



Rep. Robert Rita

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1 AMENDMENT TO SENATE BILL 3387

2 AMENDMENT NO. _____. Amend Senate Bill 3387 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is
5 amended by changing Section 26 as follows:

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

7 Sec. 26. Wagering.

8 (a) Any licensee may conduct and supervise the pari-mutuel
9 system of wagering, as defined in Section 3.12 of this Act, on
10 horse races conducted by an Illinois organization licensee or
11 conducted at a racetrack located in another state or country
12 and televised in Illinois in accordance with subsection (g) of
13 Section 26 of this Act. Subject to the prior consent of the
14 Board, licensees may supplement any pari-mutuel pool in order
15 to guarantee a minimum distribution. Such pari-mutuel method of
16 wagering shall not, under any circumstances if conducted under

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

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

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

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

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

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

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

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

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

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

1 established by other states.

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

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

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

20 Notwithstanding any other provision of this Act, through
21 December 31, 2018, an organization licensee, with the consent
22 of the horsemen association representing the largest number of
23 owners, trainers, jockeys, or standardbred drivers who race
24 horses at that organization licensee's racing meeting, may
25 maintain a system whereby advance deposit wagering may take
26 place or an organization licensee, with the consent of the

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

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

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

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

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

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

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

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

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

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

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

26 (B) For wagers placed on interstate simulcast

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

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

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

25 ~~(A) Between January 1 and the third Friday in~~
26 ~~February, inclusive, if no live thoroughbred racing is~~

1 ~~occurring in Illinois during this period, when the~~
2 ~~interstate simulcast is a standardbred race, the purse~~
3 ~~share to its standardbred purse account;~~

4 ~~(B) Between January 1 and the third Friday in~~
5 ~~February, inclusive, if no live thoroughbred racing is~~
6 ~~occurring in Illinois during this period, and the~~
7 ~~interstate simulcast is a thoroughbred race, the purse~~
8 ~~share to its interstate simulcast purse pool to be~~
9 ~~distributed under paragraph (10) of this subsection~~
10 ~~(g);~~

11 ~~(C) Between January 1 and the third Friday in~~
12 ~~February, inclusive, if live thoroughbred racing is~~
13 ~~occurring in Illinois, between 6:30 a.m. and 6:30 p.m.~~
14 ~~the purse share from wagers made during this time~~
15 ~~period to its thoroughbred purse account and between~~
16 ~~6:30 p.m. and 6:30 a.m. the purse share from wagers~~
17 ~~made during this time period to its standardbred purse~~
18 ~~accounts;~~

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

23 ~~(E) Between the third Saturday in February and~~
24 ~~December 31, when the interstate simulcast occurs~~
25 ~~between the hours of 6:30 p.m. and 6:30 a.m., the purse~~
26 ~~share to its standardbred purse account.~~

1 (7.1) Notwithstanding any other provision of this Act
2 to the contrary, if no standardbred racing is conducted at
3 a racetrack located in Madison County during any calendar
4 year beginning on or after January 1, 2002, all moneys
5 derived by that racetrack from simulcast wagering and
6 inter-track wagering that (1) are to be used for purses and
7 (2) are generated between the hours of 6:30 p.m. and 6:30
8 a.m. during that calendar year shall be paid as follows:

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

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

1 assistance of the Illinois Standardbred Breeders Fund
2 Advisory Board.

3 (7.2) Notwithstanding any other provision of this Act
4 to the contrary, if no thoroughbred racing is conducted at
5 a racetrack located in Madison County during any calendar
6 year beginning on or after January 1, 2002, all moneys
7 derived by that racetrack from simulcast wagering and
8 inter-track wagering that (1) are to be used for purses and
9 (2) are generated between the hours of 6:30 a.m. and 6:30
10 p.m. during that calendar year shall be deposited as
11 follows:

12 (A) If the licensee that conducts horse racing at
13 that racetrack requests from the Board at least as many
14 racing dates as were conducted in calendar year 2000,
15 80% shall be deposited into its standardbred purse
16 account; and

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

1 Breeders Fund Advisory Board. The moneys deposited
2 into the Illinois Colt Stakes Purse Distribution Fund
3 pursuant to this subparagraph (B) shall be deposited
4 within 2 weeks after the day they were generated, shall
5 be in addition to and not in lieu of any other moneys
6 paid to thoroughbred purses under this Act, and shall
7 not be commingled with other moneys deposited into that
8 Fund.

