



Rep. Robert Rita

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1 AMENDMENT TO HOUSE BILL 3334

2 AMENDMENT NO. _____. Amend House Bill 3334 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is
5 amended by changing 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

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

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

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

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

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

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

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

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

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

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

1 established by other states.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (B) For wagers placed on interstate simulcast

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

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

15 (7) Effective January 1, 2017, notwithstanding any
16 provision of this Act to the contrary, after payment of all
17 applicable State and local taxes and interstate commission
18 fees, non-host licensees who derive their licenses from a
19 track located in a county with a population in excess of
20 230,000 and that borders the Mississippi River shall retain
21 50% of the retention from interstate simulcast wagers and
22 shall pay 50% to purses at the track from which the
23 non-host licensee derives its license.

24 (7.1) Notwithstanding any other provision of this Act
25 to the contrary, if no standardbred racing is conducted at
26 a racetrack located in Madison County during any calendar

1 year beginning on or after January 1, 2002, all moneys
2 derived by that racetrack from simulcast wagering and
3 inter-track wagering that (1) are to be used for purses and
4 (2) are generated between the hours of 6:30 p.m. and 6:30
5 a.m. during that calendar year shall be paid as follows:

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

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

26 (7.2) Notwithstanding any other provision of this Act

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

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

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

1 within 2 weeks after the day they were generated, shall
2 be in addition to and not in lieu of any other moneys
3 paid to thoroughbred purses under this Act, and shall
4 not be commingled with other moneys deposited into that
5 Fund.

6 (7.3) (Blank).

7 (7.4) (Blank).

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

15 (8.1) Notwithstanding any provisions in this Act to the
16 contrary, if 2 organization licensees are conducting
17 standardbred race meetings concurrently between the hours
18 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
19 State and local taxes and interstate commission fees, the
20 remainder of the amount retained from simulcast wagering
21 otherwise attributable to the host track and to host track
22 purses shall be split daily between the 2 organization
23 licensees and the purses at the tracks of the 2
24 organization licensees, respectively, based on each
25 organization licensee's share of the total live handle for
26 that day, provided that this provision shall not apply to

1 any non-host licensee that derives its license from a track
2 located in a county with a population in excess of 230,000
3 and that borders the Mississippi River.

4 (9) (Blank).

5 (10) (Blank).

6 (11) (Blank).

7 (12) The Board shall have authority to compel all host
8 tracks to receive the simulcast of any or all races
9 conducted at the Springfield or DuQuoin State fairgrounds
10 and include all such races as part of their simulcast
11 programs.

12 (13) Notwithstanding any other provision of this Act,
13 in the event that the total Illinois pari-mutuel handle on
14 Illinois horse races at all wagering facilities in any
15 calendar year is less than 75% of the total Illinois
16 pari-mutuel handle on Illinois horse races at all such
17 wagering facilities for calendar year 1994, then each
18 wagering facility that has an annual total Illinois
19 pari-mutuel handle on Illinois horse races that is less
20 than 75% of the total Illinois pari-mutuel handle on
21 Illinois horse races at such wagering facility for calendar
22 year 1994, shall be permitted to receive, from any amount
23 otherwise payable to the purse account at the race track
24 with which the wagering facility is affiliated in the
25 succeeding calendar year, an amount equal to 2% of the
26 differential in total Illinois pari-mutuel handle on

1 Illinois horse races at the wagering facility between that
2 calendar year in question and 1994 provided, however, that
3 a wagering facility shall not be entitled to any such
4 payment until the Board certifies in writing to the
5 wagering facility the amount to which the wagering facility
6 is entitled and a schedule for payment of the amount to the
7 wagering facility, based on: (i) the racing dates awarded
8 to the race track affiliated with the wagering facility
9 during the succeeding year; (ii) the sums available or
10 anticipated to be available in the purse account of the
11 race track affiliated with the wagering facility for purses
12 during the succeeding year; and (iii) the need to ensure
13 reasonable purse levels during the payment period. The
14 Board's certification shall be provided no later than
15 January 31 of the succeeding year. In the event a wagering
16 facility entitled to a payment under this paragraph (13) is
17 affiliated with a race track that maintains purse accounts
18 for both standardbred and thoroughbred racing, the amount
19 to be paid to the wagering facility shall be divided
20 between each purse account pro rata, based on the amount of
21 Illinois handle on Illinois standardbred and thoroughbred
22 racing respectively at the wagering facility during the
23 previous calendar year. Annually, the General Assembly
24 shall appropriate sufficient funds from the General
25 Revenue Fund to the Department of Agriculture for payment
26 into the thoroughbred and standardbred horse racing purse

1 accounts at Illinois pari-mutuel tracks. The amount paid to
2 each purse account shall be the amount certified by the
3 Illinois Racing Board in January to be transferred from
4 each account to each eligible racing facility in accordance
5 with the provisions of this Section.

