

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Section 26 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  
17 the provisions of this Act, be held or construed to be  
18 unlawful, other statutes of this State to the contrary  
19 notwithstanding. Subject to rules for advance wagering  
20 promulgated by the Board, any licensee may accept wagers in  
21 advance of the day of the race wagered upon occurs.

22 (b) No other method of betting, pool making, wagering or  
23 gambling shall be used or permitted by the licensee. Each

1 licensee may retain, subject to the payment of all applicable  
2 taxes and purses, an amount not to exceed 17% of all money  
3 wagered under subsection (a) of this Section, except as may  
4 otherwise be permitted under this Act.

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

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

22 (c-5) Beginning January 1, 2000, the sum held by any  
23 licensee for payment of outstanding pari-mutuel tickets, if  
24 unclaimed prior to December 31 of the next year, shall be  
25 retained by the licensee for payment of such tickets until that  
26 date. Within 10 days thereafter, the balance of such sum

1 remaining unclaimed, less any uncashed supplements contributed  
2 by such licensee for the purpose of guaranteeing minimum  
3 distributions of any pari-mutuel pool, shall be evenly  
4 distributed to the purse account of the organization licensee  
5 and the organization licensee.

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

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

20 (f) Notwithstanding the other provisions of this Act, an  
21 organization licensee may contract with an entity in another  
22 state or country to permit any legal wagering entity in another  
23 state or country to accept wagers solely within such other  
24 state or country on races conducted by the organization  
25 licensee in this State. Beginning January 1, 2000, these wagers  
26 shall not be subject to State taxation. Until January 1, 2000,

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

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

21 (g) A host track may accept interstate simulcast wagers on  
22 horse races conducted in other states or countries and shall  
23 control the number of signals and types of breeds of racing in  
24 its simulcast program, subject to the disapproval of the Board.  
25 The Board may prohibit a simulcast program only if it finds  
26 that the simulcast program is clearly adverse to the integrity

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

1 organization licensee's signal without prior approval by the  
2 Board. The Board may adopt rules under which it may permit  
3 simulcast commission fees in excess of 6%. The Board shall  
4 adopt rules limiting the interstate commission fees charged to  
5 an advance deposit wagering licensee. The Board shall adopt  
6 rules regarding advance deposit wagering on interstate  
7 simulcast races that shall reflect, among other things, the  
8 General Assembly's desire to maximize revenues to the State,  
9 horsemen purses, and organizational licensees. However,  
10 organization licensees providing live signals pursuant to the  
11 requirements of this subsection (g) may petition the Board to  
12 withhold their live signals from an advance deposit wagering  
13 licensee if the organization licensee discovers and the Board  
14 finds reputable or credible information that the advance  
15 deposit wagering licensee is under investigation by another  
16 state or federal governmental agency, the advance deposit  
17 wagering licensee's license has been suspended in another  
18 state, or the advance deposit wagering licensee's license is in  
19 revocation proceedings in another state. The organization  
20 licensee's provision of their live signal to an advance deposit  
21 wagering licensee under this subsection (g) pertains to wagers  
22 placed from within Illinois. Advance deposit wagering  
23 licensees may place advance deposit wagering terminals at  
24 wagering facilities as a convenience to customers. The advance  
25 deposit wagering licensee shall not charge or collect any fee  
26 from purses for the placement of the advance deposit wagering

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

13 Notwithstanding any other provision of this Act, through  
14 December 31, 2020, an organization licensee, with the consent  
15 of the horsemen association representing the largest number of  
16 owners, trainers, jockeys, or standardbred drivers who race  
17 horses at that organization licensee's racing meeting, may  
18 maintain a system whereby advance deposit wagering may take  
19 place or an organization licensee, with the consent of the  
20 horsemen association representing the largest number of  
21 owners, trainers, jockeys, or standardbred drivers who race  
22 horses at that organization licensee's racing meeting, may  
23 contract with another person to carry out a system of advance  
24 deposit wagering. Such consent may not be unreasonably  
25 withheld. Only with respect to an appeal to the Board that  
26 consent for an organization licensee that maintains its own

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



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

1 escrow or otherwise withheld from wagers pending a  
2 determination of the legality of advance deposit wagering, no  
3 action shall be brought to declare such wagers or the  
4 disbursement of any fees previously escrowed illegal.

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

22 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
23 inter-track wagering licensee other than the host track may  
24 receive supplemental interstate simulcasts only with the  
25 consent of the host track, except when the Board finds that  
26 the simulcast is clearly adverse to the integrity of

1 racing. Consent granted under this paragraph (2) to any  
2 inter-track wagering licensee shall be deemed consent to  
3 all non-host licensees. The interstate commission fee for  
4 the supplemental interstate simulcast shall be paid by all  
5 participating non-host licensees.

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

22 (4) A licensee who receives an interstate simulcast may  
23 combine its gross or net pools with pools at the sending  
24 racetracks pursuant to rules established by the Board. All  
25 licensees combining their gross pools at a sending  
26 racetrack shall adopt the takeout ~~take out~~ percentages of

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

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

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

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

26 (6) Notwithstanding any provision in this Act to the

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

8 (7) Effective January 1, 2017, notwithstanding any  
9 provision of this Act to the contrary, after payment of all  
10 applicable State and local taxes and interstate commission  
11 fees, non-host licensees who derive their licenses from a  
12 track located in a county with a population in excess of  
13 230,000 and that borders the Mississippi River shall retain  
14 50% of the retention from interstate simulcast wagers and  
15 shall pay 50% to purses at the track from which the  
16 non-host licensee derives its license.

17 (7.1) Notwithstanding any other provision of this Act  
18 to the contrary, if no standardbred racing is conducted at  
19 a racetrack located in Madison County during any calendar  
20 year beginning on or after January 1, 2002, all moneys  
21 derived by that racetrack from simulcast wagering and  
22 inter-track wagering that (1) are to be used for purses and  
23 (2) are generated between the hours of 6:30 p.m. and 6:30  
24 a.m. during that calendar year shall be paid as follows:

25 (A) If the licensee that conducts horse racing at  
26 that racetrack requests from the Board at least as many

1 racing dates as were conducted in calendar year 2000,  
2 80% shall be paid to its thoroughbred purse account;  
3 and

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

19 (7.2) Notwithstanding any other provision of this Act  
20 to the contrary, if no thoroughbred racing is conducted at  
21 a racetrack located in Madison County during any calendar  
22 year beginning on or after January 1, 2002, all moneys  
23 derived by that racetrack from simulcast wagering and  
24 inter-track wagering that (1) are to be used for purses and  
25 (2) are generated between the hours of 6:30 a.m. and 6:30  
26 p.m. during that calendar year shall be deposited as

1 follows:

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

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

25 (7.3) (Blank).