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

17 ~~(A) Eighty percent to that licensee's thoroughbred~~
18 ~~purse account to be used for thoroughbred purses; and~~

19 ~~(B) Twenty percent to the Illinois Colt Stakes~~
20 ~~Purse Distribution Fund.~~

21 ~~Failure to make the payment to the Illinois Colt Stakes~~
22 ~~Purse Distribution Fund before January 1, 2002 shall result~~
23 ~~in the immediate revocation of the licensee's organization~~
24 ~~license, inter track wagering license, and inter track~~
25 ~~wagering location license.~~

26 ~~Moneys paid into the Illinois Colt Stakes Purse~~

1 ~~Distribution Fund pursuant to this paragraph (7.3) shall be~~
2 ~~paid to purses for standardbred races for Illinois~~
3 ~~conceived and foaled horses conducted at any county~~
4 ~~fairgrounds. Moneys paid into the Illinois Colt Stakes~~
5 ~~Purse Distribution Fund pursuant to this paragraph (7.3)~~
6 ~~shall be used as determined by the Department of~~
7 ~~Agriculture, with the advice and assistance of the Illinois~~
8 ~~Standardbred Breeders Fund Advisory Board, shall be in~~
9 ~~addition to and not in lieu of any other moneys paid to~~
10 ~~standardbred purses under this Act, and shall not be~~
11 ~~commingled with any other moneys paid into that Fund.~~

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

24 (8) Notwithstanding any provision in this Act to the
25 contrary, an organization licensee from a track located in
26 a county with a population in excess of 230,000 and that

1 borders the Mississippi River and its affiliated non-host
2 licensees shall not be entitled to share in any retention
3 generated on racing, inter-track wagering, or simulcast
4 wagering at any other Illinois wagering facility.

5 (8.1) Notwithstanding any provisions in this Act to the
6 contrary, if 2 organization licensees are conducting
7 standardbred race meetings concurrently between the hours
8 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
9 State and local taxes and interstate commission fees, the
10 remainder of the amount retained from simulcast wagering
11 otherwise attributable to the host track and to host track
12 purses shall be split daily between the 2 organization
13 licensees and the purses at the tracks of the 2
14 organization licensees, respectively, based on each
15 organization licensee's share of the total live handle for
16 that day, provided that this provision shall not apply to
17 any non-host licensee that derives its license from a track
18 located in a county with a population in excess of 230,000
19 and that borders the Mississippi River.

20 (9) (Blank).

21 (10) (Blank).

22 (11) (Blank).

23 (12) The Board shall have authority to compel all host
24 tracks to receive the simulcast of any or all races
25 conducted at the Springfield or DuQuoin State fairgrounds
26 and include all such races as part of their simulcast

1 programs.

2 (13) Notwithstanding any other provision of this Act,
3 in the event that the total Illinois pari-mutuel handle on
4 Illinois horse races at all wagering facilities in any
5 calendar year is less than 75% of the total Illinois
6 pari-mutuel handle on Illinois horse races at all such
7 wagering facilities for calendar year 1994, then each
8 wagering facility that has an annual total Illinois
9 pari-mutuel handle on Illinois horse races that is less
10 than 75% of the total Illinois pari-mutuel handle on
11 Illinois horse races at such wagering facility for calendar
12 year 1994, shall be permitted to receive, from any amount
13 otherwise payable to the purse account at the race track
14 with which the wagering facility is affiliated in the
15 succeeding calendar year, an amount equal to 2% of the
16 differential in total Illinois pari-mutuel handle on
17 Illinois horse races at the wagering facility between that
18 calendar year in question and 1994 provided, however, that
19 a wagering facility shall not be entitled to any such
20 payment until the Board certifies in writing to the
21 wagering facility the amount to which the wagering facility
22 is entitled and a schedule for payment of the amount to the
23 wagering facility, based on: (i) the racing dates awarded
24 to the race track affiliated with the wagering facility
25 during the succeeding year; (ii) the sums available or
26 anticipated to be available in the purse account of the

