

HB2522



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2522

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

230 ILCS 5/26	from Ch. 8, par. 37-26
230 ILCS 5/26.8	
230 ILCS 5/26.9	
230 ILCS 5/27	from Ch. 8, par. 37-27

Amends the Illinois Horse Racing Act of 1975. Removes language terminating the authorization for advance deposit wagering on December 31, 2018. Effective immediately.

LRB100 08449 MJP 18567 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Sections 26, 26.8, 26.9, and 27 as follows:

6 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

7 Sec. 26. Wagering.

8 (a) Any licensee may conduct and supervise the pari-mutuel
9 system of wagering, as defined in Section 3.12 of this Act, on
10 horse races conducted by an Illinois organization licensee or
11 conducted at a racetrack located in another state or country
12 and televised in Illinois in accordance with subsection (g) of
13 Section 26 of this Act. Subject to the prior consent of the
14 Board, licensees may supplement any pari-mutuel pool in order
15 to guarantee a minimum distribution. Such pari-mutuel method of
16 wagering shall not, under any circumstances if conducted under
17 the provisions of this Act, be held or construed to be
18 unlawful, other statutes of this State to the contrary
19 notwithstanding. Subject to rules for advance wagering
20 promulgated by the Board, any licensee may accept wagers in
21 advance of the day of the race wagered upon occurs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 Notwithstanding any other provision of this Act, ~~through~~
16 ~~December 31, 2018,~~ an organization licensee, with the consent
17 of the horsemen association representing the largest number of
18 owners, trainers, jockeys, or standardbred drivers who race
19 horses at that organization licensee's racing meeting, may
20 maintain a system whereby advance deposit wagering may take
21 place or an organization licensee, with the consent of the
22 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 contract with another person to carry out a system of advance
26 deposit wagering. Such consent may not be unreasonably

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

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

1 of host days that the Board grants to that breed at that race
2 track facility in the current calendar year. To the extent any
3 fees from advance deposit wagering conducted in Illinois for
4 wagers in Illinois or other states have been placed in escrow
5 or otherwise withheld from wagers pending a determination of
6 the legality of advance deposit wagering, no action shall be
7 brought to declare such wagers or the disbursement of any fees
8 previously escrowed illegal.

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

26 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an

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

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

26 (4) A licensee who receives an interstate simulcast may

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

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

20 (A) For interstate simulcast wagers made at a host
21 track, 50% to the host track and 50% to purses at the
22 host track.

23 (B) For wagers placed on interstate simulcast
24 races, supplemental simulcasts as defined in
25 subparagraphs (1) and (2), and separately pooled races
26 conducted outside of the State of Illinois made at a

1 non-host licensee, 25% to the host track, 25% to the
2 non-host licensee, and 50% to the purses at the host
3 track.

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

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

21 (A) Between January 1 and the third Friday in
22 February, inclusive, if no live thoroughbred racing is
23 occurring in Illinois during this period, when the
24 interstate simulcast is a standardbred race, the purse
25 share to its standardbred purse account;

26 (B) Between January 1 and the third Friday in

1 February, inclusive, if no live thoroughbred racing is
2 occurring in Illinois during this period, and the
3 interstate simulcast is a thoroughbred race, the purse
4 share to its interstate simulcast purse pool to be
5 distributed under paragraph (10) of this subsection
6 (g);

7 (C) Between January 1 and the third Friday in
8 February, inclusive, if live thoroughbred racing is
9 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
10 the purse share from wagers made during this time
11 period to its thoroughbred purse account and between
12 6:30 p.m. and 6:30 a.m. the purse share from wagers
13 made during this time period to its standardbred purse
14 accounts;

15 (D) Between the third Saturday in February and
16 December 31, when the interstate simulcast occurs
17 between the hours of 6:30 a.m. and 6:30 p.m., the purse
18 share to its thoroughbred purse account;

19 (E) Between the third Saturday in February and
20 December 31, when the interstate simulcast occurs
21 between the hours of 6:30 p.m. and 6:30 a.m., the purse
22 share to its standardbred purse account.