6 (h) The Board may approve and license the conduct of
7 inter-track wagering and simulcast wagering by inter-track
8 wagering licensees and inter-track wagering location licensees
9 subject to the following terms and conditions:

10 (1) Any person licensed to conduct a race meeting (i)
11 at a track where 60 or more days of racing were conducted
12 during the immediately preceding calendar year or where
13 over the 5 immediately preceding calendar years an average
14 of 30 or more days of racing were conducted annually may be
15 issued an inter-track wagering license; (ii) at a track
16 located in a county that is bounded by the Mississippi
17 River, which has a population of less than 150,000
18 according to the 1990 decennial census, and an average of
19 at least 60 days of racing per year between 1985 and 1993
20 may be issued an inter-track wagering license; or (iii) at
21 a track located in Madison County that conducted at least
22 100 days of live racing during the immediately preceding
23 calendar year may be issued an inter-track wagering
24 license, unless a lesser schedule of live racing is the
25 result of (A) weather, unsafe track conditions, or other
26 acts of God; (B) an agreement between the organization

1 licensee and the associations representing the largest
2 number of owners, trainers, jockeys, or standardbred
3 drivers who race horses at that organization licensee's
4 racing meeting; or (C) a finding by the Board of
5 extraordinary circumstances and that it was in the best
6 interest of the public and the sport to conduct fewer than
7 100 days of live racing. Any such person having operating
8 control of the racing facility may receive inter-track
9 wagering location licenses. An eligible race track located
10 in a county that has a population of more than 230,000 and
11 that is bounded by the Mississippi River may establish up
12 to 9 inter-track wagering locations, an eligible race track
13 located in Stickney Township in Cook County may establish
14 up to 16 inter-track wagering locations, and an eligible
15 race track located in Palatine Township in Cook County may
16 establish up to 18 inter-track wagering locations. An
17 application for said license shall be filed with the Board
18 prior to such dates as may be fixed by the Board. With an
19 application for an inter-track wagering location license
20 there shall be delivered to the Board a certified check or
21 bank draft payable to the order of the Board for an amount
22 equal to \$500. The application shall be on forms prescribed
23 and furnished by the Board. The application shall comply
24 with all other rules, regulations and conditions imposed by
25 the Board in connection therewith.

26 (2) The Board shall examine the applications with

1 respect to their conformity with this Act and the rules and
2 regulations imposed by the Board. If found to be in
3 compliance with the Act and rules and regulations of the
4 Board, the Board may then issue a license to conduct
5 inter-track wagering and simulcast wagering to such
6 applicant. All such applications shall be acted upon by the
7 Board at a meeting to be held on such date as may be fixed
8 by the Board.

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

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

24 (5) Each license to conduct inter-track wagering and
25 simulcast wagering shall specify the person to whom it is
26 issued, the dates on which such wagering is permitted, and

1 the track or location where the wagering is to be
2 conducted.

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

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

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

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

1 time application is made. In the case of any inter-track
2 wagering location licensee initially licensed after
3 December 31, 2013, inter-track wagering and simulcast
4 wagering shall not be conducted by those inter-track
5 wagering location licensees that are located outside the
6 City of Chicago at any location within 8 miles of any race
7 track at which a horse race meeting has been licensed in
8 the current year, unless the person having operating
9 control of such race track has given its written consent to
10 such inter-track wagering location licensees, which
11 consent must be filed with the Board at or prior to the
12 time application is made.

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

1 ~~500~~ feet of a church or, school ~~or residences of 50 or more~~
2 ~~registered voters~~ if such church or, school has ~~or~~
3 ~~residences have~~ been erected or established, ~~or such voters~~
4 ~~have been registered,~~ after the Board issues the original
5 inter-track wagering location license at the site in
6 question. Inter-track wagering location licensees may
7 conduct inter-track wagering and simulcast wagering only
8 in areas that are zoned for commercial or manufacturing
9 purposes or in areas for which a special use has been
10 approved by the local zoning authority. However, no license
11 to conduct inter-track wagering and simulcast wagering
12 shall be granted by the Board with respect to any
13 inter-track wagering location within the jurisdiction of
14 any local zoning authority which has, by ordinance or by
15 resolution, prohibited the establishment of an inter-track
16 wagering location within its jurisdiction. However,
17 inter-track wagering and simulcast wagering may be
18 conducted at a site if such ordinance or resolution is
19 enacted after the Board licenses the original inter-track
20 wagering location licensee for the site in question.