1 race track affiliated with the wagering facility for purses
2 during the succeeding year; and (iii) the need to ensure
3 reasonable purse levels during the payment period. The
4 Board's certification shall be provided no later than
5 January 31 of the succeeding year. In the event a wagering
6 facility entitled to a payment under this paragraph (13) is
7 affiliated with a race track that maintains purse accounts
8 for both standardbred and thoroughbred racing, the amount
9 to be paid to the wagering facility shall be divided
10 between each purse account pro rata, based on the amount of
11 Illinois handle on Illinois standardbred and thoroughbred
12 racing respectively at the wagering facility during the
13 previous calendar year. Annually, the General Assembly
14 shall appropriate sufficient funds from the General
15 Revenue Fund to the Department of Agriculture for payment
16 into the thoroughbred and standardbred horse racing purse
17 accounts at Illinois pari-mutuel tracks. The amount paid to
18 each purse account shall be the amount certified by the
19 Illinois Racing Board in January to be transferred from
20 each account to each eligible racing facility in accordance
21 with the provisions of this Section.

22 (h) The Board may approve and license the conduct of
23 inter-track wagering and simulcast wagering by inter-track
24 wagering licensees and inter-track wagering location licensees
25 subject to the following terms and conditions:

26 (1) Any person licensed to conduct a race meeting (i)

1 at a track where 60 or more days of racing were conducted
2 during the immediately preceding calendar year or where
3 over the 5 immediately preceding calendar years an average
4 of 30 or more days of racing were conducted annually may be
5 issued an inter-track wagering license; (ii) at a track
6 located in a county that is bounded by the Mississippi
7 River, which has a population of less than 150,000
8 according to the 1990 decennial census, and an average of
9 at least 60 days of racing per year between 1985 and 1993
10 may be issued an inter-track wagering license; or (iii) at
11 a track located in Madison County that conducted at least
12 100 days of live racing during the immediately preceding
13 calendar year may be issued an inter-track wagering
14 license, unless a lesser schedule of live racing is the
15 result of (A) weather, unsafe track conditions, or other
16 acts of God; (B) an agreement between the organization
17 licensee and the associations representing the largest
18 number of owners, trainers, jockeys, or standardbred
19 drivers who race horses at that organization licensee's
20 racing meeting; or (C) a finding by the Board of
21 extraordinary circumstances and that it was in the best
22 interest of the public and the sport to conduct fewer than
23 100 days of live racing. Any such person having operating
24 control of the racing facility may receive inter-track
25 wagering location licenses. An eligible race track located
26 in a county that has a population of more than 230,000 and

1 that is bounded by the Mississippi River may establish up
2 to 9 inter-track wagering locations, an eligible race track
3 located in Stickney Township in Cook County may establish
4 up to 16 inter-track wagering locations, and an eligible
5 race track located in Palatine Township in Cook County may
6 establish up to 18 inter-track wagering locations. An
7 application for said license shall be filed with the Board
8 prior to such dates as may be fixed by the Board. With an
9 application for an inter-track wagering location license
10 there shall be delivered to the Board a certified check or
11 bank draft payable to the order of the Board for an amount
12 equal to \$500. The application shall be on forms prescribed
13 and furnished by the Board. The application shall comply
14 with all other rules, regulations and conditions imposed by
15 the Board in connection therewith.