23 (7.1) Notwithstanding any other provision of this Act
24 to the contrary, if no standardbred racing is conducted at
25 a racetrack located in Madison County during any calendar
26 year beginning on or after January 1, 2002, all moneys

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

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

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

25 (7.2) Notwithstanding any other provision of this Act
26 to the contrary, if no thoroughbred racing is conducted at

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

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

13 (B) Twenty percent shall be deposited into the
14 Illinois Colt Stakes Purse Distribution Fund. Moneys
15 deposited into the Illinois Colt Stakes Purse
16 Distribution Fund pursuant to this subparagraph (B)
17 shall be paid to Illinois conceived and foaled
18 thoroughbred breeders' programs and to thoroughbred
19 purses for races conducted at any county fairgrounds
20 for Illinois conceived and foaled horses at the
21 discretion of the Department of Agriculture, with the
22 advice and assistance of the Illinois Thoroughbred
23 Breeders Fund Advisory Board. The moneys deposited
24 into the Illinois Colt Stakes Purse Distribution Fund
25 pursuant to this subparagraph (B) shall be deposited
26 within 2 weeks after the day they were generated, shall

1 be in addition to and not in lieu of any other moneys
2 paid to thoroughbred purses under this Act, and shall
3 not be commingled with other moneys deposited into that
4 Fund.

5 (7.3) If no live standardbred racing is conducted at a
6 racetrack located in Madison County in calendar year 2000
7 or 2001, an organization licensee who is licensed to
8 conduct horse racing at that racetrack shall, before
9 January 1, 2002, pay all moneys derived from simulcast
10 wagering and inter-track wagering in calendar years 2000
11 and 2001 and paid into the licensee's standardbred purse
12 account as follows:

13 (A) Eighty percent to that licensee's thoroughbred
14 purse account to be used for thoroughbred purses; and

15 (B) Twenty percent to the Illinois Colt Stakes
16 Purse Distribution Fund.

17 Failure to make the payment to the Illinois Colt Stakes
18 Purse Distribution Fund before January 1, 2002 shall result
19 in the immediate revocation of the licensee's organization
20 license, inter-track wagering license, and inter-track
21 wagering location license.

22 Moneys paid into the Illinois Colt Stakes Purse
23 Distribution Fund pursuant to this paragraph (7.3) shall be
24 paid to purses for standardbred races for Illinois
25 conceived and foaled horses conducted at any county
26 fairgrounds. Moneys paid into the Illinois Colt Stakes

1 Purse Distribution Fund pursuant to this paragraph (7.3)
2 shall be used as determined by the Department of
3 Agriculture, with the advice and assistance of the Illinois
4 Standardbred Breeders Fund Advisory Board, shall be in
5 addition to and not in lieu of any other moneys paid to
6 standardbred purses under this Act, and shall not be
7 commingled with any other moneys paid into that Fund.

8 (7.4) If live standardbred racing is conducted at a
9 racetrack located in Madison County at any time in calendar
10 year 2001 before the payment required under paragraph (7.3)
11 has been made, the organization licensee who is licensed to
12 conduct racing at that racetrack shall pay all moneys
13 derived by that racetrack from simulcast wagering and
14 inter-track wagering during calendar years 2000 and 2001
15 that (1) are to be used for purses and (2) are generated
16 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
17 2001 to the standardbred purse account at that racetrack to
18 be used for standardbred purses.

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

26 (8.1) Notwithstanding any provisions in this Act to the

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

15 (9) (Blank).

16 (10) (Blank).

17 (11) (Blank).

18 (12) The Board shall have authority to compel all host
19 tracks to receive the simulcast of any or all races
20 conducted at the Springfield or DuQuoin State fairgrounds
21 and include all such races as part of their simulcast
22 programs.

23 (13) Notwithstanding any other provision of this Act,
24 in the event that the total Illinois pari-mutuel handle on
25 Illinois horse races at all wagering facilities in any
26 calendar year is less than 75% of the total Illinois

1 pari-mutuel handle on Illinois horse races at all such
2 wagering facilities for calendar year 1994, then each
3 wagering facility that has an annual total Illinois
4 pari-mutuel handle on Illinois horse races that is less
5 than 75% of the total Illinois pari-mutuel handle on
6 Illinois horse races at such wagering facility for calendar
7 year 1994, shall be permitted to receive, from any amount
8 otherwise payable to the purse account at the race track
9 with which the wagering facility is affiliated in the
10 succeeding calendar year, an amount equal to 2% of the
11 differential in total Illinois pari-mutuel handle on
12 Illinois horse races at the wagering facility between that
13 calendar year in question and 1994 provided, however, that
14 a wagering facility shall not be entitled to any such
15 payment until the Board certifies in writing to the
16 wagering facility the amount to which the wagering facility
17 is entitled and a schedule for payment of the amount to the
18 wagering facility, based on: (i) the racing dates awarded
19 to the race track affiliated with the wagering facility
20 during the succeeding year; (ii) the sums available or
21 anticipated to be available in the purse account of the
22 race track affiliated with the wagering facility for purses
23 during the succeeding year; and (iii) the need to ensure
24 reasonable purse levels during the payment period. The
25 Board's certification shall be provided no later than
26 January 31 of the succeeding year. In the event a wagering

