagering locations, an eligible race track

1 located in Stickney Township in Cook County may establish  
2 up to 16 inter-track wagering locations, and an eligible  
3 race track located in Palatine Township in Cook County may  
4 establish up to 18 inter-track wagering locations. An  
5 application for said license shall be filed with the Board  
6 prior to such dates as may be fixed by the Board. With an  
7 application for an inter-track wagering location license  
8 there shall be delivered to the Board a certified check or  
9 bank draft payable to the order of the Board for an amount  
10 equal to \$500. The application shall be on forms prescribed  
11 and furnished by the Board. The application shall comply  
12 with all other rules, regulations and conditions imposed by  
13 the Board in connection therewith.

14 (2) The Board shall examine the applications with  
15 respect to their conformity with this Act and the rules and  
16 regulations imposed by the Board. If found to be in  
17 compliance with the Act and rules and regulations of the  
18 Board, the Board may then issue a license to conduct  
19 inter-track wagering and simulcast wagering to such  
20 applicant. All such applications shall be acted upon by the  
21 Board at a meeting to be held on such date as may be fixed  
22 by the Board.

23 (3) In granting licenses to conduct inter-track  
24 wagering and simulcast wagering, the Board shall give due  
25 consideration to the best interests of the public, of horse  
26 racing, and of maximizing revenue to the State.

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

12           (5) Each license to conduct inter-track wagering and  
13 simulcast wagering shall specify the person to whom it is  
14 issued, the dates on which such wagering is permitted, and  
15 the track or location where the wagering is to be  
16 conducted.

17           (6) All wagering under such license is subject to this  
18 Act and to the rules and regulations from time to time  
19 prescribed by the Board, and every such license issued by  
20 the Board shall contain a recital to that effect.

21           (7) An inter-track wagering licensee or inter-track  
22 wagering location licensee may accept wagers at the track  
23 or location where it is licensed, or as otherwise provided  
24 under this Act.

25           (8) Inter-track wagering or simulcast wagering shall  
26 not be conducted at any track less than 5 miles from a



1 track at which a racing meeting is in progress.

2 (8.1) Inter-track wagering location licensees who  
3 derive their licenses from a particular organization  
4 licensee shall conduct inter-track wagering and simulcast  
5 wagering only at locations that are within 160 miles of  
6 that race track where the particular organization licensee  
7 is licensed to conduct racing. However, inter-track  
8 wagering and simulcast wagering shall not be conducted by  
9 those licensees at any location within 5 miles of any race  
10 track at which a horse race meeting has been licensed in  
11 the current year, unless the person having operating  
12 control of such race track has given its written consent to  
13 such inter-track wagering location licensees, which  
14 consent must be filed with the Board at or prior to the  
15 time application is made. In the case of any inter-track  
16 wagering location licensee initially licensed after  
17 December 31, 2013, inter-track wagering and simulcast  
18 wagering shall not be conducted by those inter-track  
19 wagering location licensees that are located outside the  
20 City of Chicago at any location within 8 miles of any race  
21 track at which a horse race meeting has been licensed in  
22 the current year, unless the person having operating  
23 control of such race track has given its written consent to  
24 such inter-track wagering location licensees, which  
25 consent must be filed with the Board at or prior to the  
26 time application is made.

1           (8.2) Inter-track wagering or simulcast wagering shall  
2 not be conducted by an inter-track wagering location  
3 licensee at any location within 500 feet of an existing  
4 church or existing school, nor within 500 feet of the  
5 residences of more than 50 registered voters without  
6 receiving written permission from a majority of the  
7 registered voters at such residences. Such written  
8 permission statements shall be filed with the Board. The  
9 distance of 500 feet shall be measured to the nearest part  
10 of any building used for worship services, education  
11 programs, residential purposes, or conducting inter-track  
12 wagering by an inter-track wagering location licensee, and  
13 not to property boundaries. However, inter-track wagering  
14 or simulcast wagering may be conducted at a site within 500  
15 feet of a church, school or residences of 50 or more  
16 registered voters if such church, school or residences have  
17 been erected or established, or such voters have been  
18 registered, after the Board issues the original  
19 inter-track wagering location license at the site in  
20 question. Inter-track wagering location licensees may  
21 conduct inter-track wagering and simulcast wagering only  
22 in areas that are zoned for commercial or manufacturing  
23 purposes or in areas for which a special use has been  
24 approved by the local zoning authority. However, no license  
25 to conduct inter-track wagering and simulcast wagering  
26 shall be granted by the Board with respect to any

1 inter-track wagering location within the jurisdiction of  
2 any local zoning authority which has, by ordinance or by  
3 resolution, prohibited the establishment of an inter-track  
4 wagering location within its jurisdiction. However,  
5 inter-track wagering and simulcast wagering may be  
6 conducted at a site if such ordinance or resolution is  
7 enacted after the Board licenses the original inter-track  
8 wagering location licensee for the site in question.