21 (9) (Blank).

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

1 or inter-track wagering location licensee shall be
2 considered a separate racing day for the purpose of
3 determining the daily handle and computing the privilege
4 tax or pari-mutuel tax on such daily handle as provided in
5 Section 27.

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

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

1 facility operated by an inter-track wagering licensee or
2 inter-track wagering location licensee that derives its
3 license from the organization licensee that operates the
4 first race track, those moneys shall be allocated as
5 follows:

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

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

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

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

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

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

1 conducts a race meet in a county with a population in
2 excess of 230,000 and that borders the Mississippi River
3 shall be further redistributed, effective January 1, 2017,
4 as provided in paragraph (7) of subsection (g) of this
5 Section 26, with the portion of that further redistribution
6 allocated to purses at that organization licensee to be
7 divided between standardbred purses and thoroughbred
8 purses based on the amounts otherwise allocated to purses
9 at that organization licensee during the calendar year in
10 question; and (iv) 8% of the pari-mutuel handle on
11 inter-track wagering wagered at such location to satisfy
12 all costs and expenses of conducting its wagering. The
13 remainder of the monies retained by the inter-track
14 wagering location licensee shall be allocated 40% to the
15 location licensee and 60% to the organization licensee
16 which provides the Illinois races to the location, except
17 that an inter-track wagering location licensee that
18 derives its license from a track located in a county with a
19 population in excess of 230,000 and that borders the
20 Mississippi River shall not divide any remaining retention
21 with the organization licensee that provides the race or
22 races and an inter-track wagering location licensee that
23 accepts wagers on races conducted by an organization
24 licensee that conducts a race meet in a county with a
25 population in excess of 230,000 and that borders the
26 Mississippi River shall not divide any remaining retention

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

1 of the pari-mutuel handle wagered at the location during
2 its first 12 months of operation, 7.25% during its second
3 12 months of operation, and 6.75% thereafter.

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

19 Two-sevenths to the Department of Agriculture.

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

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

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

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

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

21 One-seventh to the Agricultural Premium Fund to be
22 used for distribution to agricultural home economics
23 extension councils in accordance with "An Act in
24 relation to additional support and finances for the
25 Agricultural and Home Economic Extension Councils in
26 the several counties of this State and making an

1 appropriation therefor", approved July 24, 1967.

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

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

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

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

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

1 the several counties of this State and making an
2 appropriation therefor", approved July 24, 1967. This
3 subparagraph (C) shall be inoperative and of no force
4 and effect on and after January 1, 2000.

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

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

18 (ii) If the inter-track wagering licensee,
19 except an inter-track wagering licensee that
20 derives its license from an organization licensee
21 located in a county with a population in excess of
22 230,000 and bounded by the Mississippi River, is
23 also conducting its own race meeting during the
24 same dates, then the purse allocation shall be as
25 follows: 50% to purses at the track where the races
26 wagered on are being conducted; 50% to purses at

1 the track where the inter-track wagering licensee
2 is accepting such wagers.

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

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

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

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

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

17 (D) (Blank).

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

23 (F) The Board shall name and appoint a State
24 director of this wagering who shall be a representative
25 of the Board and whose duty it shall be to supervise
26 the conduct of inter-track wagering as may be provided

1 for by the rules and regulations of the Board; such
2 rules and regulation shall specify the method of
3 appointment and the Director's powers, authority and
4 duties.

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

13 (13) The Department of Agriculture may enter into
14 agreements with licensees authorizing such licensees to
15 conduct inter-track wagering on races to be held at the
16 licensed race meetings conducted by the Department of
17 Agriculture. Such agreement shall specify the races of the
18 Department of Agriculture's licensed race meeting upon
19 which the licensees will conduct wagering. In the event
20 that a licensee conducts inter-track pari-mutuel wagering
21 on races from the Illinois State Fair or DuQuoin State Fair
22 which are in addition to the licensee's previously approved
23 racing program, those races shall be considered a separate
24 racing day for the purpose of determining the daily handle
25 and computing the privilege or pari-mutuel tax on that
26 daily handle as provided in Sections 27 and 27.1. Such

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

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

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

1 Act.

2 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
3 100-201, eff. 8-18-17; 100-627, eff. 7-20-18; 100-1152, eff.
4 12-14-18; revised 1-13-19.)

