

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Section 31 as follows:

6 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

7 Sec. 31. (a) The General Assembly declares that it is the  
8 policy of this State to encourage the breeding of standardbred  
9 horses in this State and the ownership of such horses by  
10 residents of this State in order to provide for: sufficient  
11 numbers of high quality standardbred horses to participate in  
12 harness racing meetings in this State, and to establish and  
13 preserve the agricultural and commercial benefits of such  
14 breeding and racing industries to the State of Illinois. It is  
15 the intent of the General Assembly to further this policy by  
16 the provisions of this Section of this Act.

17 (b) Each organization licensee conducting a harness racing  
18 meeting pursuant to this Act shall provide for at least two  
19 races each race program limited to Illinois conceived and  
20 foaled horses. A minimum of 6 races shall be conducted each  
21 week limited to Illinois conceived and foaled horses. No horses  
22 shall be permitted to start in such races unless duly  
23 registered under the rules of the Department of Agriculture.

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

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

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

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

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

1 agricultural fairs in Illinois, recommended by it, such  
2 representative to be from a fair at which Illinois conceived  
3 and foaled racing is conducted; a representative of the  
4 organization licensees conducting harness racing meetings,  
5 recommended by them; a representative of the Breeder's  
6 Committee of the association representing the largest number of  
7 standardbred owners, breeders, trainers, caretakers, and  
8 drivers, recommended by it; and a representative of the  
9 association representing the largest number of standardbred  
10 owners, breeders, trainers, caretakers, and drivers,  
11 recommended by it. Advisory Board members shall serve for 2  
12 years commencing January 1 of each odd numbered year. If  
13 representatives of the largest association of Illinois  
14 standardbred owners and breeders, a statewide association of  
15 agricultural fairs in Illinois, the association representing  
16 the largest number of standardbred owners, breeders, trainers,  
17 caretakers, and drivers, a member of the Breeder's Committee of  
18 the association representing the largest number of  
19 standardbred owners, breeders, trainers, caretakers, and  
20 drivers, and the organization licensees conducting harness  
21 racing meetings have not been recommended by January 1 of each  
22 odd numbered year, the Director of the Department of  
23 Agriculture shall make an appointment for the organization  
24 failing to so recommend a member of the Advisory Board.  
25 Advisory Board members shall receive no compensation for their  
26 services as members but shall be reimbursed for all actual and

1 necessary expenses and disbursements incurred in the execution  
2 of their official duties.

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

10 1. To provide purses for races limited to Illinois  
11 conceived and foaled horses at the State Fair.

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

14 3. To provide purse supplements for races limited to  
15 Illinois conceived and foaled horses conducted by  
16 associations conducting harness racing meetings.

17 4. No less than 75% of all monies in the Illinois  
18 Standardbred Breeders Fund shall be expended for purses in  
19 1, 2 and 3 as shown above.

20 5. In the discretion of the Department of Agriculture  
21 to provide awards to harness breeders of Illinois conceived  
22 and foaled horses which win races conducted by organization  
23 licensees conducting harness racing meetings. A breeder is  
24 the owner of a mare at the time of conception. No more than  
25 10% of all monies appropriated from the Illinois  
26 Standardbred Breeders Fund shall be expended for such

1 harness breeders awards. No more than 25% of the amount  
2 expended for harness breeders awards shall be expended for  
3 expenses incurred in the administration of such harness  
4 breeders awards.

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

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

9 8. To promote the sport of harness racing.

10 (h) Whenever the Governor finds that the amount in the  
11 Illinois Standardbred Breeders Fund is more than the total of  
12 the outstanding appropriations from such fund, the Governor  
13 shall notify the State Comptroller and the State Treasurer of  
14 such fact. The Comptroller and the State Treasurer, upon  
15 receipt of such notification, shall transfer such excess amount  
16 from the Illinois Standardbred Breeders Fund to the General  
17 Revenue Fund.

18 (i) A sum equal to 12 1/2% of the first prize money of  
19 every purse won by an Illinois conceived and foaled horse shall  
20 be paid by the organization licensee conducting the horse race  
21 meeting to the breeder of such winning horse from the  
22 organization licensee's share of the money wagered. Such  
23 payment shall not reduce any award to the owner of the horse or  
24 reduce the taxes payable under this Act. Such payment shall be  
25 delivered by the organization licensee at the end of each race  
26 meeting.

1           (j) The Department of Agriculture shall, by rule, with the  
2 assistance and advice of the Illinois Standardbred Breeders  
3 Fund Advisory Board:

4           1. Qualify stallions for Illinois Standardbred  
5 Breeders Fund breeding; such stallion shall be owned by a  
6 resident of the State of Illinois or by an Illinois  
7 corporation all of whose shareholders, directors, officers  
8 and incorporators are residents of the State of Illinois.  
9 Such stallion shall stand for service at and within the  
10 State of Illinois at the time of a foal's conception, and  
11 such stallion must not stand for service at any place, nor  
12 may semen from such stallion be transported, outside the  
13 State of Illinois during that calendar year in which the  
14 foal is conceived and that the owner of the stallion was  
15 for the 12 months prior, a resident of Illinois. However,  
16 from January 1, 2018 until January 1, 2022, semen from an  
17 Illinois stallion may be transported outside the State of  
18 Illinois. The articles of agreement of any partnership,  
19 joint venture, limited partnership, syndicate, association  
20 or corporation and any bylaws and stock certificates must  
21 contain a restriction that provides that the ownership or  
22 transfer of interest by any one of the persons a party to  
23 the agreement can only be made to a person who qualifies as  
24 an Illinois resident.