1 facility entitled to a payment under this paragraph (13) is
2 affiliated with a race track that maintains purse accounts
3 for both standardbred and thoroughbred racing, the amount
4 to be paid to the wagering facility shall be divided
5 between each purse account pro rata, based on the amount of
6 Illinois handle on Illinois standardbred and thoroughbred
7 racing respectively at the wagering facility during the
8 previous calendar year. Annually, the General Assembly
9 shall appropriate sufficient funds from the General
10 Revenue Fund to the Department of Agriculture for payment
11 into the thoroughbred and standardbred horse racing purse
12 accounts at Illinois pari-mutuel tracks. The amount paid to
13 each purse account shall be the amount certified by the
14 Illinois Racing Board in January to be transferred from
15 each account to each eligible racing facility in accordance
16 with the provisions of this Section.

17 (h) The Board may approve and license the conduct of
18 inter-track wagering and simulcast wagering by inter-track
19 wagering licensees and inter-track wagering location licensees
20 subject to the following terms and conditions:

21 (1) Any person licensed to conduct a race meeting (i)
22 at a track where 60 or more days of racing were conducted
23 during the immediately preceding calendar year or where
24 over the 5 immediately preceding calendar years an average
25 of 30 or more days of racing were conducted annually may be
26 issued an inter-track wagering license; (ii) at a track

1 located in a county that is bounded by the Mississippi
2 River, which has a population of less than 150,000
3 according to the 1990 decennial census, and an average of
4 at least 60 days of racing per year between 1985 and 1993
5 may be issued an inter-track wagering license; or (iii) at
6 a track located in Madison County that conducted at least
7 100 days of live racing during the immediately preceding
8 calendar year may be issued an inter-track wagering
9 license, unless a lesser schedule of live racing is the
10 result of (A) weather, unsafe track conditions, or other
11 acts of God; (B) an agreement between the organization
12 licensee and the associations representing the largest
13 number of owners, trainers, jockeys, or standardbred
14 drivers who race horses at that organization licensee's
15 racing meeting; or (C) a finding by the Board of
16 extraordinary circumstances and that it was in the best
17 interest of the public and the sport to conduct fewer than
18 100 days of live racing. Any such person having operating
19 control of the racing facility may receive inter-track
20 wagering location licenses. An eligible race track located
21 in a county that has a population of more than 230,000 and
22 that is bounded by the Mississippi River may establish up
23 to 9 inter-track wagering locations, ~~and~~ and an eligible race
24 track located in Stickney Township in Cook County may
25 establish up to 16 inter-track wagering locations, ~~and~~ and an
26 eligible race track located in Palatine Township in Cook

1 County may establish up to 18 inter-track wagering
2 locations. An application for said license shall be filed
3 with the Board prior to such dates as may be fixed by the
4 Board. With an application for an inter-track wagering
5 location license there shall be delivered to the Board a
6 certified check or bank draft payable to the order of the
7 Board for an amount equal to \$500. The application shall be
8 on forms prescribed and furnished by the Board. The
9 application shall comply with all other rules, regulations
10 and conditions imposed by the Board in connection
11 therewith.

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

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

25 (4) Prior to the issuance of a license to conduct
26 inter-track wagering and simulcast wagering, the applicant

1 shall file with the Board a bond payable to the State of
2 Illinois in the sum of \$50,000, executed by the applicant
3 and a surety company or companies authorized to do business
4 in this State, and conditioned upon (i) the payment by the
5 licensee of all taxes due under Section 27 or 27.1 and any
6 other monies due and payable under this Act, and (ii)
7 distribution by the licensee, upon presentation of the
8 winning ticket or tickets, of all sums payable to the
9 patrons of pari-mutuel pools.

10 (5) Each license to conduct inter-track wagering and
11 simulcast wagering shall specify the person to whom it is
12 issued, the dates on which such wagering is permitted, and
13 the track or location where the wagering is to be
14 conducted.