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

7 (230 ILCS 15/1) (from Ch. 85, par. 2301)

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

10 "Key location" means:

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

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

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

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

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

1 "Poker run" means a prize-awarding event organized by an
2 organization licensed under this Act in which participants
3 travel to multiple predetermined locations, including a key
4 location, to play a randomized game based on an element of
5 chance. "Poker run" includes dice runs, marble runs, or other
6 events where the objective is to build the best hand or highest
7 score by obtaining an item or playing a randomized game at each
8 location.

9 "Raffle" means a form of lottery, as defined in subsection
10 (b) of Section 28-2 ~~28-2(b)~~ of the Criminal Code of 2012,
11 conducted by an organization licensed under this Act, 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 "Raffle" does not include any game designed to simulate:
24 (1) gambling games as defined in the Riverboat Gambling Act,
25 (2) any casino game approved for play by the Illinois Gaming
26 Board, (3) any games provided by a video gaming terminal, as

1 defined in the Video Gaming Act, or (4) a savings promotion
2 raffle authorized under Section 5g of the Illinois Banking Act,
3 Section 7008 of the Savings Bank Act, Section 42.7 of the
4 Illinois Credit Union Act, Section 5136B of the National Bank
5 Act ~~(12 U.S.C. 25a)~~, or Section 4 of the Home Owners' Loan Act
6 ~~(12 U.S.C. 1463)~~.

7 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16;
8 99-405, eff. 8-19-15; 99-642, eff. 7-28-16.)

9 (230 ILCS 15/2) (from Ch. 85, par. 2302)

10 Sec. 2. Licensing.

11 (a) The governing body of any county or municipality within
12 this State may establish a system for the licensing of
13 organizations to operate raffles. The governing bodies of a
14 county and one or more municipalities may, pursuant to a
15 written contract, jointly establish a system for the licensing
16 of organizations to operate raffles within any area of
17 contiguous territory not contained within the corporate limits
18 of a municipality which is not a party to such contract. The
19 governing bodies of two or more adjacent counties or two or
20 more adjacent municipalities located within a county may,
21 pursuant to a written contract, jointly establish a system for
22 the licensing of organizations to operate raffles within the
23 corporate limits of such counties or municipalities. The
24 licensing authority may establish special categories of
25 licenses and promulgate rules relating to the various

1 categories. The licensing system shall provide for limitations
2 upon (1) the aggregate retail value of all prizes or
3 merchandise awarded by a licensee in a single raffle, if any,
4 (2) the maximum retail value of each prize awarded by a
5 licensee in a single raffle, if any, (3) the maximum price
6 which may be charged for each raffle chance issued or sold, if
7 any and (4) the maximum number of days during which chances may
8 be issued or sold, if any. The licensing system may include a
9 fee for each license in an amount to be determined by the local
10 governing body. Licenses issued pursuant to this Act shall be
11 valid for one raffle or for a specified number of raffles to be
12 conducted during a specified period not to exceed one year and
13 may be suspended or revoked for any violation of this Act. A
14 local governing body shall act on a license application within
15 30 days from the date of application. ~~A Nothing in this Act~~
16 ~~shall be construed to prohibit a county or municipality may~~
17 ~~adopt from adopting~~ rules or ordinances for the operation of
18 raffles that are consistent with this Act. Raffles shall be
19 licensed by the governing body of the municipality with
20 jurisdiction over the key location or, if no municipality has
21 jurisdiction over the key location, then by the governing body
22 of the county with jurisdiction over the key location. A
23 license shall authorize the holder of such license to sell
24 raffle chances throughout the State, including beyond the
25 borders of the licensing municipality or county. more
26 ~~restrictive than provided for in this Act. Except for raffles~~

1 ~~organized by law enforcement agencies and statewide~~
2 ~~associations that represent law enforcement officials as~~
3 ~~provided in Section 9 of this Act, the governing body of a~~
4 ~~municipality may authorize the sale of raffle chances only~~
5 ~~within the borders of the municipality. Except for raffles~~
6 ~~organized by law enforcement agencies and statewide~~
7 ~~associations that represent law enforcement officials as~~
8 ~~provided in Section 9, the governing body of the county may~~
9 ~~authorize the sale of raffle chances only in those areas which~~
10 ~~are both within the borders of the county and outside the~~
11 ~~borders of any municipality.~~

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

1 application.

