



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

1 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
20 December 31, 2020 ~~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
8 December 31, 2020 ~~2018~~, in addition to the surcharge imposed in
9 Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this Act, each
10 licensee shall impose a surcharge of 0.2% on winning wagers and
11 winnings from wagers. The surcharge shall be deducted from
12 winnings prior to payout. All amounts collected from the
13 surcharges imposed under this Section shall be remitted to the
14 Board. From amounts collected under this Section, the Board
15 shall deposit an amount not to exceed \$100,000 annually into
16 the Quarter Horse Purse Fund and all remaining amounts into the
17 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 December
8 31, 2020 ~~2018~~, an additional pari-mutuel tax at the rate of
9 0.25% shall be imposed on advance deposit wagering. Until
10 August 25, 2012, the additional 0.25% pari-mutuel tax imposed
11 on advance deposit wagering by Public Act 96-972 shall be
12 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.".