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

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

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

26 (8.1) Inter-track wagering location licensees who

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

25 (8.2) Inter-track wagering or simulcast wagering shall
26 not be conducted by an inter-track wagering location

1 licensee at any location within 500 feet of an existing
2 church or existing school, nor within 500 feet of the
3 residences of more than 50 registered voters without
4 receiving written permission from a majority of the
5 registered voters at such residences. Such written
6 permission statements shall be filed with the Board. The
7 distance of 500 feet shall be measured to the nearest part
8 of any building used for worship services, education
9 programs, residential purposes, or conducting inter-track
10 wagering by an inter-track wagering location licensee, and
11 not to property boundaries. However, inter-track wagering
12 or simulcast wagering may be conducted at a site within 500
13 feet of a church, school or residences of 50 or more
14 registered voters if such church, school or residences have
15 been erected or established, or such voters have been
16 registered, after the Board issues the original
17 inter-track wagering location license at the site in
18 question. Inter-track wagering location licensees may
19 conduct inter-track wagering and simulcast wagering only
20 in areas that are zoned for commercial or manufacturing
21 purposes or in areas for which a special use has been
22 approved by the local zoning authority. However, no license
23 to conduct inter-track wagering and simulcast wagering
24 shall be granted by the Board with respect to any
25 inter-track wagering location within the jurisdiction of
26 any local zoning authority which has, by ordinance or by

1 resolution, prohibited the establishment of an inter-track
2 wagering location within its jurisdiction. However,
3 inter-track wagering and simulcast wagering may be
4 conducted at a site if such ordinance or resolution is
5 enacted after the Board licenses the original inter-track
6 wagering location licensee for the site in question.

7 (9) (Blank).

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

18 (10.1) Except as provided in subsection (g) of Section
19 27 of this Act, inter-track wagering location licensees
20 shall pay 1% of the pari-mutuel handle at each location to
21 the municipality in which such location is situated and 1%
22 of the pari-mutuel handle at each location to the county in
23 which such location is situated. In the event that an
24 inter-track wagering location licensee is situated in an
25 unincorporated area of a county, such licensee shall pay 2%
26 of the pari-mutuel handle from such location to such

1 county.

2 (10.2) Notwithstanding any other provision of this
3 Act, with respect to inter-track ~~intertrack~~ wagering at a
4 race track located in a county that has a population of
5 more than 230,000 and that is bounded by the Mississippi
6 River ("the first race track"), or at a facility operated
7 by an inter-track wagering licensee or inter-track
8 wagering location licensee that derives its license from
9 the organization licensee that operates the first race
10 track, on races conducted at the first race track or on
11 races conducted at another Illinois race track and
12 simultaneously televised to the first race track or to a
13 facility operated by an inter-track wagering licensee or
14 inter-track wagering location licensee that derives its
15 license from the organization licensee that operates the
16 first race track, those moneys shall be allocated as
17 follows:

18 (A) That portion of all moneys wagered on
19 standardbred racing that is required under this Act to
20 be paid to purses shall be paid to purses for
21 standardbred races.

22 (B) That portion of all moneys wagered on
23 thoroughbred racing that is required under this Act to
24 be paid to purses shall be paid to purses for
25 thoroughbred races.

26 (11) (A) After payment of the privilege or pari-mutuel

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

20 (B) From the sums permitted to be retained pursuant to
21 this Act each inter-track wagering location licensee shall
22 pay (i) the privilege or pari-mutuel tax to the State; (ii)
23 4.75% of the pari-mutuel handle on inter-track ~~intertrack~~
24 wagering at such location on races as purses, except that
25 an inter-track ~~intertrack~~ wagering location licensee that
26 derives its license from a track located in a county with a

1 population in excess of 230,000 and that borders the
2 Mississippi River shall retain all purse moneys for its own
3 purse account consistent with distribution set forth in
4 this subsection (h), and inter-track ~~intertrack~~ wagering
5 location licensees that accept wagers on races conducted by
6 an organization licensee located in a county with a
7 population in excess of 230,000 and that borders the
8 Mississippi River shall distribute all purse moneys to
9 purses at the operating host track; (iii) until January 1,
10 2000, except as provided in subsection (g) of Section 27 of
11 this Act, 1% of the pari-mutuel handle wagered on
12 inter-track wagering and simulcast wagering at each
13 inter-track wagering location licensee facility to the
14 Horse Racing Tax Allocation Fund, provided that, to the
15 extent the total amount collected and distributed to the
16 Horse Racing Tax Allocation Fund under this subsection (h)
17 during any calendar year exceeds the amount collected and
18 distributed to the Horse Racing Tax Allocation Fund during
19 calendar year 1994, that excess amount shall be
20 redistributed (I) to all inter-track wagering location
21 licensees, based on each licensee's pro-rata share of the
22 total handle from inter-track wagering and simulcast
23 wagering for all inter-track wagering location licensees
24 during the calendar year in which this provision is
25 applicable; then (II) the amounts redistributed to each
26 inter-track wagering location licensee as described in