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

1 providing financial assistance to an identified individual or
2 group of individuals suffering extreme financial hardship as
3 the result of an illness, disability, accident, or disaster or
4 (ii) to maintain the financial stability of the organization. A
5 licensing authority may waive the 5-year requirement under this
6 subsection (b) for a bona fide religious, charitable, labor,
7 business, fraternal, educational, or veterans' organization
8 that applies for a license to conduct a raffle or a poker run
9 if the organization is a local organization that is affiliated
10 with and chartered by a national or State organization that
11 meets the 5-year requirement.

12 For purposes of this Act, the following definitions apply.
13 Non-profit: An organization or institution organized and
14 conducted on a not-for-profit basis with no personal profit
15 inuring to any one as a result of the operation. Charitable: An
16 organization or institution organized and operated to benefit
17 an indefinite number of the public. The service rendered to
18 those eligible for benefits must also confer some benefit on
19 the public. Educational: An organization or institution
20 organized and operated to provide systematic instruction in
21 useful branches of learning by methods common to schools and
22 institutions of learning which compare favorably in their scope
23 and intensity with the course of study presented in
24 tax-supported schools. Religious: Any church, congregation,
25 society, or organization founded for the purpose of religious
26 worship. Fraternal: An organization of persons having a common

1 interest, the primary interest of which is to both promote the
2 welfare of its members and to provide assistance to the general
3 public in such a way as to lessen the burdens of government by
4 caring for those that otherwise would be cared for by the
5 government. Veterans: An organization or association comprised
6 of members of which substantially all are individuals who are
7 veterans or spouses, widows, or widowers of veterans, the
8 primary purpose of which is to promote the welfare of its
9 members and to provide assistance to the general public in such
10 a way as to confer a public benefit. Labor: An organization
11 composed of workers organized with the objective of betterment
12 of the conditions of those engaged in such pursuit and the
13 development of a higher degree of efficiency in their
14 respective occupations. Business: A voluntary organization
15 composed of individuals and businesses who have joined together
16 to advance the commercial, financial, industrial and civic
17 interests of a community.

18 ~~(c) Poker runs shall be licensed by the county with~~
19 ~~jurisdiction over the key location. The license granted by the~~
20 ~~key location shall cover the entire poker run, including~~
21 ~~locations other than the key location. Each license issued~~
22 ~~shall include the name and address of each predetermined~~
23 ~~location.~~

24 (Source: P.A. 99-405, eff. 8-19-15; 99-757, eff. 8-12-16;
25 100-201, eff. 8-18-17.)

1 (230 ILCS 15/3) (from Ch. 85, par. 2303)

2 Sec. 3. License; application; issuance; restrictions;
3 persons ineligible ~~Application Issuance Restrictions~~
4 ~~Persons ineligible~~. Licenses issued by the governing body of
5 any county or municipality are subject to the following
6 restrictions:

7 (1) No person, firm or corporation shall conduct
8 raffles or chances or poker runs without having first
9 obtained a license therefor pursuant to this Act.

10 (2) The license and application for license must
11 specify the location or locations at ~~area or areas within~~
12 ~~the licensing authority in~~ which winning ~~raffle~~ chances in
13 the raffle will be determined ~~sold or issued or a poker run~~
14 ~~will be conducted~~, the time period during which raffle
15 chances will be sold or issued or a poker run will be
16 conducted, the time or times of determination of winning
17 chances and the location or locations at which winning
18 chances will be determined.

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

23 (4) The application for license shall be prepared in
24 accordance with the ordinance of the local governmental
25 unit.

26 (5) A license authorizes the licensee to conduct

1 raffles or poker runs as defined in this Act.

2 The following are ineligible for any license under this
3 Act:

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

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

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

9 (d) any organization ~~firm or corporation~~ in which a
10 person defined in (a), (b) or (c) has a proprietary,
11 equitable or credit interest, or in which such a person is
12 active or employed;

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

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

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

20 (230 ILCS 15/4) (from Ch. 85, par. 2304)

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

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

24 (1) The entire net proceeds of any raffle or poker run
25 must be exclusively devoted to the lawful purposes of the

1 organization permitted to conduct that game.