25           2. Provide for the registration of Illinois conceived  
26 and foaled horses and no such horse shall compete in the

1 races limited to Illinois conceived and foaled horses  
2 unless registered with the Department of Agriculture. The  
3 Department of Agriculture may prescribe such forms as may  
4 be necessary to determine the eligibility of such horses.  
5 No person shall knowingly prepare or cause preparation of  
6 an application for registration of such foals containing  
7 false information. A mare (dam) must be in the State at  
8 least 30 days prior to foaling or remain in the State at  
9 least 30 days at the time of foaling. However, the  
10 requirement that a mare (dam) must be in the State at least  
11 30 days before foaling or remain in the State at least 30  
12 days at the time of foaling shall not be in effect from  
13 January 1, 2018 until January 1, 2022. Beginning with the  
14 1996 breeding season and for foals of 1997 and thereafter,  
15 a foal conceived by transported semen may be eligible for  
16 Illinois conceived and foaled registration provided all  
17 breeding and foaling requirements are met. The stallion  
18 must be qualified for Illinois Standardbred Breeders Fund  
19 breeding at the time of conception and the mare must be  
20 inseminated within the State of Illinois. The foal must be  
21 dropped in Illinois and properly registered with the  
22 Department of Agriculture in accordance with this Act.  
23 However, from January 1, 2018 until January 1, 2022, the  
24 requirement for a mare to be inseminated within the State  
25 of Illinois and the requirement for a foal to be dropped in  
26 Illinois are inapplicable.

1           3. Provide that at least a 5-day ~~5-day~~ racing program  
2 shall be conducted at the State Fair each year, unless an  
3 alternate racing program is requested by the Illinois  
4 Standardbred Breeders Fund Advisory Board, which program  
5 shall include at least the following races limited to  
6 Illinois conceived and foaled horses: (a) a two year old  
7 Trot and Pace, and Filly Division of each; (b) a three year  
8 old Trot and Pace, and Filly Division of each; (c) an aged  
9 Trot and Pace, and Mare Division of each.

10           4. Provide for the payment of nominating, sustaining  
11 and starting fees for races promoting the sport of harness  
12 racing and for the races to be conducted at the State Fair  
13 as provided in subsection (j) 3 of this Section provided  
14 that the nominating, sustaining and starting payment  
15 required from an entrant shall not exceed 2% of the purse  
16 of such race. All nominating, sustaining and starting  
17 payments shall be held for the benefit of entrants and  
18 shall be paid out as part of the respective purses for such  
19 races. Nominating, sustaining and starting fees shall be  
20 held in trust accounts for the purposes as set forth in  
21 this Act and in accordance with Section 205-15 of the  
22 Department of Agriculture Law (20 ILCS 205/205-15).

23           5. Provide for the registration with the Department of  
24 Agriculture of Colt Associations or county fairs desiring  
25 to sponsor races at county fairs.

26           (k) The Department of Agriculture, with the advice and



1 assistance of the Illinois Standardbred Breeders Fund Advisory  
2 Board, may allocate monies for purse supplements for such  
3 races. In determining whether to allocate money and the amount,  
4 the Department of Agriculture shall consider factors,  
5 including but not limited to, the amount of money appropriated  
6 for the Illinois Standardbred Breeders Fund program, the number  
7 of races that may occur, and an organizational licensee's purse  
8 structure. The organizational licensee shall notify the  
9 Department of Agriculture of the conditions and minimum purses  
10 for races limited to Illinois conceived and foaled horses to be  
11 conducted by each organizational licensee conducting a harness  
12 racing meeting for which purse supplements have been  
13 negotiated.

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

19 (m) At all standardbred race meetings held or conducted  
20 under authority of a license granted by the Board, and at all  
21 standardbred races held at county fairs which are approved by  
22 the Department of Agriculture or at the Illinois or DuQuoin  
23 State Fairs, no one shall jog, train, warm up or drive a  
24 standardbred horse unless he or she is wearing a protective  
25 safety helmet, with the chin strap fastened and in place, which  
26 meets the standards and requirements as set forth in the 1984

1 Standard for Protective Headgear for Use in Harness Racing and  
2 Other Equestrian Sports published by the Snell Memorial  
3 Foundation, or any standards and requirements for headgear the  
4 Illinois Racing Board may approve. Any other standards and  
5 requirements so approved by the Board shall equal or exceed  
6 those published by the Snell Memorial Foundation. Any  
7 equestrian helmet bearing the Snell label shall be deemed to  
8 have met those standards and requirements.

9 (Source: P.A. 99-756, eff. 8-12-16; 100-777, eff. 8-10-18.)

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