1 subpart (I) shall be further redistributed as provided in
2 subparagraph (B) of paragraph (5) of subsection (g) of this
3 Section 26 provided first, that the shares of those
4 amounts, which are to be redistributed to the host track or
5 to purses at the host track under subparagraph (B) of
6 paragraph (5) of subsection (g) of this Section 26 shall be
7 redistributed based on each host track's pro rata share of
8 the total inter-track wagering and simulcast wagering
9 handle at all host tracks during the calendar year in
10 question, and second, that any amounts redistributed as
11 described in part (I) to an inter-track wagering location
12 licensee that accepts wagers on races conducted by an
13 organization licensee that conducts a race meet in a county
14 with a population in excess of 230,000 and that borders the
15 Mississippi River shall be further redistributed as
16 provided in subparagraphs (D) and (E) of paragraph (7) of
17 subsection (g) of this Section 26, with the portion of that
18 further redistribution allocated to purses at that
19 organization licensee to be divided between standardbred
20 purses and thoroughbred purses based on the amounts
21 otherwise allocated to purses at that organization
22 licensee during the calendar year in question; and (iv) 8%
23 of the pari-mutuel handle on inter-track wagering wagered
24 at such location to satisfy all costs and expenses of
25 conducting its wagering. The remainder of the monies
26 retained by the inter-track wagering location licensee

1 shall be allocated 40% to the location licensee and 60% to
2 the organization licensee which provides the Illinois
3 races to the location, except that an inter-track
4 ~~intertrack~~ wagering location licensee that derives its
5 license from a track located in a county with a population
6 in excess of 230,000 and that borders the Mississippi River
7 shall not divide any remaining retention with the
8 organization licensee that provides the race or races and
9 an inter-track ~~intertrack~~ wagering location licensee that
10 accepts wagers on races conducted by an organization
11 licensee that conducts a race meet in a county with a
12 population in excess of 230,000 and that borders the
13 Mississippi River shall not divide any remaining retention
14 with the organization licensee. Notwithstanding the
15 provisions of clauses (ii) and (iv) of this paragraph, in
16 the case of the additional inter-track wagering location
17 licenses authorized under paragraph (1) of this subsection
18 (h) by Public Act 87-110 ~~this amendatory Act of 1991~~, those
19 licensees shall pay the following amounts as purses: during
20 the first 12 months the licensee is in operation, 5.25% of
21 the pari-mutuel handle wagered at the location on races;
22 during the second 12 months, 5.25%; during the third 12
23 months, 5.75%; during the fourth 12 months, 6.25%; and
24 during the fifth 12 months and thereafter, 6.75%. The
25 following amounts shall be retained by the licensee to
26 satisfy all costs and expenses of conducting its wagering:

1 during the first 12 months the licensee is in operation,
2 8.25% of the pari-mutuel handle wagered at the location;
3 during the second 12 months, 8.25%; during the third 12
4 months, 7.75%; during the fourth 12 months, 7.25%; and
5 during the fifth 12 months and thereafter, 6.75%. For
6 additional inter-track ~~intertrack~~ wagering location
7 licensees authorized under Public Act 89-16 ~~this~~
8 ~~amendatory Act of 1995~~, purses for the first 12 months the
9 licensee is in operation shall be 5.75% of the pari-mutuel
10 wagered at the location, purses for the second 12 months
11 the licensee is in operation shall be 6.25%, and purses
12 thereafter shall be 6.75%. For additional inter-track
13 ~~intertrack~~ location licensees authorized under Public Act
14 89-16 ~~this amendatory Act of 1995~~, the licensee shall be
15 allowed to retain to satisfy all costs and expenses: 7.75%
16 of the pari-mutuel handle wagered at the location during
17 its first 12 months of operation, 7.25% during its second
18 12 months of operation, and 6.75% thereafter.