2 (2) No person except a bona fide director, officer,
3 employee, or member of the sponsoring organization may
4 manage or participate in the management ~~or operation~~ of the
5 raffle or poker run. ~~(3)~~ No person may receive any
6 remuneration or profit for managing or participating in the
7 management ~~or operation~~ of the raffle or poker run.
8 Sponsoring organizations may contract with third parties
9 who, acting at the direction of and under the supervision
10 of the sponsoring organization, provide bona fide services
11 to the sponsoring organization in connection with the
12 operation of a raffle and may pay reasonable compensation
13 for such services. Such services include the following: (a)
14 advertising, marketing and promotion, (b) legal, (c)
15 procurement of goods, prizes, wares and merchandise for the
16 purpose of operating the raffle, (d) rent, if the premises
17 upon which the raffle will be held is rented, (e)
18 accounting, auditing and bookkeeping, (f) website hosting,
19 (g) mailing and delivery, (h) banking and payment
20 processing, and (i) other services relating to the
21 operation of the raffle.

22 (3) ~~(4)~~ A licensee may rent a premises on which to
23 determine the winning chance or chances in a raffle
24 provided that the rent is not determined as a percentage of
25 receipts or profits from the raffle. ~~only from an~~
26 organization which is also licensed under this Act. A

1 ~~premises where a poker run is held is not required to~~
2 ~~obtain a license if the name and location of the premises~~
3 ~~is listed as a predetermined location on the license issued~~
4 ~~for the poker run and the premises does not charge for use~~
5 ~~of the premises.~~

6 (4) ~~(5)~~ Raffle chances may be sold throughout the
7 State, including beyond the borders of the licensing
8 municipality or county. ~~or issued only within the area~~
9 ~~specified on the license and winning~~ Winning chances may be
10 determined only at those locations specified on the license
11 for a raffle.

12 (5) ~~(6)~~ A person under the age of 18 years may
13 participate in the conducting of raffles or chances or
14 poker runs only with the permission of a parent or
15 guardian. A person under the age of 18 years may be within
16 the area where winning chances in a raffle or winning hands
17 or scores in a poker run are being determined only when
18 accompanied by his parent or guardian.

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

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

1 (230 ILCS 15/5) (from Ch. 85, par. 2305)

2 Sec. 5. Manager; bond. All management, operation, ~~of~~ and
3 ~~the~~ conduct of raffles shall be under the supervision of a
4 single manager designated by the organization. The manager
5 shall give a fidelity bond in an amount determined by the
6 licensing authority in favor of the organization conditioned
7 upon his honesty in the performance of his duties. Terms of the
8 bond shall provide that notice shall be given in writing to the
9 licensing authority not less than 30 days prior to its
10 cancellation. The governing body of a local unit of government
11 may waive this bond requirement by including a waiver provision
12 in the license issued to an organization under this Act,
13 provided that a license containing such waiver provision shall
14 be granted only by the affirmative unanimous vote of the
15 requisite number of members of the licensed organization or, if
16 the licensed organization does not have members, of members of
17 the governing board of the organization, to constitute an
18 affirmative action of the licensed organization. Nothing in
19 this Section shall be deemed to apply to poker runs.

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

21 (230 ILCS 15/6) (from Ch. 85, par. 2306)

22 Sec. 6. Records.

23 (a) Each organization licensed to conduct raffles and
24 chances or poker run events shall keep records of its gross
25 receipts, expenses and net proceeds for each single gathering

1 or occasion at which winning chances in a raffle or winning
2 hands or scores in a poker run are determined. All deductions
3 from gross receipts for each single gathering or occasion shall
4 be documented with receipts or other records indicating the
5 amount, a description of the purchased item or service or other
6 reason for the deduction, and the recipient. The distribution
7 of net proceeds shall be itemized as to payee, purpose, amount
8 and date of payment.

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

20 (c) Each organization licensed to conduct raffles or poker
21 runs shall report promptly after the conclusion of each raffle
22 or poker run ~~runs~~ to its membership or, if the organization
23 does not have members, to its governing board. Each
24 organization licensed to conduct raffles shall report promptly
25 to the licensing local unit of government its gross receipts,
26 expenses and net proceeds from the raffle, and the distribution

1 of net proceeds itemized as required in this Section.

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

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

7 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

8 Sec. 8.1. Political committees.

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

11 "Net Proceeds" means the gross receipts from the conduct of
12 raffles, less reasonable sums expended for prizes, license fees
13 and other reasonable operating expenses incurred as a result of
14 operating a raffle.

15 "Raffle" means a form of lottery, as defined in Section
16 28-2 (b) of the Criminal Code of 2012, conducted by a political
17 committee licensed under this Section, in which:

18 (1) the player pays or agrees to pay something of value
19 for a chance, represented and differentiated by a number or
20 by a combination of numbers or by some other medium, one or
21 more of which chances is to be designated the winning
22 chance; and

23 (2) the winning chance is to be determined through a
24 drawing or by some other method based on an element of
25 chance by an act or set of acts on the part of persons

1 conducting or connected with the lottery, except that the
2 winning chance shall not be determined by the outcome of a
3 publicly exhibited sporting contest.