9 (9) (Blank).

10 (10) An inter-track wagering licensee or an  
11 inter-track wagering location licensee may retain, subject  
12 to the payment of the privilege taxes and the purses, an  
13 amount not to exceed 17% of all money wagered. Each program  
14 of racing conducted by each inter-track wagering licensee  
15 or inter-track wagering location licensee shall be  
16 considered a separate racing day for the purpose of  
17 determining the daily handle and computing the privilege  
18 tax or pari-mutuel tax on such daily handle as provided in  
19 Section 27.

20 (10.1) Except as provided in subsection (g) of Section  
21 27 of this Act, inter-track wagering location licensees  
22 shall pay 1% of the pari-mutuel handle at each location to  
23 the municipality in which such location is situated and 1%  
24 of the pari-mutuel handle at each location to the county in  
25 which such location is situated. In the event that an  
26 inter-track wagering location licensee is situated in an

1 unincorporated area of a county, such licensee shall pay 2%  
2 of the pari-mutuel handle from such location to such  
3 county.

4 (10.2) Notwithstanding any other provision of this  
5 Act, with respect to inter-track wagering at a race track  
6 located in a county that has a population of more than  
7 230,000 and that is bounded by the Mississippi River ("the  
8 first race track"), or at a facility operated by an  
9 inter-track wagering licensee or inter-track wagering  
10 location licensee that derives its license from the  
11 organization licensee that operates the first race track,  
12 on races conducted at the first race track or on races  
13 conducted at another Illinois race track and  
14 simultaneously televised to the first race track or to a  
15 facility operated by an inter-track wagering licensee or  
16 inter-track wagering location licensee that derives its  
17 license from the organization licensee that operates the  
18 first race track, those moneys shall be allocated as  
19 follows:

20 (A) That portion of all moneys wagered on  
21 standardbred racing that is required under this Act to  
22 be paid to purses shall be paid to purses for  
23 standardbred races.

24 (B) That portion of all moneys wagered on  
25 thoroughbred racing that is required under this Act to  
26 be paid to purses shall be paid to purses for

1 thoroughbred races.

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

22 (B) From the sums permitted to be retained pursuant to  
23 this Act each inter-track wagering location licensee shall  
24 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
25 4.75% of the pari-mutuel handle on inter-track wagering at  
26 such location on races as purses, except that an

1 inter-track wagering location licensee that derives its  
2 license from a track located in a county with a population  
3 in excess of 230,000 and that borders the Mississippi River  
4 shall retain all purse moneys for its own purse account  
5 consistent with distribution set forth in this subsection  
6 (h), and inter-track wagering location licensees that  
7 accept wagers on races conducted by an organization  
8 licensee located in a county with a population in excess of  
9 230,000 and that borders the Mississippi River shall  
10 distribute all purse moneys to purses at the operating host  
11 track; (iii) until January 1, 2000, except as provided in  
12 subsection (g) of Section 27 of this Act, 1% of the  
13 pari-mutuel handle wagered on inter-track wagering and  
14 simulcast wagering at each inter-track wagering location  
15 licensee facility to the Horse Racing Tax Allocation Fund,  
16 provided that, to the extent the total amount collected and  
17 distributed to the Horse Racing Tax Allocation Fund under  
18 this subsection (h) during any calendar year exceeds the  
19 amount collected and distributed to the Horse Racing Tax  
20 Allocation Fund during calendar year 1994, that excess  
21 amount shall be redistributed (I) to all inter-track  
22 wagering location licensees, based on each licensee's  
23 pro-rata share of the total handle from inter-track  
24 wagering and simulcast wagering for all inter-track  
25 wagering location licensees during the calendar year in  
26 which this provision is applicable; then (II) the amounts