26 (7.4) (Blank).

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

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

23          (9) (Blank).

24          (10) (Blank).

25          (11) (Blank).

26          (12) The Board shall have authority to compel all host



1 tracks to receive the simulcast of any or all races  
2 conducted at the Springfield or DuQuoin State fairgrounds  
3 and include all such races as part of their simulcast  
4 programs.

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

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

25 (h) The Board may approve and license the conduct of  
26 inter-track wagering and simulcast wagering by inter-track

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

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

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

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

1 by the Board.

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

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

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

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

26 (7) An inter-track wagering licensee or inter-track

1           wagering location licensee may accept wagers at the track  
2           or location where it is licensed, or as otherwise provided  
3           under this Act.

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

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

1 the current year, unless the person having operating  
2 control of such race track has given its written consent to  
3 such inter-track wagering location licensees, which  
4 consent must be filed with the Board at or prior to the  
5 time application is made.

6 (8.2) Inter-track wagering or simulcast wagering shall  
7 not be conducted by an inter-track wagering location  
8 licensee at any location within 100 ~~500~~ feet of an existing  
9 church or existing school, ~~nor within 500 feet of the~~  
10 ~~residences of more than 50 registered voters without~~  
11 ~~receiving written permission from a majority of the~~  
12 ~~registered voters at such residences. Such written~~  
13 ~~permission statements shall be filed with the Board.~~ The  
14 distance of 100 ~~500~~ feet shall be measured to the nearest  
15 part of any building used for worship services, education  
16 programs, ~~residential purposes,~~ or conducting inter-track  
17 wagering by an inter-track wagering location licensee, and  
18 not to property boundaries. However, inter-track wagering  
19 or simulcast wagering may be conducted at a site within 100  
20 ~~500~~ feet of a church or school ~~or residences of 50 or more~~  
21 ~~registered voters~~ if such church or school has ~~or~~  
22 ~~residences have~~ been erected or established, ~~or such voters~~  
23 ~~have been registered,~~ after the Board issues the original  
24 inter-track wagering location license at the site in  
25 question. Inter-track wagering location licensees may  
26 conduct inter-track wagering and simulcast wagering only

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

14 (9) (Blank).

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

25 (10.1) Except as provided in subsection (g) of Section  
26 27 of this Act, inter-track wagering location licensees



1 shall pay 1% of the pari-mutuel handle at each location to  
2 the municipality in which such location is situated and 1%  
3 of the pari-mutuel handle at each location to the county in  
4 which such location is situated. In the event that an  
5 inter-track wagering location licensee is situated in an  
6 unincorporated area of a county, such licensee shall pay 2%  
7 of the pari-mutuel handle from such location to such  
8 county.

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

25 (A) That portion of all moneys wagered on  
26 standardbred racing that is required under this Act to

1           be paid to purses shall be paid to purses for  
2           standardbred races.

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

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

1 (B) From the sums permitted to be retained pursuant to  
2 this Act each inter-track wagering location licensee shall  
3 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
4 4.75% of the pari-mutuel handle on inter-track wagering at  
5 such location on races as purses, except that an  
6 inter-track wagering location licensee that derives its  
7 license from a track located in a county with a population  
8 in excess of 230,000 and that borders the Mississippi River  
9 shall retain all purse moneys for its own purse account  
10 consistent with distribution set forth in this subsection  
11 (h), and inter-track wagering location licensees that  
12 accept wagers on races conducted by an organization  
13 licensee located in a county with a population in excess of  
14 230,000 and that borders the Mississippi River shall  
15 distribute all purse moneys to purses at the operating host  
16 track; (iii) until January 1, 2000, except as provided in  
17 subsection (g) of Section 27 of this Act, 1% of the  
18 pari-mutuel handle wagered on inter-track wagering and  
19 simulcast wagering at each inter-track wagering location  
20 licensee facility to the Horse Racing Tax Allocation Fund,  
21 provided that, to the extent the total amount collected and  
22 distributed to the Horse Racing Tax Allocation Fund under  
23 this subsection (h) during any calendar year exceeds the  
24 amount collected and distributed to the Horse Racing Tax  
25 Allocation Fund during calendar year 1994, that excess  
26 amount shall be redistributed (I) to all inter-track

1           wagering location licensees, based on each licensee's pro  
2           rata ~~pro-rata~~ share of the total handle from inter-track  
3           wagering and simulcast wagering for all inter-track  
4           wagering location licensees during the calendar year in  
5           which this provision is applicable; then (II) the amounts  
6           redistributed to each inter-track wagering location  
7           licensee as described in subpart (I) shall be further  
8           redistributed as provided in subparagraph (B) of paragraph  
9           (5) of subsection (g) of this Section 26 provided first,  
10          that the shares of those amounts, which are to be  
11          redistributed to the host track or to purses at the host  
12          track under subparagraph (B) of paragraph (5) of subsection  
13          (g) of this Section 26 shall be redistributed based on each  
14          host track's pro rata share of the total inter-track  
15          wagering and simulcast wagering handle at all host tracks  
16          during the calendar year in question, and second, that any  
17          amounts redistributed as described in part (I) to an  
18          inter-track wagering location licensee that accepts wagers  
19          on races conducted by an organization licensee that  
20          conducts a race meet in a county with a population in  
21          excess of 230,000 and that borders the Mississippi River  
22          shall be further redistributed, effective January 1, 2017,  
23          as provided in paragraph (7) of subsection (g) of this  
24          Section 26, with the portion of that further redistribution  
25          allocated to purses at that organization licensee to be  
26          divided between standardbred purses and thoroughbred

