**Section 425.20 Contracting Goals for Organization Licensee or Inter-Track Wagering Licensee**

a) Definitions. For purposes of this Section:

1) "Act" means the Illinois Horse Racing Act of 1975 [235 ILCS 5].

2) "Contract" is an agreement for the provision of goods and services.

3) "Dollar Percentage" is the percentage of the total dollar value of an organization licensee's or inter-track wagering licensee's vendor contracts with minority owned businesses, female owned businesses, or businesses owned by a person with a disability during a calendar year, compared to the total dollar amount of all vendor contracts entered into during that calendar year, except for contracts covered under subsection (b)(2).

4) "Emergency" is a situation in which one or more of the following have occurred or are at imminent risk of occurring:

A) Damage or disruption to all or part of an organization or inter-track wagering licensee's operation; or

B) Danger to the health, safety, comfort or welfare of patrons or employees.

b) For each calendar year, the Board shall establish contracting goals, as defined in subsection (a)(3), for each organization licensee or inter-track wagering licensee, expressed as a dollar percentage as defined in subsection (a)(3). Contracting goals shall be established for minority owned businesses, female owned businesses, and businesses owned by persons with disabilities. Each organization licensee or inter-track wagering licensee shall make every effort to meet the goals established by the Board.

1) By November 1 of each calendar year, each organization licensee or intertrack wagering licensee shall submit to the Board proposed contracting goals for the coming calendar year for minority owned businesses, female owned businesses and businesses owned by persons with disabilities. The Board may conduct fact-finding hearings to determine the appropriateness of a proposed contracting goal.

2) When setting the goals for the award of contracts, the Board, in addition to those listed in Section 12.2(b) of the Act, shall not include contracts entered into in response to an emergency.

3) An organization licensee or inter-track licensee may satisfy its goal for the award of contracts, in whole or in part, by counting the total dollar amount of first and second tier subcontracts and purchase orders to businesses certified as vendors under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575] or by any other certifying agency approved by the Board.

c) *If the Board determines that its goals and policies are not being met by an organization licensee or inter-track wagering licensee, then the Board may,* in addition to the remedies listed in Section 12.2(e) of the Act, also recommend *remedies for* those *violations.*

d) The Board shall not establish any type of quota in connection with its enforcement of Section 12.2 of the Act.

e) By January 31 of each year, *each organization licensee or inter-track wagering licensee shall file with the Board an annual report* required pursuant to Section 12.2(c) of the Act.

f) The dollar percentages for an organization licensee or inter-track wagering licensee shall be determined according to the data in the organization licensee's or inter-track wagering licensee's annual report submitted to the Board under subsection (e).

(Source: Added at 41 Ill. Reg. 12853, effective October 1, 2017)