4 "Unresolved claim" means a claim for civil penalty under
5 Sections 9-3, 9-10, and 9-23 of The Election Code which has
6 been begun by the State Board of Elections, has been disputed
7 by the political committee under the applicable rules of the
8 State Board of Elections, and has not been finally decided
9 either by the State Board of Elections, or, where application
10 for review has been made to the Courts of Illinois, remains
11 finally undecided by the Courts.

12 "Owes" means that a political committee has been finally
13 determined under applicable rules of the State Board of
14 Elections to be liable for a civil penalty under Sections 9-3,
15 9-10, and 9-23 of The Election Code.

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

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

24 (1) No political committee shall conduct raffles or
25 chances without having first obtained a license therefor
26 pursuant to this Section.

1 (2) The application for license shall be prepared in
2 accordance with regulations of the State Board of Elections
3 and must specify the area or areas within the State in
4 which raffle chances will be sold or issued, the time
5 period during which raffle chances will be sold or issued,
6 the time of determination of winning chances and the
7 location or locations at which winning chances will be
8 determined.

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

11 The following are ineligible for any license under this
12 Section:

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

15 (ii) any political committee which has an officer
16 who is or has been a professional gambler or gambling
17 promoter;

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

20 (iv) any political committee which has an officer
21 who is also an officer of a firm or corporation in
22 which a person defined in (i), (ii) or (iii) has a
23 proprietary, equitable or credit interest, or in which
24 such a person is active or employed;

25 (v) any political committee in which a person
26 defined in (i), (ii) or (iii) is an officer, director,

1 or employee, whether compensated or not;

2 (vi) any political committee in which a person
3 defined in (i), (ii) or (iii) is to participate in the
4 management or operation of a raffle as defined in this
5 Section;

6 (vii) any committee which, at the time of its
7 application for a license to conduct a raffle, owes the
8 State Board of Elections any unpaid civil penalty
9 authorized by Sections 9-3, 9-10, and 9-23 of The
10 Election Code, or is the subject of an unresolved claim
11 for a civil penalty under Sections 9-3, 9-10, and 9-23
12 of The Election Code;

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

18 (d) (1) The conducting of raffles is subject to the
19 following restrictions:

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

23 (ii) No person except a bona fide member of the
24 political committee may participate in the management
25 or operation of the raffle.

26 (iii) No person may receive any remuneration or

1 profit for participating in the management or
2 operation of the raffle.

3 (iv) Raffle chances may be sold or issued only
4 within the area specified on the license and winning
5 chances may be determined only at those locations
6 specified on the license.

7 (v) A person under the age of 18 years may
8 participate in the conducting of raffles or chances
9 only with the permission of a parent or guardian. A
10 person under the age of 18 years may be within the area
11 where winning chances are being determined only when
12 accompanied by his parent or guardian.

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

18 (e) (1) Each political committee licensed to conduct
19 raffles and chances shall keep records of its gross
20 receipts, expenses and net proceeds for each single
21 gathering or occasion at which winning chances are
22 determined. All deductions from gross receipts for each
23 single gathering or occasion shall be documented with
24 receipts or other records indicating the amount, a
25 description of the purchased item or service or other
26 reason for the deduction, and the recipient. The

1 distribution of net proceeds shall be itemized as to payee,
2 purpose, amount and date of payment.

3 (2) Each political committee licensed to conduct
4 raffles shall report on the next report due to be filed
5 under Article 9 of The Election Code its gross receipts,
6 expenses and net proceeds from raffles, and the
7 distribution of net proceeds itemized as required in this
8 subsection.

9 Such reports shall be included in the regular reports
10 required of political committees by Article 9 of The Election
11 Code.

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

16 (f) Violation of any provision of this Section is a Class C
17 misdemeanor.

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

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

22 (230 ILCS 15/9 rep.)