1        redistributed to each inter-track wagering location  
2        licensee as described in subpart (I) shall be further  
3        redistributed as provided in subparagraph (B) of paragraph  
4        (5) of subsection (g) of this Section 26 provided first,  
5        that the shares of those amounts, which are to be  
6        redistributed to the host track or to purses at the host  
7        track under subparagraph (B) of paragraph (5) of subsection  
8        (g) of this Section 26 shall be redistributed based on each  
9        host track's pro rata share of the total inter-track  
10        wagering and simulcast wagering handle at all host tracks  
11        during the calendar year in question, and second, that any  
12        amounts redistributed as described in part (I) to an  
13        inter-track wagering location licensee that accepts wagers  
14        on races conducted by an organization licensee that  
15        conducts a race meet in a county with a population in  
16        excess of 230,000 and that borders the Mississippi River  
17        shall be further redistributed as provided in  
18        subparagraphs (D) and (E) of paragraph (7) of subsection  
19        (g) of this Section 26, with the portion of that further  
20        redistribution allocated to purses at that organization  
21        licensee to be divided between standardbred purses and  
22        thoroughbred purses based on the amounts otherwise  
23        allocated to purses at that organization licensee during  
24        the calendar year in question; and (iv) 8% of the  
25        pari-mutuel handle on inter-track wagering wagered at such  
26        location to satisfy all costs and expenses of conducting

1 its wagering. The remainder of the monies retained by the  
2 inter-track wagering location licensee shall be allocated  
3 40% to the location licensee and 60% to the organization  
4 licensee which provides the Illinois races to the location,  
5 except that an inter-track wagering location licensee that  
6 derives its license from a track located in a county with a  
7 population in excess of 230,000 and that borders the  
8 Mississippi River shall not divide any remaining retention  
9 with the organization licensee that provides the race or  
10 races and an inter-track wagering location licensee that  
11 accepts wagers on races conducted by an organization  
12 licensee that conducts a race meet in a county with a  
13 population in excess of 230,000 and that borders the  
14 Mississippi River shall not divide any remaining retention  
15 with the organization licensee. Notwithstanding the  
16 provisions of clauses (ii) and (iv) of this paragraph, in  
17 the case of the additional inter-track wagering location  
18 licenses authorized under paragraph (1) of this subsection  
19 (h) by Public Act 87-110, those licensees shall pay the  
20 following amounts as purses: during the first 12 months the  
21 licensee is in operation, 5.25% of the pari-mutuel handle  
22 wagered at the location on races; during the second 12  
23 months, 5.25%; during the third 12 months, 5.75%; during  
24 the fourth 12 months, 6.25%; and during the fifth 12 months  
25 and thereafter, 6.75%. The following amounts shall be  
26 retained by the licensee to satisfy all costs and expenses



1 of conducting its wagering: during the first 12 months the  
2 licensee is in operation, 8.25% of the pari-mutuel handle  
3 wagered at the location; during the second 12 months,  
4 8.25%; during the third 12 months, 7.75%; during the fourth  
5 12 months, 7.25%; and during the fifth 12 months and  
6 thereafter, 6.75%. For additional inter-track wagering  
7 location licensees authorized under Public Act 89-16,  
8 purses for the first 12 months the licensee is in operation  
9 shall be 5.75% of the pari-mutuel wagered at the location,  
10 purses for the second 12 months the licensee is in  
11 operation shall be 6.25%, and purses thereafter shall be  
12 6.75%. For additional inter-track location licensees  
13 authorized under Public Act 89-16, the licensee shall be  
14 allowed to retain to satisfy all costs and expenses: 7.75%  
15 of the pari-mutuel handle wagered at the location during  
16 its first 12 months of operation, 7.25% during its second  
17 12 months of operation, and 6.75% thereafter.

18 (C) There is hereby created the Horse Racing Tax  
19 Allocation Fund which shall remain in existence until  
20 December 31, 1999. Moneys remaining in the Fund after  
21 December 31, 1999 shall be paid into the General Revenue  
22 Fund. Until January 1, 2000, all monies paid into the Horse  
23 Racing Tax Allocation Fund pursuant to this paragraph (11)  
24 by inter-track wagering location licensees located in park  
25 districts of 500,000 population or less, or in a  
26 municipality that is not included within any park district