19 (C) There is hereby created the Horse Racing Tax
20 Allocation Fund which shall remain in existence until
21 December 31, 1999. Moneys remaining in the Fund after
22 December 31, 1999 shall be paid into the General Revenue
23 Fund. Until January 1, 2000, all monies paid into the Horse
24 Racing Tax Allocation Fund pursuant to this paragraph (11)
25 by inter-track wagering location licensees located in park
26 districts of 500,000 population or less, or in a

1 municipality that is not included within any park district
2 but is included within a conservation district and is the
3 county seat of a county that (i) is contiguous to the state
4 of Indiana and (ii) has a 1990 population of 88,257
5 according to the United States Bureau of the Census, and
6 operating on May 1, 1994 shall be allocated by
7 appropriation as follows:

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

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

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

1 district and is the county seat of a county that (i) is
2 contiguous to the state of Indiana and (ii) has a 1990
3 population of 88,257 according to the United States
4 Bureau of the Census, except that if the conservation
5 district does not maintain a museum, the monies shall
6 be allocated equally between the county and the
7 municipality in which the inter-track wagering
8 location licensee is located for general purposes) or
9 to a municipal recreation board for park purposes (if
10 an inter-track wagering location licensee is located
11 in a municipality that is not included within any park
12 district and park maintenance is the function of the
13 municipal recreation board and the municipality has a
14 1990 population of 9,302 according to the United States
15 Bureau of the Census); provided that the monies are
16 distributed to each park district or conservation
17 district or municipality that does not have a park
18 district in an amount equal to four-sevenths of the
19 amount collected by each inter-track wagering location
20 licensee within the park district or conservation
21 district or municipality for the Fund. Monies that were
22 paid into the Horse Racing Tax Allocation Fund before
23 August 9, 1991 (the effective date of Public Act
24 87-110) ~~this amendatory Act of 1991~~ by an inter-track
25 wagering location licensee located in a municipality
26 that is not included within any park district but is

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

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

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

21 Two-sevenths to the Department of Agriculture.
22 Fifty percent of this two-sevenths shall be used to
23 promote the Illinois horse racing and breeding
24 industry, and shall be distributed by the Department of
25 Agriculture upon the advice of a 9-member committee
26 appointed by the Governor consisting of the following

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

1 disbursements incurred in the performance of their
2 official duties. The remaining 50% of this
3 two-sevenths shall be distributed to county fairs for
4 premiums and rehabilitation as set forth in the
5 Agricultural Fair Act;

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

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

21 (D) Except as provided in paragraph (11) of this
22 subsection (h), with respect to purse allocation from
23 inter-track ~~intertrack~~ wagering, the monies so
24 retained shall be divided as follows:

25 (i) If the inter-track wagering licensee,
26 except an inter-track ~~intertrack~~ wagering licensee

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

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

19 (iii) If the inter-track wagering is being
20 conducted by an inter-track wagering location
21 licensee, except an inter-track ~~intertrack~~
22 wagering location licensee that derives its
23 license from an organization licensee located in a
24 county with a population in excess of 230,000 and
25 bounded by the Mississippi River, the entire purse
26 allocation for Illinois races shall be to purses at

1 the track where the race meeting being wagered on
2 is being held.

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

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

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

23 (C) The Board, and any person or persons to whom it
24 delegates this power, may eject or exclude from any
25 licensee's facilities, any person whose conduct or
26 reputation is such that his presence on such premises

1 may, in the opinion of the Board, call into the
2 question the honesty and integrity of, or interfere
3 with the orderly conduct of such wagering; provided,
4 however, that no person shall be excluded or ejected
5 from such premises solely on the grounds of race,
6 color, creed, national origin, ancestry, or sex.

7 (D) (Blank).

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

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

21 (G) The Board is vested with the power to impose
22 civil penalties of up to \$5,000 against individuals and
23 up to \$10,000 against licensees for each violation of
24 any provision of this Act relating to the conduct of
25 this wagering, any rules adopted by the Board, any
26 order of the Board or any other action which in the

1 Board's discretion, is a detriment or impediment to
2 such wagering.

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

1 race meetings.

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

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

19 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 98-968,
20 eff. 8-15-14; 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
21 revised 9-14-16.)

22 (230 ILCS 5/26.8)

23 Sec. 26.8. Beginning on February 1, 2014 ~~and through~~
24 ~~December 31, 2018~~, each wagering licensee may impose a
25 surcharge of up to 0.5% on winning wagers and winnings from

1 wagers. The surcharge shall be deducted from winnings prior to
2 payout. All amounts collected from the imposition of this
3 surcharge shall be evenly distributed to the organization
4 licensee and the purse account of the organization licensee
5 with which the licensee is affiliated. The amounts distributed
6 under this Section shall be in addition to the amounts paid
7 pursuant to paragraph (10) of subsection (h) of Section 26,
8 Section 26.3, Section 26.4, Section 26.5, and Section 26.7.