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

1           wagered at the location on races; during the second 12  
2           months, 5.25%; during the third 12 months, 5.75%; during  
3           the fourth 12 months, 6.25%; and during the fifth 12 months  
4           and thereafter, 6.75%. The following amounts shall be  
5           retained by the licensee to satisfy all costs and expenses  
6           of conducting its wagering: during the first 12 months the  
7           licensee is in operation, 8.25% of the pari-mutuel handle  
8           wagered at the location; during the second 12 months,  
9           8.25%; during the third 12 months, 7.75%; during the fourth  
10          12 months, 7.25%; and during the fifth 12 months and  
11          thereafter, 6.75%. For additional inter-track wagering  
12          location licensees authorized under Public Act 89-16,  
13          purses for the first 12 months the licensee is in operation  
14          shall be 5.75% of the pari-mutuel wagered at the location,  
15          purses for the second 12 months the licensee is in  
16          operation shall be 6.25%, and purses thereafter shall be  
17          6.75%. For additional inter-track location licensees  
18          authorized under Public Act 89-16, the licensee shall be  
19          allowed to retain to satisfy all costs and expenses: 7.75%  
20          of the pari-mutuel handle wagered at the location during  
21          its first 12 months of operation, 7.25% during its second  
22          12 months of operation, and 6.75% thereafter.

23                 (C) There is hereby created the Horse Racing Tax  
24                 Allocation Fund which shall remain in existence until  
25                 December 31, 1999. Moneys remaining in the Fund after  
26                 December 31, 1999 shall be paid into the General Revenue

1 Fund. Until January 1, 2000, all monies paid into the Horse  
2 Racing Tax Allocation Fund pursuant to this paragraph (11)  
3 by inter-track wagering location licensees located in park  
4 districts of 500,000 population or less, or in a  
5 municipality that is not included within any park district  
6 but is included within a conservation district and is the  
7 county seat of a county that (i) is contiguous to the state  
8 of Indiana and (ii) has a 1990 population of 88,257  
9 according to the United States Bureau of the Census, and  
10 operating on May 1, 1994 shall be allocated by  
11 appropriation as follows:

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

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

23 Four-sevenths to park districts or municipalities  
24 that do not have a park district of 500,000 population  
25 or less for museum purposes (if an inter-track wagering  
26 location licensee is located in such a park district)



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

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

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

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

24 Two-sevenths to the Department of Agriculture.  
25 Fifty percent of this two-sevenths shall be used to  
26 promote the Illinois horse racing and breeding

1 industry, and shall be distributed by the Department of  
2 Agriculture upon the advice of a 9-member committee  
3 appointed by the Governor consisting of the following  
4 members: the Director of Agriculture, who shall serve  
5 as chairman; 2 representatives of organization  
6 licensees conducting thoroughbred race meetings in  
7 this State, recommended by those licensees; 2  
8 representatives of organization licensees conducting  
9 standardbred race meetings in this State, recommended  
10 by those licensees; a representative of the Illinois  
11 Thoroughbred Breeders and Owners Foundation,  
12 recommended by that Foundation; a representative of  
13 the Illinois Standardbred Owners and Breeders  
14 Association, recommended by that Association; a  
15 representative of the Horsemen's Benevolent and  
16 Protective Association or any successor organization  
17 thereto established in Illinois comprised of the  
18 largest number of owners and trainers, recommended by  
19 that Association or that successor organization; and a  
20 representative of the Illinois Harness Horsemen's  
21 Association, recommended by that Association.  
22 Committee members shall serve for terms of 2 years,  
23 commencing January 1 of each even-numbered year. If a  
24 representative of any of the above-named entities has  
25 not been recommended by January 1 of any even-numbered  
26 year, the Governor shall appoint a committee member to

1 fill that position. Committee members shall receive no  
2 compensation for their services as members but shall be  
3 reimbursed for all actual and necessary expenses and  
4 disbursements incurred in the performance of their  
5 official duties. The remaining 50% of this  
6 two-sevenths shall be distributed to county fairs for  
7 premiums and rehabilitation as set forth in the  
8 Agricultural Fair Act;

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

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

24 (D) Except as provided in paragraph (11) of this  
25 subsection (h), with respect to purse allocation from  
26 inter-track wagering, the monies so retained shall be

1           divided as follows:

2                   (i) If the inter-track wagering licensee,  
3                   except an inter-track wagering licensee that  
4                   derives its license from an organization licensee  
5                   located in a county with a population in excess of  
6                   230,000 and bounded by the Mississippi River, is  
7                   not conducting its own race meeting during the same  
8                   dates, then the entire purse allocation shall be to  
9                   purses at the track where the races wagered on are  
10                  being conducted.

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

22                  (iii) If the inter-track wagering is being  
23                  conducted by an inter-track wagering location  
24                  licensee, except an inter-track wagering location  
25                  licensee that derives its license from an  
26                  organization licensee located in a county with a

1 population in excess of 230,000 and bounded by the  
2 Mississippi River, the entire purse allocation for  
3 Illinois races shall be to purses at the track  
4 where the race meeting being wagered on is being  
5 held.

6 (12) The Board shall have all powers necessary and  
7 proper to fully supervise and control the conduct of  
8 inter-track wagering and simulcast wagering by inter-track  
9 wagering licensees and inter-track wagering location  
10 licensees, including, but not limited to the following:

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

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

26 (C) The Board, and any person or persons to whom it

1 delegates this power, may eject or exclude from any  
2 licensee's facilities, any person whose conduct or  
3 reputation is such that his presence on such premises  
4 may, in the opinion of the Board, call into the  
5 question the honesty and integrity of, or interfere  
6 with the orderly conduct of such wagering; provided,  
7 however, that no person shall be excluded or ejected  
8 from such premises solely on the grounds of race,  
9 color, creed, national origin, ancestry, or sex.

10 (D) (Blank).

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

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

24 (G) The Board is vested with the power to impose  
25 civil penalties of up to \$5,000 against individuals and  
26 up to \$10,000 against licensees for each violation of

1           any provision of this Act relating to the conduct of  
2           this wagering, any rules adopted by the Board, any  
3           order of the Board or any other action which in the  
4           Board's discretion, is a detriment or impediment to  
5           such wagering.