1 but is included within a conservation district and is the  
2 county seat of a county that (i) is contiguous to the state  
3 of Indiana and (ii) has a 1990 population of 88,257  
4 according to the United States Bureau of the Census, and  
5 operating on May 1, 1994 shall be allocated by  
6 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 park districts or municipalities  
19 that do not have a park district of 500,000 population  
20 or less for museum purposes (if an inter-track wagering  
21 location licensee is located in such a park district)  
22 or to conservation districts for museum purposes (if an  
23 inter-track wagering location licensee is located in a  
24 municipality that is not included within any park  
25 district but is included within a conservation  
26 district and is the county seat of a county that (i) is

1           contiguous to the state of Indiana and (ii) has a 1990  
2           population of 88,257 according to the United States  
3           Bureau of the Census, except that if the conservation  
4           district does not maintain a museum, the monies shall  
5           be allocated equally between the county and the  
6           municipality in which the inter-track wagering  
7           location licensee is located for general purposes) or  
8           to a municipal recreation board for park purposes (if  
9           an inter-track wagering location licensee is located  
10          in a municipality that is not included within any park  
11          district and park maintenance is the function of the  
12          municipal recreation board and the municipality has a  
13          1990 population of 9,302 according to the United States  
14          Bureau of the Census); provided that the monies are  
15          distributed to each park district or conservation  
16          district or municipality that does not have a park  
17          district in an amount equal to four-sevenths of the  
18          amount collected by each inter-track wagering location  
19          licensee within the park district or conservation  
20          district or municipality for the Fund. Monies that were  
21          paid into the Horse Racing Tax Allocation Fund before  
22          August 9, 1991 (the effective date of Public Act  
23          87-110) by an inter-track wagering location licensee  
24          located in a municipality that is not included within  
25          any park district but is included within a conservation  
26          district as provided in this paragraph shall, as soon

1 as practicable after August 9, 1991 (the effective date  
2 of Public Act 87-110), be allocated and paid to that  
3 conservation district as provided in this paragraph.  
4 Any park district or municipality not maintaining a  
5 museum may deposit the monies in the corporate fund of  
6 the park district or municipality where the  
7 inter-track wagering location is located, to be used  
8 for general purposes; and

9 One-seventh to the Agricultural Premium Fund to be  
10 used for distribution to agricultural home economics  
11 extension councils in accordance with "An Act in  
12 relation to additional support and finances for the  
13 Agricultural and Home Economic Extension Councils in  
14 the several counties of this State and making an  
15 appropriation therefor", approved July 24, 1967.

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

19 Two-sevenths to the Department of Agriculture.  
20 Fifty percent of this two-sevenths shall be used to  
21 promote the Illinois horse racing and breeding  
22 industry, and shall be distributed by the Department of  
23 Agriculture upon the advice of a 9-member committee  
24 appointed by the Governor consisting of the following  
25 members: the Director of Agriculture, who shall serve  
26 as chairman; 2 representatives of organization

1 licenses conducting thoroughbred race meetings in  
2 this State, recommended by those licensees; 2  
3 representatives of organization licensees conducting  
4 standardbred race meetings in this State, recommended  
5 by those licensees; a representative of the Illinois  
6 Thoroughbred Breeders and Owners Foundation,  
7 recommended by that Foundation; a representative of  
8 the Illinois Standardbred Owners and Breeders  
9 Association, recommended by that Association; a  
10 representative of the Horsemen's Benevolent and  
11 Protective Association or any successor organization  
12 thereto established in Illinois comprised of the  
13 largest number of owners and trainers, recommended by  
14 that Association or that successor organization; and a  
15 representative of the Illinois Harness Horsemen's  
16 Association, recommended by that Association.  
17 Committee members shall serve for terms of 2 years,  
18 commencing January 1 of each even-numbered year. If a  
19 representative of any of the above-named entities has  
20 not been recommended by January 1 of any even-numbered  
21 year, the Governor shall appoint a committee member to  
22 fill that position. Committee members shall receive no  
23 compensation for their services as members but shall be  
24 reimbursed for all actual and necessary expenses and  
25 disbursements incurred in the performance of their  
26 official duties. The remaining 50% of this

1 two-sevenths shall be distributed to county fairs for  
2 premiums and rehabilitation as set forth in the  
3 Agricultural Fair Act;

4 Four-sevenths to museums and aquariums located in  
5 park districts of over 500,000 population; provided  
6 that the monies are distributed in accordance with the  
7 previous year's distribution of the maintenance tax  
8 for such museums and aquariums as provided in Section 2  
9 of the Park District Aquarium and Museum Act; and

10 One-seventh to the Agricultural Premium Fund to be  
11 used for distribution to agricultural home economics  
12 extension councils in accordance with "An Act in  
13 relation to additional support and finances for the  
14 Agricultural and Home Economic Extension Councils in  
15 the several counties of this State and making an  
16 appropriation therefor", approved July 24, 1967. This  
17 subparagraph (C) shall be inoperative and of no force  
18 and effect on and after January 1, 2000.