9 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

10 (230 ILCS 5/26.9)

11 Sec. 26.9. Beginning on February 1, 2014 ~~and through~~
12 ~~December 31, 2018~~, in addition to the surcharge imposed in
13 Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this Act, each
14 licensee shall impose a surcharge of 0.2% on winning wagers and
15 winnings from wagers. The surcharge shall be deducted from
16 winnings prior to payout. All amounts collected from the
17 surcharges imposed under this Section shall be remitted to the
18 Board. From amounts collected under this Section, the Board
19 shall deposit an amount not to exceed \$100,000 annually into
20 the Quarter Horse Purse Fund and all remaining amounts into the
21 Horse Racing Fund.

22 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

23 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

24 Sec. 27. (a) In addition to the organization license fee

1 provided by this Act, until January 1, 2000, a graduated
2 privilege tax is hereby imposed for conducting the pari-mutuel
3 system of wagering permitted under this Act. Until January 1,
4 2000, except as provided in subsection (g) of Section 27 of
5 this Act, all of the breakage of each racing day held by any
6 licensee in the State shall be paid to the State. Until January
7 1, 2000, such daily graduated privilege tax shall be paid by
8 the licensee from the amount permitted to be retained under
9 this Act. Until January 1, 2000, each day's graduated privilege
10 tax, breakage, and Horse Racing Tax Allocation funds shall be
11 remitted to the Department of Revenue within 48 hours after the
12 close of the racing day upon which it is assessed or within
13 such other time as the Board prescribes. The privilege tax
14 hereby imposed, until January 1, 2000, shall be a flat tax at
15 the rate of 2% of the daily pari-mutuel handle except as
16 provided in Section 27.1.

17 In addition, every organization licensee, except as
18 provided in Section 27.1 of this Act, which conducts multiple
19 wagering shall pay, until January 1, 2000, as a privilege tax
20 on multiple wagers an amount equal to 1.25% of all moneys
21 wagered each day on such multiple wagers, plus an additional
22 amount equal to 3.5% of the amount wagered each day on any
23 other multiple wager which involves a single betting interest
24 on 3 or more horses. The licensee shall remit the amount of
25 such taxes to the Department of Revenue within 48 hours after
26 the close of the racing day on which it is assessed or within

1 such other time as the Board prescribes.

2 This subsection (a) shall be inoperative and of no force
3 and effect on and after January 1, 2000.

4 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
5 at the rate of 1.5% of the daily pari-mutuel handle is imposed
6 at all pari-mutuel wagering facilities and on advance deposit
7 wagering from a location other than a wagering facility, except
8 as otherwise provided for in this subsection (a-5). In addition
9 to the pari-mutuel tax imposed on advance deposit wagering
10 pursuant to this subsection (a-5), beginning on August 24, 2012
11 (the effective date of Public Act 97-1060) ~~and through December~~
12 ~~31, 2018~~, an additional pari-mutuel tax at the rate of 0.25%
13 shall be imposed on advance deposit wagering. Until August 25,
14 2012, the additional 0.25% pari-mutuel tax imposed on advance
15 deposit wagering by Public Act 96-972 shall be deposited into
16 the Quarter Horse Purse Fund, which shall be created as a
17 non-appropriated trust fund administered by the Board for
18 grants to thoroughbred organization licensees for payment of
19 purses for quarter horse races conducted by the organization
20 licensee. Beginning on August 26, 2012, the additional 0.25%
21 pari-mutuel tax imposed on advance deposit wagering shall be
22 deposited into the Standardbred Purse Fund, which shall be
23 created as a non-appropriated trust fund administered by the
24 Board, for grants to the standardbred organization licensees
25 for payment of purses for standardbred horse races conducted by
26 the organization licensee. Thoroughbred organization licensees

1 may petition the Board to conduct quarter horse racing and
2 receive purse grants from the Quarter Horse Purse Fund. The
3 Board shall have complete discretion in distributing the
4 Quarter Horse Purse Fund to the petitioning organization
5 licensees. Beginning on July 26, 2010 (the effective date of
6 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of
7 the daily pari-mutuel handle is imposed at a pari-mutuel
8 facility whose license is derived from a track located in a
9 county that borders the Mississippi River and conducted live
10 racing in the previous year. The pari-mutuel tax imposed by
11 this subsection (a-5) shall be remitted to the Department of
12 Revenue within 48 hours after the close of the racing day upon
13 which it is assessed or within such other time as the Board
14 prescribes.

15 (b) On or before December 31, 1999, in the event that any
16 organization licensee conducts 2 separate programs of races on
17 any day, each such program shall be considered a separate
18 racing day for purposes of determining the daily handle and
19 computing the privilege tax on such daily handle as provided in
20 subsection (a) of this Section.