23 Section 15. The Raffles and Poker Runs Act is amended by
24 repealing Section 9.

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

3 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

4 Sec. 28-1. Gambling.

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

6 (1) knowingly plays a game of chance or skill for money
7 or other thing of value, unless excepted in subsection (b)
8 of this Section;

9 (2) knowingly makes a wager upon the result of any
10 game, contest, or any political nomination, appointment or
11 election;

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

15 (4) contracts to have or give himself or herself or
16 another the option to buy or sell, or contracts to buy or
17 sell, at a future time, any grain or other commodity
18 whatsoever, or any stock or security of any company, where
19 it is at the time of making such contract intended by both
20 parties thereto that the contract to buy or sell, or the
21 option, whenever exercised, or the contract resulting
22 therefrom, shall be settled, not by the receipt or delivery
23 of such property, but by the payment only of differences in
24 prices thereof; however, the issuance, purchase, sale,
25 exercise, endorsement or guarantee, by or through a person

1 registered with the Secretary of State pursuant to Section
2 8 of the Illinois Securities Law of 1953, or by or through
3 a person exempt from such registration under said Section
4 8, of a put, call, or other option to buy or sell
5 securities which have been registered with the Secretary of
6 State or which are exempt from such registration under
7 Section 3 of the Illinois Securities Law of 1953 is not
8 gambling within the meaning of this paragraph (4);

9 (5) knowingly owns or possesses any book, instrument or
10 apparatus by means of which bets or wagers have been, or
11 are, recorded or registered, or knowingly possesses any
12 money which he has received in the course of a bet or
13 wager;

14 (6) knowingly sells pools upon the result of any game
15 or contest of skill or chance, political nomination,
16 appointment or election;

17 (7) knowingly sets up or promotes any lottery or sells,
18 offers to sell or transfers any ticket or share for any
19 lottery;

20 (8) knowingly sets up or promotes any policy game or
21 sells, offers to sell or knowingly possesses or transfers
22 any policy ticket, slip, record, document or other similar
23 device;

24 (9) knowingly drafts, prints or publishes any lottery
25 ticket or share, or any policy ticket, slip, record,
26 document or similar device, except for such activity

1 related to lotteries, bingo games and raffles authorized by
2 and conducted in accordance with the laws of Illinois or
3 any other state or foreign government;

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

8 (11) knowingly transmits information as to wagers,
9 betting odds, or changes in betting odds by telephone,
10 telegraph, radio, semaphore or similar means; or knowingly
11 installs or maintains equipment for the transmission or
12 receipt of such information; except that nothing in this
13 subdivision (11) prohibits transmission or receipt of such
14 information for use in news reporting of sporting events or
15 contests; or

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

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

26 (1) Agreements to compensate for loss caused by the

1 happening of chance including without limitation contracts
2 of indemnity or guaranty and life or health or accident
3 insurance.

4 (2) Offers of prizes, award or compensation to the
5 actual contestants in any bona fide contest for the
6 determination of skill, speed, strength or endurance or to
7 the owners of animals or vehicles entered in such contest.

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

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

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

21 (6) Lotteries when conducted by the State of Illinois
22 in accordance with the Illinois Lottery Law. This exemption
23 includes any activity conducted by the Department of
24 Revenue to sell lottery tickets pursuant to the provisions
25 of the Illinois Lottery Law and its rules.

26 (6.1) The purchase of lottery tickets through the

1 Internet for a lottery conducted by the State of Illinois
2 under the program established in Section 7.12 of the
3 Illinois Lottery Law.

4 (7) Possession of an antique slot machine that is
5 neither used nor intended to be used in the operation or
6 promotion of any unlawful gambling activity or enterprise.
7 For the purpose of this subparagraph (b)(7), an antique
8 slot machine is one manufactured 25 years ago or earlier.

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

11 (8.1) The purchase of raffle chances for a raffle
12 conducted in accordance with the Raffles and Poker Runs
13 Act.

14 (9) Charitable games when conducted in accordance with
15 the Charitable Games Act.

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

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

20 (12) Video gaming terminal games at a licensed
21 establishment, licensed truck stop establishment, licensed
22 fraternal establishment, or licensed veterans
23 establishment when conducted in accordance with the Video
24 Gaming Act.

25 (13) Games of skill or chance where money or other
26 things of value can be won but no payment or purchase is

1 required to participate.

2 (14) Savings promotion raffles authorized under
3 Section 5g of the Illinois Banking Act, Section 7008 of the
4 Savings Bank Act, Section 42.7 of the Illinois Credit Union
5 Act, Section 5136B of the National Bank Act (12 U.S.C.
6 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
7 1463).

8 (c) Sentence.

9 Gambling is a Class A misdemeanor. A second or subsequent
10 conviction under subsections (a) (3) through (a) (12), is a Class
11 4 felony.

12 (d) Circumstantial evidence.

13 In prosecutions under this Section circumstantial evidence
14 shall have the same validity and weight as in any criminal
15 prosecution.

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."