19 (D) Except as provided in paragraph (11) of this  
20 subsection (h), with respect to purse allocation from  
21 inter-track wagering, the monies so retained shall be  
22 divided as follows:

23 (i) If the inter-track wagering licensee,  
24 except an inter-track wagering licensee that  
25 derives its license from an organization licensee  
26 located in a county with a population in excess of

1           230,000 and bounded by the Mississippi River, is  
2           not conducting its own race meeting during the same  
3           dates, then the entire purse allocation shall be to  
4           purses at the track where the races wagered on are  
5           being conducted.

6           (ii) If the inter-track wagering licensee,  
7           except an inter-track wagering licensee that  
8           derives its license from an organization licensee  
9           located in a county with a population in excess of  
10          230,000 and bounded by the Mississippi River, is  
11          also conducting its own race meeting during the  
12          same dates, then the purse allocation shall be as  
13          follows: 50% to purses at the track where the races  
14          wagered on are being conducted; 50% to purses at  
15          the track where the inter-track wagering licensee  
16          is accepting such wagers.

17          (iii) If the inter-track wagering is being  
18          conducted by an inter-track wagering location  
19          licensee, except an inter-track wagering location  
20          licensee that derives its license from an  
21          organization licensee located in a county with a  
22          population in excess of 230,000 and bounded by the  
23          Mississippi River, the entire purse allocation for  
24          Illinois races shall be to purses at the track  
25          where the race meeting being wagered on is being  
26          held.



1           (12) The Board shall have all powers necessary and  
2 proper to fully supervise and control the conduct of  
3 inter-track wagering and simulcast wagering by inter-track  
4 wagering licensees and inter-track wagering location  
5 licensees, including, but not limited to the following:

6           (A) The Board is vested with power to promulgate  
7 reasonable rules and regulations for the purpose of  
8 administering the conduct of this wagering and to  
9 prescribe reasonable rules, regulations and conditions  
10 under which such wagering shall be held and conducted.  
11 Such rules and regulations are to provide for the  
12 prevention of practices detrimental to the public  
13 interest and for the best interests of said wagering  
14 and to impose penalties for violations thereof.

15           (B) The Board, and any person or persons to whom it  
16 delegates this power, is vested with the power to enter  
17 the facilities of any licensee to determine whether  
18 there has been compliance with the provisions of this  
19 Act and the rules and regulations relating to the  
20 conduct of such wagering.

21           (C) The Board, and any person or persons to whom it  
22 delegates this power, may eject or exclude from any  
23 licensee's facilities, any person whose conduct or  
24 reputation is such that his presence on such premises  
25 may, in the opinion of the Board, call into the  
26 question the honesty and integrity of, or interfere

1 with the orderly conduct of such wagering; provided,  
2 however, that no person shall be excluded or ejected  
3 from such premises solely on the grounds of race,  
4 color, creed, national origin, ancestry, or sex.

5 (D) (Blank).

6 (E) The Board is vested with the power to appoint  
7 delegates to execute any of the powers granted to it  
8 under this Section for the purpose of administering  
9 this wagering and any rules and regulations  
10 promulgated in accordance with this Act.

11 (F) The Board shall name and appoint a State  
12 director of this wagering who shall be a representative  
13 of the Board and whose duty it shall be to supervise  
14 the conduct of inter-track wagering as may be provided  
15 for by the rules and regulations of the Board; such  
16 rules and regulation shall specify the method of  
17 appointment and the Director's powers, authority and  
18 duties.

19 (G) The Board is vested with the power to impose  
20 civil penalties of up to \$5,000 against individuals and  
21 up to \$10,000 against licensees for each violation of  
22 any provision of this Act relating to the conduct of  
23 this wagering, any rules adopted by the Board, any  
24 order of the Board or any other action which in the  
25 Board's discretion, is a detriment or impediment to  
26 such wagering.