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



1 meetings conducted by the Department of Agriculture at the  
2 Illinois State Fair in Sangamon County or the DuQuoin State  
3 Fair in Perry County, or to any wagering conducted on those  
4 race meetings.

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

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

21 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
22 100-201, eff. 8-18-17; 100-627, eff. 7-20-18; 100-1152, eff.  
23 12-14-18; revised 1-13-19.)

24 Section 10. The Raffles and Poker Runs Act is amended by  
25 changing Sections 1, 2, 3, 4, 5, 6, and 8.1 as follows:

1 (230 ILCS 15/1) (from Ch. 85, par. 2301)

2 Sec. 1. Definitions. For the purposes of this Act the terms  
3 defined in this Section have the meanings given them.

4 "Key location" means:

5 (1) For a poker run, the location where the poker run  
6 concludes and the prizes are awarded.

7 (2) For a raffle, the location where the winning  
8 chances in the raffle are determined.

9 "Law enforcement agency" means an agency of this State or a  
10 unit of local government in this State that is vested by law or  
11 ordinance with the duty to maintain public order and to enforce  
12 criminal laws or ordinances.

13 "Net proceeds" means the gross receipts from the conduct of  
14 raffles, less reasonable sums expended for prizes, local  
15 license fees and other ~~reasonable~~ operating expenses incurred  
16 as a result of operating a raffle or poker run.

17 ~~"Key location" means the location where the poker run~~  
18 ~~concludes and the prize or prizes are awarded.~~

19 "Poker run" means a prize-awarding event organized by an  
20 organization licensed under this Act in which participants  
21 travel to multiple predetermined locations, including a key  
22 location, to play a randomized game based on an element of  
23 chance. "Poker run" includes dice runs, marble runs, or other  
24 events where the objective is to build the best hand or highest  
25 score by obtaining an item or playing a randomized game at each

1 location.

2 "Raffle" means a form of lottery, as defined in subsection  
3 (b) of Section 28-2 ~~28-2(b)~~ of the Criminal Code of 2012,  
4 conducted by an organization licensed under this Act, in which:

5 (1) the player pays or agrees to pay something of value  
6 for a chance, represented and differentiated by a number or  
7 by a combination of numbers or by some other medium, one or  
8 more of which chances is to be designated the winning  
9 chance; and

10 (2) the winning chance is to be determined through a  
11 drawing or by some other method based on an element of  
12 chance by an act or set of acts on the part of persons  
13 conducting or connected with the lottery, except that the  
14 winning chance shall not be determined by the outcome of a  
15 publicly exhibited sporting contest.

16 "Raffle" does not include any game designed to simulate:  
17 (1) gambling games as defined in the Riverboat Gambling Act,  
18 (2) any casino game approved for play by the Illinois Gaming  
19 Board, (3) any games provided by a video gaming terminal, as  
20 defined in the Video Gaming Act, or (4) a savings promotion  
21 raffle authorized under Section 5g of the Illinois Banking Act,  
22 Section 7008 of the Savings Bank Act, Section 42.7 of the  
23 Illinois Credit Union Act, Section 5136B of the National Bank  
24 Act ~~(12 U.S.C. 25a)~~, or Section 4 of the Home Owners' Loan Act  
25 ~~(12 U.S.C. 1463)~~.

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

1 99-405, eff. 8-19-15; 99-642, eff. 7-28-16.)

2 (230 ILCS 15/2) (from Ch. 85, par. 2302)

3 Sec. 2. Licensing.

4 (a) The governing body of any county or municipality within  
5 this State may establish a system for the licensing of  
6 organizations to operate raffles. The governing bodies of a  
7 county and one or more municipalities may, pursuant to a  
8 written contract, jointly establish a system for the licensing  
9 of organizations to operate raffles within any area of  
10 contiguous territory not contained within the corporate limits  
11 of a municipality which is not a party to such contract. The  
12 governing bodies of two or more adjacent counties or two or  
13 more adjacent municipalities located within a county may,  
14 pursuant to a written contract, jointly establish a system for  
15 the licensing of organizations to operate raffles within the  
16 corporate limits of such counties or municipalities. The  
17 licensing authority may establish special categories of  
18 licenses and promulgate rules relating to the various  
19 categories. The licensing system shall provide for limitations  
20 upon (1) the aggregate retail value of all prizes or  
21 merchandise awarded by a licensee in a single raffle, if any,  
22 (2) the maximum retail value of each prize awarded by a  
23 licensee in a single raffle, if any, (3) the maximum price  
24 which may be charged for each raffle chance issued or sold, if  
25 any and (4) the maximum number of days during which chances may

1 be issued or sold, if any. The licensing system may include a  
2 fee for each license in an amount to be determined by the local  
3 governing body. Licenses issued pursuant to this Act shall be  
4 valid for one raffle or for a specified number of raffles to be  
5 conducted during a specified period not to exceed one year and  
6 may be suspended or revoked for any violation of this Act. A  
7 local governing body shall act on a license application within  
8 30 days from the date of application. ~~A Nothing in this Act~~  
9 ~~shall be construed to prohibit a county or municipality may~~  
10 ~~adopt from adopting~~ rules or ordinances for the operation of  
11 raffles that are consistent with this Act. Raffles shall be  
12 licensed by the governing body of the municipality with  
13 jurisdiction over the key location or, if no municipality has  
14 jurisdiction over the key location, then by the governing body  
15 of the county with jurisdiction over the key location. A  
16 license shall authorize the holder of such license to sell  
17 raffle chances throughout the State, including beyond the  
18 borders of the licensing municipality or county. ~~more~~  
19 ~~restrictive than provided for in this Act. Except for raffles~~  
20 ~~organized by law enforcement agencies and statewide~~  
21 ~~associations that represent law enforcement officials as~~  
22 ~~provided in Section 9 of this Act, the governing body of a~~  
23 ~~municipality may authorize the sale of raffle chances only~~  
24 ~~within the borders of the municipality. Except for raffles~~  
25 ~~organized by law enforcement agencies and statewide~~  
26 ~~associations that represent law enforcement officials as~~

1 ~~provided in Section 9, the governing body of the county may~~  
2 ~~authorize the sale of raffle chances only in those areas which~~  
3 ~~are both within the borders of the county and outside the~~  
4 ~~borders of any municipality.~~

5 (a-5) The governing body of Cook County may and any other  
6 county within this State shall establish a system for the  
7 licensing of organizations to operate poker runs. The governing  
8 bodies of 2 or more adjacent counties may, pursuant to a  
9 written contract, jointly establish a system for the licensing  
10 of organizations to operate poker runs within the corporate  
11 limits of such counties. The licensing authority may establish  
12 special categories of licenses and adopt rules relating to the  
13 various categories. The licensing system may include a fee not  
14 to exceed \$25 for each license. Licenses issued pursuant to  
15 this Act shall be valid for one poker run or for a specified  
16 number of poker runs to be conducted during a specified period  
17 not to exceed one year and may be suspended or revoked for any  
18 violation of this Act. A local governing body shall act on a  
19 license application within 30 days after the date of  
20 application.