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

25 (3) In granting licenses to conduct inter-track
26 wagering and simulcast wagering, the Board shall give due

1 consideration to the best interests of the public, of horse
2 racing, and of maximizing revenue to the State.

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

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

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

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

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

4 (8.1) Inter-track wagering location licensees who
5 derive their licenses from a particular organization
6 licensee shall conduct inter-track wagering and simulcast
7 wagering only at locations that are within 160 miles of
8 that race track where the particular organization licensee
9 is licensed to conduct racing. However, inter-track
10 wagering and simulcast wagering shall not be conducted by
11 those licensees at any location within 5 miles of any race
12 track at which a horse race meeting has been licensed in
13 the current year, unless the person having operating
14 control of such race track has given its written consent to
15 such inter-track wagering location licensees, which
16 consent must be filed with the Board at or prior to the
17 time application is made. In the case of any inter-track
18 wagering location licensee initially licensed after
19 December 31, 2013, inter-track wagering and simulcast
20 wagering shall not be conducted by those inter-track
21 wagering location licensees that are located outside the
22 City of Chicago at any location within 8 miles of any race
23 track at which a horse race meeting has been licensed in
24 the current year, unless the person having operating
25 control of such race track has given its written consent to
26 such inter-track wagering location licensees, which

1 consent must be filed with the Board at or prior to the
2 time application is made.

3 (8.2) Inter-track wagering or simulcast wagering shall
4 not be conducted by an inter-track wagering location
5 licensee at any location within 500 feet of an existing
6 church or existing school, nor within 500 feet of the
7 residences of more than 50 registered voters without
8 receiving written permission from a majority of the
9 registered voters at such residences. Such written
10 permission statements shall be filed with the Board. The
11 distance of 500 feet shall be measured to the nearest part
12 of any building used for worship services, education
13 programs, residential purposes, or conducting inter-track
14 wagering by an inter-track wagering location licensee, and
15 not to property boundaries. However, inter-track wagering
16 or simulcast wagering may be conducted at a site within 500
17 feet of a church, school or residences of 50 or more
18 registered voters if such church, school or residences have
19 been erected or established, or such voters have been
20 registered, after the Board issues the original
21 inter-track wagering location license at the site in
22 question. Inter-track wagering location licensees may
23 conduct inter-track wagering and simulcast wagering only
24 in areas that are zoned for commercial or manufacturing
25 purposes or in areas for which a special use has been
26 approved by the local zoning authority. However, no license

1 to conduct inter-track wagering and simulcast wagering
2 shall be granted by the Board with respect to any
3 inter-track wagering location within the jurisdiction of
4 any local zoning authority which has, by ordinance or by
5 resolution, prohibited the establishment of an inter-track
6 wagering location within its jurisdiction. However,
7 inter-track wagering and simulcast wagering may be
8 conducted at a site if such ordinance or resolution is
9 enacted after the Board licenses the original inter-track
10 wagering location licensee for the site in question.

11 (9) (Blank).

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

22 (10.1) Except as provided in subsection (g) of Section
23 27 of this Act, inter-track wagering location licensees
24 shall pay 1% of the pari-mutuel handle at each location to
25 the municipality in which such location is situated and 1%
26 of the pari-mutuel handle at each location to the county in

1 which such location is situated. In the event that an
2 inter-track wagering location licensee is situated in an
3 unincorporated area of a county, such licensee shall pay 2%
4 of the pari-mutuel handle from such location to such
5 county.

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

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

26 (B) That portion of all moneys wagered on

1 thoroughbred racing that is required under this Act to
2 be paid to purses shall be paid to purses for
3 thoroughbred races.