21 (c) Licensees shall at all times keep accurate books and
22 records of all monies wagered on each day of a race meeting and
23 of the taxes paid to the Department of Revenue under the
24 provisions of this Section. The Board or its duly authorized
25 representative or representatives shall at all reasonable
26 times have access to such records for the purpose of examining

1 and checking the same and ascertaining whether the proper
2 amount of taxes is being paid as provided. The Board shall
3 require verified reports and a statement of the total of all
4 monies wagered daily at each wagering facility upon which the
5 taxes are assessed and may prescribe forms upon which such
6 reports and statement shall be made.

7 (d) Any licensee failing or refusing to pay the amount of
8 any tax due under this Section shall be guilty of a business
9 offense and upon conviction shall be fined not more than \$5,000
10 in addition to the amount found due as tax under this Section.
11 Each day's violation shall constitute a separate offense. All
12 fines paid into Court by a licensee hereunder shall be
13 transmitted and paid over by the Clerk of the Court to the
14 Board.

15 (e) No other license fee, privilege tax, excise tax, or
16 racing fee, except as provided in this Act, shall be assessed
17 or collected from any such licensee by the State.

18 (f) No other license fee, privilege tax, excise tax or
19 racing fee shall be assessed or collected from any such
20 licensee by units of local government except as provided in
21 paragraph 10.1 of subsection (h) and subsection (f) of Section
22 26 of this Act. However, any municipality that has a Board
23 licensed horse race meeting at a race track wholly within its
24 corporate boundaries or a township that has a Board licensed
25 horse race meeting at a race track wholly within the
26 unincorporated area of the township may charge a local

1 amusement tax not to exceed 10¢ per admission to such horse
2 race meeting by the enactment of an ordinance. However, any
3 municipality or county that has a Board licensed inter-track
4 wagering location facility wholly within its corporate
5 boundaries may each impose an admission fee not to exceed \$1.00
6 per admission to such inter-track wagering location facility,
7 so that a total of not more than \$2.00 per admission may be
8 imposed. Except as provided in subparagraph (g) of Section 27
9 of this Act, the inter-track wagering location licensee shall
10 collect any and all such fees and within 48 hours remit the
11 fees to the Board, which shall, pursuant to rule, cause the
12 fees to be distributed to the county or municipality.

13 (g) Notwithstanding any provision in this Act to the
14 contrary, if in any calendar year the total taxes and fees
15 required to be collected from licensees and distributed under
16 this Act to all State and local governmental authorities
17 exceeds the amount of such taxes and fees distributed to each
18 State and local governmental authority to which each State and
19 local governmental authority was entitled under this Act for
20 calendar year 1994, then the first \$11 million of that excess
21 amount shall be allocated at the earliest possible date for
22 distribution as purse money for the succeeding calendar year.
23 Upon reaching the 1994 level, and until the excess amount of
24 taxes and fees exceeds \$11 million, the Board shall direct all
25 licensees to cease paying the subject taxes and fees and the
26 Board shall direct all licensees to allocate any such excess

1 amount for purses as follows:

2 (i) the excess amount shall be initially divided
3 between thoroughbred and standardbred purses based on the
4 thoroughbred's and standardbred's respective percentages
5 of total Illinois live wagering in calendar year 1994;

6 (ii) each thoroughbred and standardbred organization
7 licensee issued an organization licensee in that
8 succeeding allocation year shall be allocated an amount
9 equal to the product of its percentage of total Illinois
10 live thoroughbred or standardbred wagering in calendar
11 year 1994 (the total to be determined based on the sum of
12 1994 on-track wagering for all organization licensees
13 issued organization licenses in both the allocation year
14 and the preceding year) multiplied by the total amount
15 allocated for standardbred or thoroughbred purses,
16 provided that the first \$1,500,000 of the amount allocated
17 to standardbred purses under item (i) shall be allocated to
18 the Department of Agriculture to be expended with the
19 assistance and advice of the Illinois Standardbred
20 Breeders Funds Advisory Board for the purposes listed in
21 subsection (g) of Section 31 of this Act, before the amount
22 allocated to standardbred purses under item (i) is
23 allocated to standardbred organization licensees in the
24 succeeding allocation year.

25 To the extent the excess amount of taxes and fees to be
26 collected and distributed to State and local governmental

1 authorities exceeds \$11 million, that excess amount shall be
2 collected and distributed to State and local authorities as
3 provided for under this Act.

4 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 99-756,
5 eff. 8-12-16.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.