21 (b) Raffle licenses shall be issued only to bona fide  
22 religious, charitable, labor, business, fraternal,  
23 educational, ~~or~~ veterans', or other bona fide not-for-profit  
24 organizations that operate without profit to their members and  
25 which have been in existence continuously for a period of 5  
26 years immediately before making application for a raffle

1 license and which have ~~had~~ during that entire 5-year period  
2 been ~~a bona fide membership~~ engaged in carrying out their  
3 objects, or to a non-profit fundraising organization that the  
4 licensing authority determines is organized for the sole  
5 purpose of providing financial assistance to an identified  
6 individual or group of individuals suffering extreme financial  
7 hardship as the result of an illness, disability, accident or  
8 disaster, or to any ~~as well as~~ law enforcement agencies and  
9 statewide associations that represent law enforcement  
10 officials ~~as provided for in Section 9 of this Act~~. Poker run  
11 licenses shall be issued only to bona fide religious,  
12 charitable, labor, business, fraternal, educational,  
13 veterans', or other bona fide not-for-profit organizations  
14 that operate without profit to their members and which have  
15 been in existence continuously for a period of 5 years  
16 immediately before making application for a poker run license  
17 and which have ~~had~~ during that entire 5-year period been ~~a bona~~  
18 ~~fide membership~~ engaged in carrying out their objects. Licenses  
19 for poker runs shall be issued for the following purposes: (i)  
20 providing financial assistance to an identified individual or  
21 group of individuals suffering extreme financial hardship as  
22 the result of an illness, disability, accident, or disaster or  
23 (ii) to maintain the financial stability of the organization. A  
24 licensing authority may waive the 5-year requirement under this  
25 subsection (b) for a bona fide religious, charitable, labor,  
26 business, fraternal, educational, or veterans' organization

1 that applies for a license to conduct a raffle or a poker run  
2 if the organization is a local organization that is affiliated  
3 with and chartered by a national or State organization that  
4 meets the 5-year requirement.

5 For purposes of this Act, the following definitions apply.

6 Non-profit: An organization or institution organized and  
7 conducted on a not-for-profit basis with no personal profit  
8 inuring to any one as a result of the operation. Charitable: An  
9 organization or institution organized and operated to benefit  
10 an indefinite number of the public. The service rendered to  
11 those eligible for benefits must also confer some benefit on  
12 the public. Educational: An organization or institution  
13 organized and operated to provide systematic instruction in  
14 useful branches of learning by methods common to schools and  
15 institutions of learning which compare favorably in their scope  
16 and intensity with the course of study presented in  
17 tax-supported schools. Religious: Any church, congregation,  
18 society, or organization founded for the purpose of religious  
19 worship. Fraternal: An organization of persons having a common  
20 interest, the primary interest of which is to both promote the  
21 welfare of its members and to provide assistance to the general  
22 public in such a way as to lessen the burdens of government by  
23 caring for those that otherwise would be cared for by the  
24 government. Veterans: An organization or association comprised  
25 of members of which substantially all are individuals who are  
26 veterans or spouses, widows, or widowers of veterans, the



1 primary purpose of which is to promote the welfare of its  
2 members and to provide assistance to the general public in such  
3 a way as to confer a public benefit. Labor: An organization  
4 composed of workers organized with the objective of betterment  
5 of the conditions of those engaged in such pursuit and the  
6 development of a higher degree of efficiency in their  
7 respective occupations. Business: A voluntary organization  
8 composed of individuals and businesses who have joined together  
9 to advance the commercial, financial, industrial and civic  
10 interests of a community.

11 ~~(c) Poker runs shall be licensed by the county with~~  
12 ~~jurisdiction over the key location. The license granted by the~~  
13 ~~key location shall cover the entire poker run, including~~  
14 ~~locations other than the key location. Each license issued~~  
15 ~~shall include the name and address of each predetermined~~  
16 ~~location.~~

17 (Source: P.A. 99-405, eff. 8-19-15; 99-757, eff. 8-12-16;  
18 100-201, eff. 8-18-17.)

19 (230 ILCS 15/3) (from Ch. 85, par. 2303)

20 Sec. 3. License; application; issuance; restrictions;  
21 persons ineligible ~~Application~~ ~~Issuance~~ ~~Restrictions~~  
22 ~~Persons ineligible~~. Licenses issued by the governing body of  
23 any county or municipality are subject to the following  
24 restrictions:

25 (1) No person, firm or corporation shall conduct

1 raffles or chances or poker runs without having first  
2 obtained a license therefor pursuant to this Act.

3 (2) The license and application for license must  
4 specify the location or locations at ~~area or areas within~~  
5 ~~the licensing authority in which winning raffle chances in~~  
6 ~~the raffle will be determined sold or issued or a poker run~~  
7 ~~will be conducted~~, the time period during which raffle  
8 chances will be sold or issued or a poker run will be  
9 conducted, the time or times of determination of winning  
10 chances and the location or locations at which winning  
11 chances will be determined.

12 (3) The license application must contain a sworn  
13 statement attesting to the not-for-profit character of the  
14 prospective licensee organization, signed by the presiding  
15 officer and the secretary of that organization.

16 (4) The application for license shall be prepared in  
17 accordance with the ordinance of the local governmental  
18 unit.

19 (5) A license authorizes the licensee to conduct  
20 raffles or poker runs as defined in this Act.

