



Sen. Rickey R. Hendon

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09400HB1918sam003

LRB094 02935 AMC 58838 a

1 AMENDMENT TO HOUSE BILL 1918

2 AMENDMENT NO. _____. Amend House Bill 1918 by replacing
3 line 11 on page 4 through line 22 on page 6 with the following:

4 "Section 10. The Illinois Horse Racing Act of 1975 is
5 amended by adding Section 54.5 as follows:

6 (230 ILCS 5/54.5 new)

7 Sec. 54.5. Horse Racing Equity Trust Fund.

8 (a) There is created a Fund to be known as the Horse Racing
9 Equity Trust Fund, which is a non-appropriated trust fund held
10 separate and apart from State moneys. The Fund shall consist of
11 moneys paid into it by owners licensees under the Riverboat
12 Gambling Act for the purposes described in this Section. The
13 Fund shall be administered by the Board. Moneys in the Fund
14 shall be distributed as directed and certified by the Board in
15 accordance with the provisions of subsection (b).

16 (b) The moneys deposited into the Fund, plus any accrued
17 interest on those moneys, shall be distributed within 10 days
18 after those moneys are deposited into the Fund as follows:

19 (1) Sixty percent of all moneys distributed under this
20 subsection shall be distributed to organization licensees
21 to be distributed at their race meetings as purses.
22 Fifty-seven percent of the amount distributed under this
23 paragraph (1) shall be distributed for thoroughbred race
24 meetings and 43% shall be distributed for standardbred race

1 meetings. Within each breed, moneys shall be allocated to
2 each organization licensee's purse fund in accordance with
3 the ratio between the purses generated for that breed by
4 that licensee during the prior calendar year and the total
5 purses generated throughout the State for that breed during
6 the prior calendar year by licensees in the current
7 calendar year.

8 (2) The remaining 40% of the moneys distributed under
9 this subsection (b) shall be distributed as follows:

10 (A) 11% shall be distributed to any person (or its
11 successors or assigns) who had operating control of a
12 racetrack that conducted live racing in 2002 at a
13 racetrack in a county with at least 230,000 inhabitants
14 that borders the Mississippi River and is a licensee in
15 the current year; and

16 (B) the remaining 89% shall be distributed pro rata
17 according to the aggregate proportion of total handle
18 from wagering on live races conducted in Illinois
19 (irrespective of where the wagers are placed) for
20 calendar years 2004 and 2005 to any person (or its
21 successors or assigns) who (i) had majority operating
22 control of a racing facility at which live racing was
23 conducted in calendar year 2002, (ii) is a licensee in
24 the current year, and (iii) is not eligible to receive
25 moneys under subparagraph (A) of this paragraph (2).

26 The moneys received by an organization licensee
27 under this paragraph (2) shall be used by each
28 organization licensee to improve, maintain, market,
29 and otherwise operate its racing facilities to conduct
30 live racing, which shall include backstretch services
31 and capital improvements related to live racing and the
32 backstretch. Any organization licensees sharing common
33 ownership may pool the moneys received and spent at all
34 racing facilities commonly owned in order to meet these

1 requirements.

2 If any person identified in this paragraph (2) becomes
3 ineligible to receive moneys from the Fund, such amount
4 shall be redistributed among the remaining persons in
5 proportion to their percentages otherwise calculated.

6 (c) The Board shall monitor organization licensees to
7 ensure that moneys paid to organization licensees under this
8 Section are distributed by the organization licensees as
9 provided in subsection (b).

10 (d) This Section is repealed 2 years after the effective
11 date of this amendatory Act of the 94th General Assembly."; and

12 by replacing line 34 on page 6 through line 1 of page 7 with the
13 following:

14 "rules of the Board. For a period of 2 years beginning on the
15 effective date of this amendatory Act of the 94th General
16 Assembly, as a condition of licensure and as an alternative
17 source of payment for those funds payable"; and

18 on page 16, by replacing lines 19 through 33 with the
19 following:

20 "(c-5) Before the effective date of this amendatory Act of
21 the 94th General Assembly and beginning 2 years after the
22 effective date of this amendatory Act of the 94th General
23 Assembly, after ~~After~~ the payments required under subsections
24 (b) and (c) have been made, an amount equal to 15% of the
25 adjusted gross receipts of (1) an owners licensee that
26 relocates pursuant to Section 11.2, (2) an owners licensee
27 conducting riverboat gambling operations pursuant to an owners
28 license that is initially issued after June 25, 1999, or (3)
29 the first riverboat gambling operations conducted by a licensed
30 manager on behalf of the State under Section 7.3, whichever
31 comes first, shall be paid from the State Gaming Fund into the
32 Horse Racing Equity Fund.

1 (c-10) Each year the General Assembly shall appropriate
2 from the General Revenue Fund to the Education Assistance Fund
3 an amount equal to the amount paid into the Horse Racing Equity
4 Fund pursuant to subsection (c-5) in the prior calendar year.";
5 and

6 on page 18, by replacing lines 21 through 25 with the
7 following:

8 "Section 97. Inseverability. The changes made to existing
9 statutory law by this amendatory Act of the 94th General
10 Assembly are mutually dependent and inseverable. If any change
11 made to existing statutory law by this amendatory Act of the
12 94th General Assembly is held invalid, then all changes made to
13 existing statutory law by this amendatory Act of the 94th
14 General Assembly are invalid in their entirety.".