1           (13) The Department of Agriculture may enter into  
2 agreements with licensees authorizing such licensees to  
3 conduct inter-track wagering on races to be held at the  
4 licensed race meetings conducted by the Department of  
5 Agriculture. Such agreement shall specify the races of the  
6 Department of Agriculture's licensed race meeting upon  
7 which the licensees will conduct wagering. In the event  
8 that a licensee conducts inter-track pari-mutuel wagering  
9 on races from the Illinois State Fair or DuQuoin State Fair  
10 which are in addition to the licensee's previously approved  
11 racing program, those races shall be considered a separate  
12 racing day for the purpose of determining the daily handle  
13 and computing the privilege or pari-mutuel tax on that  
14 daily handle as provided in Sections 27 and 27.1. Such  
15 agreements shall be approved by the Board before such  
16 wagering may be conducted. In determining whether to grant  
17 approval, the Board shall give due consideration to the  
18 best interests of the public and of horse racing. The  
19 provisions of paragraphs (1), (8), (8.1), and (8.2) of  
20 subsection (h) of this Section which are not specified in  
21 this paragraph (13) shall not apply to licensed race  
22 meetings conducted by the Department of Agriculture at the  
23 Illinois State Fair in Sangamon County or the DuQuoin State  
24 Fair in Perry County, or to any wagering conducted on those  
25 race meetings.

26           (14) An inter-track wagering location license

1 authorized by the Board in 2016 that is owned and operated  
2 by a race track in Rock Island County shall be transferred  
3 to a commonly owned race track in Cook County on August 12,  
4 2016 (the effective date of Public Act 99-757). The  
5 licensee shall retain its status in relation to purse  
6 distribution under paragraph (11) of this subsection (h)  
7 following the transfer to the new entity. The pari-mutuel  
8 tax credit under Section 32.1 shall not be applied toward  
9 any pari-mutuel tax obligation of the inter-track wagering  
10 location licensee of the license that is transferred under  
11 this paragraph (14).

12 (i) Notwithstanding the other provisions of this Act, the  
13 conduct of wagering at wagering facilities is authorized on all  
14 days, except as limited by subsection (b) of Section 19 of this  
15 Act.

16 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
17 100-201, eff. 8-18-17.)

18 (230 ILCS 5/26.8)

19 Sec. 26.8. Beginning on February 1, 2014 and through June  
20 30, 2020 ~~December 31, 2018~~, each wagering licensee may impose a  
21 surcharge of up to 0.5% on winning wagers and winnings from  
22 wagers. The surcharge shall be deducted from winnings prior to  
23 payout. All amounts collected from the imposition of this  
24 surcharge shall be evenly distributed to the organization  
25 licensee and the purse account of the organization licensee

1 with which the licensee is affiliated. The amounts distributed  
2 under this Section shall be in addition to the amounts paid  
3 pursuant to paragraph (10) of subsection (h) of Section 26,  
4 Section 26.3, Section 26.4, Section 26.5, and Section 26.7.

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

6 (230 ILCS 5/26.9)

7 Sec. 26.9. Beginning on February 1, 2014 and through June  
8 30, 2020 ~~December 31, 2018~~, in addition to the surcharge  
9 imposed in Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this  
10 Act, each licensee shall impose a surcharge of 0.2% on winning  
11 wagers and winnings from wagers. The surcharge shall be  
12 deducted from winnings prior to payout. All amounts collected  
13 from the surcharges imposed under this Section shall be  
14 remitted to the Board. From amounts collected under this  
15 Section, the Board shall deposit an amount not to exceed  
16 \$100,000 annually into the Quarter Horse Purse Fund and all  
17 remaining amounts into the Horse Racing Fund.

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

19 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

20 Sec. 27. (a) In addition to the organization license fee  
21 provided by this Act, until January 1, 2000, a graduated  
22 privilege tax is hereby imposed for conducting the pari-mutuel  
23 system of wagering permitted under this Act. Until January 1,  
24 2000, except as provided in subsection (g) of Section 27 of

1 this Act, all of the breakage of each racing day held by any  
2 licensee in the State shall be paid to the State. Until January  
3 1, 2000, such daily graduated privilege tax shall be paid by  
4 the licensee from the amount permitted to be retained under  
5 this Act. Until January 1, 2000, each day's graduated privilege  
6 tax, breakage, and Horse Racing Tax Allocation funds shall be  
7 remitted to the Department of Revenue within 48 hours after the  
8 close of the racing day upon which it is assessed or within  
9 such other time as the Board prescribes. The privilege tax  
10 hereby imposed, until January 1, 2000, shall be a flat tax at  
11 the rate of 2% of the daily pari-mutuel handle except as  
12 provided in Section 27.1.