21 The following are ineligible for any license under this  
22 Act:

23 (a) any person whose felony conviction will impair the  
24 person's ability to engage in the licensed position;

25 (b) any person who is or has been a professional  
26 gambler or professional gambling promoter;

1 (c) any person who is not of good moral character;

2 (d) any organization ~~firm or corporation~~ in which a  
3 person defined in (a), (b) or (c) has a proprietary,  
4 equitable or credit interest, or in which such a person is  
5 active or employed;

6 (e) any organization in which a person defined in (a),  
7 (b) or (c) is an officer, director, or employee, whether  
8 compensated or not; and

9 (f) any organization in which a person defined in (a),  
10 (b) or (c) is to participate in the management or operation  
11 of a raffle as defined in this Act.

12 (Source: P.A. 100-286, eff. 1-1-18.)

13 (230 ILCS 15/4) (from Ch. 85, par. 2304)

14 Sec. 4. Conduct of raffles and poker runs.

15 (a) The conducting of raffles and poker runs is subject to  
16 the following restrictions:

17 (1) The entire net proceeds of any raffle or poker run  
18 must be exclusively devoted to the lawful purposes of the  
19 organization permitted to conduct that game.

20 (2) No person except a bona fide director, officer,  
21 employee, or member of the sponsoring organization may  
22 manage or participate in the management ~~or operation~~ of the  
23 raffle or poker run. ~~(3)~~ No person may receive any  
24 remuneration or profit for managing or participating in the  
25 management ~~or operation~~ of the raffle or poker run.

1 Sponsoring organizations may contract with third parties  
2 who, acting at the direction of and under the supervision  
3 of the sponsoring organization, provide bona fide services  
4 to the sponsoring organization in connection with the  
5 operation of a raffle and may pay reasonable compensation  
6 for such services. Such services include the following: (a)  
7 advertising, marketing and promotion, (b) legal, (c)  
8 procurement of goods, prizes, wares and merchandise for the  
9 purpose of operating the raffle, (d) rent, if the premises  
10 upon which the raffle will be held is rented, (e)  
11 accounting, auditing and bookkeeping, (f) website hosting,  
12 (g) mailing and delivery, (h) banking and payment  
13 processing, and (i) other services relating to the  
14 operation of the raffle.

15 (3) ~~(4)~~ A licensee may rent a premises on which to  
16 determine the winning chance or chances in a raffle  
17 provided that the rent is not determined as a percentage of  
18 receipts or profits from the raffle. ~~only from an~~  
19 organization which is also licensed under this Act. A  
20 premises where a poker run is held is not required to  
21 obtain a license if the name and location of the premises  
22 is listed as a predetermined location on the license issued  
23 for the poker run and the premises does not charge for use  
24 of the premises.

25 (4) ~~(5)~~ Raffle chances may be sold throughout the  
26 State, including beyond the borders of the licensing

1 municipality or county. ~~or issued only within the area~~  
2 ~~specified on the license and winning~~ Winning chances may be  
3 determined only at those locations specified on the license  
4 for a raffle.

5 (5) ~~(6)~~ A person under the age of 18 years may  
6 participate in the conducting of raffles or chances or  
7 poker runs only with the permission of a parent or  
8 guardian. A person under the age of 18 years may be within  
9 the area where winning chances in a raffle or winning hands  
10 or scores in a poker run are being determined only when  
11 accompanied by his parent or guardian.

12 (b) If a lessor rents a premises where a winning chance or  
13 chances on a raffle or a winning hand or score in a poker run is  
14 determined, the lessor shall not be criminally liable if the  
15 person who uses the premises for the determining of winning  
16 chances does not hold a license issued by the governing body of  
17 any county or municipality under the provisions of this Act.

18 (Source: P.A. 98-644, eff. 6-10-14.)

19 (230 ILCS 15/5) (from Ch. 85, par. 2305)

20 Sec. 5. Manager; bond. All management, operation, ~~of~~ and  
21 ~~the~~ conduct of raffles shall be under the supervision of a  
22 single manager designated by the organization. The manager  
23 shall give a fidelity bond in an amount determined by the  
24 licensing authority in favor of the organization conditioned  
25 upon his honesty in the performance of his duties. Terms of the

1 bond shall provide that notice shall be given in writing to the  
2 licensing authority not less than 30 days prior to its  
3 cancellation. The governing body of a local unit of government  
4 may waive this bond requirement by including a waiver provision  
5 in the license issued to an organization under this Act,  
6 provided that a license containing such waiver provision shall  
7 be granted only by the affirmative ~~unanimous~~ vote of the  
8 requisite number of members of the licensed organization or, if  
9 the licensed organization does not have members, of members of  
10 the governing board of the organization, to constitute an  
11 affirmative action of the licensed organization. Nothing in  
12 this Section shall be deemed to apply to poker runs.

13 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

14 (230 ILCS 15/6) (from Ch. 85, par. 2306)

15 Sec. 6. Records.

16 (a) Each organization licensed to conduct raffles and  
17 chances or poker run events shall keep records of its gross  
18 receipts, expenses and net proceeds for each single gathering  
19 or occasion at which winning chances in a raffle or winning  
20 hands or scores in a poker run are determined. All deductions  
21 from gross receipts for each single gathering or occasion shall  
22 be documented with receipts or other records indicating the  
23 amount, a description of the purchased item or service or other  
24 reason for the deduction, and the recipient. The distribution  
25 of net proceeds shall be itemized as to payee, purpose, amount

1 and date of payment.

2 (b) Gross receipts from the operation of raffles ~~programs~~  
3 or poker runs shall be segregated from other revenues of the  
4 organization, including bingo gross receipts, if bingo games  
5 are also conducted by the same nonprofit organization pursuant  
6 to license therefor issued by the Department of Revenue of the  
7 State of Illinois, and placed in a separate account. Each  
8 organization shall have separate records of its raffles and  
9 poker runs. The person who accounts for gross receipts,  
10 expenses and net proceeds from the operation of raffles or  
11 poker runs shall not be the same person who accounts for other  
12 revenues of the organization.

13 (c) Each organization licensed to conduct raffles or poker  
14 runs shall report promptly after the conclusion of each raffle  
15 or poker run ~~runs~~ to its membership or, if the organization  
16 does not have members, to its governing board. Each  
17 organization licensed to conduct raffles shall report promptly  
18 to the licensing local unit of government its gross receipts,  
19 expenses and net proceeds from the raffle, and the distribution  
20 of net proceeds itemized as required in this Section.

21 (d) Records required by this Section shall be preserved for  
22 3 years, and organizations shall make available their records  
23 relating to operation of raffles or poker runs for public  
24 inspection at reasonable times and places.

25 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

1 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

2 Sec. 8.1. Political committees.

3 (a) For the purposes of this Section the terms defined in  
4 this subsection have the meanings given them.

5 "Net Proceeds" means the gross receipts from the conduct of  
6 raffles, less reasonable sums expended for prizes, license fees  
7 and other reasonable operating expenses incurred as a result of  
8 operating a raffle.

9 "Raffle" means a form of lottery, as defined in Section  
10 28-2 (b) of the Criminal Code of 2012, conducted by a political  
11 committee licensed under this Section, in which:

12 (1) the player pays or agrees to pay something of value  
13 for a chance, represented and differentiated by a number or  
14 by a combination of numbers or by some other medium, one or  
15 more of which chances is to be designated the winning  
16 chance; and

17 (2) the winning chance is to be determined through a  
18 drawing or by some other method based on an element of  
19 chance by an act or set of acts on the part of persons  
20 conducting or connected with the lottery, except that the  
21 winning chance shall not be determined by the outcome of a  
22 publicly exhibited sporting contest.

23 "Unresolved claim" means a claim for civil penalty under  
24 Sections 9-3, 9-10, and 9-23 of The Election Code which has  
25 been begun by the State Board of Elections, has been disputed  
26 by the political committee under the applicable rules of the



1 State Board of Elections, and has not been finally decided  
2 either by the State Board of Elections, or, where application  
3 for review has been made to the Courts of Illinois, remains  
4 finally undecided by the Courts.

5 "Owes" means that a political committee has been finally  
6 determined under applicable rules of the State Board of  
7 Elections to be liable for a civil penalty under Sections 9-3,  
8 9-10, and 9-23 of The Election Code.

9 (b) Licenses issued pursuant to this Section shall be valid  
10 for one raffle or for a specified number of raffles to be  
11 conducted during a specified period not to exceed one year and  
12 may be suspended or revoked for any violation of this Section.  
13 The State Board of Elections shall act on a license application  
14 within 30 days from the date of application.

15 (c) Licenses issued by the State Board of Elections are  
16 subject to the following restrictions:

17 (1) No political committee shall conduct raffles or  
18 chances without having first obtained a license therefor  
19 pursuant to this Section.

20 (2) The application for license shall be prepared in  
21 accordance with regulations of the State Board of Elections  
22 and must specify the area or areas within the State in  
23 which raffle chances will be sold or issued, the time  
24 period during which raffle chances will be sold or issued,  
25 the time of determination of winning chances and the  
26 location or locations at which winning chances will be

1 determined.

2 (3) A license authorizes the licensee to conduct  
3 raffles as defined in this Section.

4 The following are ineligible for any license under this  
5 Section:

6 (i) any political committee which has an officer  
7 who has been convicted of a felony;

8 (ii) any political committee which has an officer  
9 who is or has been a professional gambler or gambling  
10 promoter;

11 (iii) any political committee which has an officer  
12 who is not of good moral character;

13 (iv) any political committee which has an officer  
14 who is also an officer of a firm or corporation in  
15 which a person defined in (i), (ii) or (iii) has a  
16 proprietary, equitable or credit interest, or in which  
17 such a person is active or employed;

18 (v) any political committee in which a person  
19 defined in (i), (ii) or (iii) is an officer, director,  
20 or employee, whether compensated or not;

21 (vi) any political committee in which a person  
22 defined in (i), (ii) or (iii) is to participate in the  
23 management or operation of a raffle as defined in this  
24 Section;

25 (vii) any committee which, at the time of its  
26 application for a license to conduct a raffle, owes the

1 State Board of Elections any unpaid civil penalty  
2 authorized by Sections 9-3, 9-10, and 9-23 of The  
3 Election Code, or is the subject of an unresolved claim  
4 for a civil penalty under Sections 9-3, 9-10, and 9-23  
5 of The Election Code;

6 (viii) any political committee which, at the time  
7 of its application to conduct a raffle, has not  
8 submitted any report or document required to be filed  
9 by Article 9 of The Election Code and such report or  
10 document is more than 10 days overdue.

11 (d) (1) The conducting of raffles is subject to the  
12 following restrictions:

13 (i) The entire net proceeds of any raffle must be  
14 exclusively devoted to the lawful purposes of the  
15 political committee permitted to conduct that game.

16 (ii) No person except a bona fide member of the  
17 political committee may participate in the management  
18 or operation of the raffle.

19 (iii) No person may receive any remuneration or  
20 profit for participating in the management or  
21 operation of the raffle.

22 (iv) Raffle chances may be sold or issued only  
23 within the area specified on the license and winning  
24 chances may be determined only at those locations  
25 specified on the license.

26 (v) A person under the age of 18 years may

1           participate in the conducting of raffles or chances  
2           only with the permission of a parent or guardian. A  
3           person under the age of 18 years may be within the area  
4           where winning chances are being determined only when  
5           accompanied by his parent or guardian.

6           (2) If a lessor rents a premises where a winning chance  
7           or chances on a raffle are determined, the lessor shall not  
8           be criminally liable if the person who uses the premises  
9           for the determining of winning chances does not hold a  
10          license issued under the provisions of this Section.

11          (e) (1) Each political committee licensed to conduct  
12          raffles and chances shall keep records of its gross  
13          receipts, expenses and net proceeds for each single  
14          gathering or occasion at which winning chances are  
15          determined. All deductions from gross receipts for each  
16          single gathering or occasion shall be documented with  
17          receipts or other records indicating the amount, a  
18          description of the purchased item or service or other  
19          reason for the deduction, and the recipient. The  
20          distribution of net proceeds shall be itemized as to payee,  
21          purpose, amount and date of payment.