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

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

26 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax

1 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
2 at all pari-mutuel wagering facilities and on advance deposit  
3 wagering from a location other than a wagering facility, except  
4 as otherwise provided for in this subsection (a-5). In addition  
5 to the pari-mutuel tax imposed on advance deposit wagering  
6 pursuant to this subsection (a-5), beginning on August 24, 2012  
7 (the effective date of Public Act 97-1060) and through June 30,  
8 2020 ~~December 31, 2018~~, an additional pari-mutuel tax at the  
9 rate of 0.25% shall be imposed on advance deposit wagering.  
10 Until August 25, 2012, the additional 0.25% pari-mutuel tax  
11 imposed on advance deposit wagering by Public Act 96-972 shall  
12 be deposited into the Quarter Horse Purse Fund, which shall be  
13 created as a non-appropriated trust fund administered by the  
14 Board for grants to thoroughbred organization licensees for  
15 payment of purses for quarter horse races conducted by the  
16 organization licensee. Beginning on August 26, 2012, the  
17 additional 0.25% pari-mutuel tax imposed on advance deposit  
18 wagering shall be deposited into the Standardbred Purse Fund,  
19 which shall be created as a non-appropriated trust fund  
20 administered by the Board, for grants to the standardbred  
21 organization licensees for payment of purses for standardbred  
22 horse races conducted by the organization licensee.  
23 Thoroughbred organization licensees may petition the Board to  
24 conduct quarter horse racing and receive purse grants from the  
25 Quarter Horse Purse Fund. The Board shall have complete  
26 discretion in distributing the Quarter Horse Purse Fund to the

1 petitioning organization licensees. Beginning on July 26, 2010  
2 (the effective date of Public Act 96-1287), a pari-mutuel tax  
3 at the rate of 0.75% of the daily pari-mutuel handle is imposed  
4 at a pari-mutuel facility whose license is derived from a track  
5 located in a county that borders the Mississippi River and  
6 conducted live racing in the previous year. The pari-mutuel tax  
7 imposed by this subsection (a-5) shall be remitted to the  
8 Department of Revenue within 48 hours after the close of the  
9 racing day upon which it is assessed or within such other time  
10 as the Board prescribes.

11 (b) On or before December 31, 1999, in the event that any  
12 organization licensee conducts 2 separate programs of races on  
13 any day, each such program shall be considered a separate  
14 racing day for purposes of determining the daily handle and  
15 computing the privilege tax on such daily handle as provided in  
16 subsection (a) of this Section.

17 (c) Licensees shall at all times keep accurate books and  
18 records of all monies wagered on each day of a race meeting and  
19 of the taxes paid to the Department of Revenue under the  
20 provisions of this Section. The Board or its duly authorized  
21 representative or representatives shall at all reasonable  
22 times have access to such records for the purpose of examining  
23 and checking the same and ascertaining whether the proper  
24 amount of taxes is being paid as provided. The Board shall  
25 require verified reports and a statement of the total of all  
26 monies wagered daily at each wagering facility upon which the



1 taxes are assessed and may prescribe forms upon which such  
2 reports and statement shall be made.

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

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

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

1 boundaries may each impose an admission fee not to exceed \$1.00  
2 per admission to such inter-track wagering location facility,  
3 so that a total of not more than \$2.00 per admission may be  
4 imposed. Except as provided in subparagraph (g) of Section 27  
5 of this Act, the inter-track wagering location licensee shall  
6 collect any and all such fees and within 48 hours remit the  
7 fees to the Board, which shall, pursuant to rule, cause the  
8 fees to be distributed to the county or municipality.

9 (g) Notwithstanding any provision in this Act to the  
10 contrary, if in any calendar year the total taxes and fees  
11 required to be collected from licensees and distributed under  
12 this Act to all State and local governmental authorities  
13 exceeds the amount of such taxes and fees distributed to each  
14 State and local governmental authority to which each State and  
15 local governmental authority was entitled under this Act for  
16 calendar year 1994, then the first \$11 million of that excess  
17 amount 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 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".