22          (2) Each political committee licensed to conduct  
23          raffles shall report on the next report due to be filed  
24          under Article 9 of The Election Code its gross receipts,  
25          expenses and net proceeds from raffles, and the  
26          distribution of net proceeds itemized as required in this

1 subsection.

2 Such reports shall be included in the regular reports  
3 required of political committees by Article 9 of The Election  
4 Code.

5 (3) Records required by this subsection shall be  
6 preserved for 3 years, and political committees shall make  
7 available their records relating to operation of raffles  
8 for public inspection at reasonable times and places.

9 (f) Violation of any provision of this Section is a Class C  
10 misdemeanor.

11 (g) Nothing in this Section shall be construed to authorize  
12 the conducting or operating of any gambling scheme, enterprise,  
13 activity or device other than raffles as provided for herein.

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

15 (230 ILCS 15/9 rep.)

16 Section 15. The Raffles and Poker Runs Act is amended by  
17 repealing Section 9.

18 Section 20. The Criminal Code of 2012 is amended by  
19 changing Section 28-1 as follows:

20 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

21 Sec. 28-1. Gambling.

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

23 (1) knowingly plays a game of chance or skill for money

1 or other thing of value, unless excepted in subsection (b)  
2 of this Section;

3 (2) knowingly makes a wager upon the result of any  
4 game, contest, or any political nomination, appointment or  
5 election;

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

9 (4) contracts to have or give himself or herself or  
10 another the option to buy or sell, or contracts to buy or  
11 sell, at a future time, any grain or other commodity  
12 whatsoever, or any stock or security of any company, where  
13 it is at the time of making such contract intended by both  
14 parties thereto that the contract to buy or sell, or the  
15 option, whenever exercised, or the contract resulting  
16 therefrom, shall be settled, not by the receipt or delivery  
17 of such property, but by the payment only of differences in  
18 prices thereof; however, the issuance, purchase, sale,  
19 exercise, endorsement or guarantee, by or through a person  
20 registered with the Secretary of State pursuant to Section  
21 8 of the Illinois Securities Law of 1953, or by or through  
22 a person exempt from such registration under said Section  
23 8, of a put, call, or other option to buy or sell  
24 securities which have been registered with the Secretary of  
25 State or which are exempt from such registration under  
26 Section 3 of the Illinois Securities Law of 1953 is not

1 gambling within the meaning of this paragraph (4);

2 (5) knowingly owns or possesses any book, instrument or  
3 apparatus by means of which bets or wagers have been, or  
4 are, recorded or registered, or knowingly possesses any  
5 money which he has received in the course of a bet or  
6 wager;

7 (6) knowingly sells pools upon the result of any game  
8 or contest of skill or chance, political nomination,  
9 appointment or election;

10 (7) knowingly sets up or promotes any lottery or sells,  
11 offers to sell or transfers any ticket or share for any  
12 lottery;

13 (8) knowingly sets up or promotes any policy game or  
14 sells, offers to sell or knowingly possesses or transfers  
15 any policy ticket, slip, record, document or other similar  
16 device;

17 (9) knowingly drafts, prints or publishes any lottery  
18 ticket or share, or any policy ticket, slip, record,  
19 document or similar device, except for such activity  
20 related to lotteries, bingo games and raffles authorized by  
21 and conducted in accordance with the laws of Illinois or  
22 any other state or foreign government;

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

1           (11) knowingly transmits information as to wagers,  
2 betting odds, or changes in betting odds by telephone,  
3 telegraph, radio, semaphore or similar means; or knowingly  
4 installs or maintains equipment for the transmission or  
5 receipt of such information; except that nothing in this  
6 subdivision (11) prohibits transmission or receipt of such  
7 information for use in news reporting of sporting events or  
8 contests; or

9           (12) knowingly establishes, maintains, or operates an  
10 Internet site that permits a person to play a game of  
11 chance or skill for money or other thing of value by means  
12 of the Internet or to make a wager upon the result of any  
13 game, contest, political nomination, appointment, or  
14 election by means of the Internet. This item (12) does not  
15 apply to activities referenced in items (6), ~~and~~ (6.1),  
16 (8), and (8.1) of subsection (b) of this Section.

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

19           (1) Agreements to compensate for loss caused by the  
20 happening of chance including without limitation contracts  
21 of indemnity or guaranty and life or health or accident  
22 insurance.

23           (2) Offers of prizes, award or compensation to the  
24 actual contestants in any bona fide contest for the  
25 determination of skill, speed, strength or endurance or to  
26 the owners of animals or vehicles entered in such contest.



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

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

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

14           (6) Lotteries when conducted by the State of Illinois  
15 in accordance with the Illinois Lottery Law. This exemption  
16 includes any activity conducted by the Department of  
17 Revenue to sell lottery tickets pursuant to the provisions  
18 of the Illinois Lottery Law and its rules.

19           (6.1) The purchase of lottery tickets through the  
20 Internet for a lottery conducted by the State of Illinois  
21 under the program established in Section 7.12 of the  
22 Illinois Lottery Law.

23           (7) Possession of an antique slot machine that is  
24 neither used nor intended to be used in the operation or  
25 promotion of any unlawful gambling activity or enterprise.  
26 For the purpose of this subparagraph (b) (7), an antique

1 slot machine is one manufactured 25 years ago or earlier.

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

4 (8.1) The purchase of raffle chances for a raffle  
5 conducted in accordance with the Raffles and Poker Runs  
6 Act.

7 (9) Charitable games when conducted in accordance with  
8 the Charitable Games Act.

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

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

13 (12) Video gaming terminal games at a licensed  
14 establishment, licensed truck stop establishment, licensed  
15 fraternal establishment, or licensed veterans  
16 establishment when conducted in accordance with the Video  
17 Gaming Act.

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

21 (14) Savings promotion raffles authorized under  
22 Section 5g of the Illinois Banking Act, Section 7008 of the  
23 Savings Bank Act, Section 42.7 of the Illinois Credit Union  
24 Act, Section 5136B of the National Bank Act (12 U.S.C.  
25 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.  
26 1463).

1 (c) Sentence.

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

5 (d) Circumstantial evidence.

6 In prosecutions under this Section circumstantial evidence  
7 shall have the same validity and weight as in any criminal  
8 prosecution.

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

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.