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

24 (B) From the sums permitted to be retained pursuant to
25 this Act each inter-track wagering location licensee shall
26 pay (i) the privilege or pari-mutuel tax to the State; (ii)

1 4.75% of the pari-mutuel handle on inter-track wagering at
2 such location on races as purses, except that an
3 inter-track wagering location licensee that derives its
4 license from a track located in a county with a population
5 in excess of 230,000 and that borders the Mississippi River
6 shall retain all purse moneys for its own purse account
7 consistent with distribution set forth in this subsection
8 (h), and inter-track wagering location licensees that
9 accept wagers on races conducted by an organization
10 licensee located in a county with a population in excess of
11 230,000 and that borders the Mississippi River shall
12 distribute all purse moneys to purses at the operating host
13 track; (iii) until January 1, 2000, except as provided in
14 subsection (g) of Section 27 of this Act, 1% of the
15 pari-mutuel handle wagered on inter-track wagering and
16 simulcast wagering at each inter-track wagering location
17 licensee facility to the Horse Racing Tax Allocation Fund,
18 provided that, to the extent the total amount collected and
19 distributed to the Horse Racing Tax Allocation Fund under
20 this subsection (h) during any calendar year exceeds the
21 amount collected and distributed to the Horse Racing Tax
22 Allocation Fund during calendar year 1994, that excess
23 amount shall be redistributed (I) to all inter-track
24 wagering location licensees, based on each licensee's
25 pro-rata share of the total handle from inter-track
26 wagering and simulcast wagering for all inter-track

1 wagering location licensees during the calendar year in
2 which this provision is applicable; then (II) the amounts
3 redistributed to each inter-track wagering location
4 licensee as described in subpart (I) shall be further
5 redistributed as provided in subparagraph (B) of paragraph
6 (5) of subsection (g) of this Section 26 provided first,
7 that the shares of those amounts, which are to be
8 redistributed to the host track or to purses at the host
9 track under subparagraph (B) of paragraph (5) of subsection
10 (g) of this Section 26 shall be redistributed based on each
11 host track's pro rata share of the total inter-track
12 wagering and simulcast wagering handle at all host tracks
13 during the calendar year in question, and second, that any
14 amounts redistributed as described in part (I) to an
15 inter-track wagering location licensee that accepts wagers
16 on races conducted by an organization licensee that
17 conducts a race meet in a county with a population in
18 excess of 230,000 and that borders the Mississippi River
19 shall be further redistributed, effective January 1, 2017,
20 as provided in ~~subparagraphs (D) and (E) of paragraph (7)~~
21 of subsection (g) of this Section 26, with the portion of
22 that further redistribution allocated to purses at that
23 organization licensee to be divided between standardbred
24 purses and thoroughbred purses based on the amounts
25 otherwise allocated to purses at that organization
26 licensee during the calendar year in question; and (iv) 8%

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

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

21 (C) There is hereby created the Horse Racing Tax
22 Allocation Fund which shall remain in existence until
23 December 31, 1999. Moneys remaining in the Fund after
24 December 31, 1999 shall be paid into the General Revenue
25 Fund. Until January 1, 2000, all monies paid into the Horse
26 Racing Tax Allocation Fund pursuant to this paragraph (11)

1 by inter-track wagering location licensees located in park
2 districts of 500,000 population or less, or in a
3 municipality that is not included within any park district
4 but is included within a conservation district and is the
5 county seat of a county that (i) is contiguous to the state
6 of Indiana and (ii) has a 1990 population of 88,257
7 according to the United States Bureau of the Census, and
8 operating on May 1, 1994 shall be allocated by
9 appropriation as follows:

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

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

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

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

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

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

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

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

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

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

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

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

26 (i) If the inter-track wagering licensee,

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

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

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

1 Illinois races shall be to purses at the track
2 where the race meeting being wagered on is being
3 held.

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

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

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

24 (C) The Board, and any person or persons to whom it
25 delegates this power, may eject or exclude from any
26 licensee's facilities, any person whose conduct or

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

8 (D) (Blank).

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

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

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

1 order of the Board or any other action which in the
2 Board's discretion, is a detriment or impediment to
3 such wagering.

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

1 Fair in Perry County, or to any wagering conducted on those
2 race meetings.

3 (14) An inter-track wagering location license
4 authorized by the Board in 2016 that is owned and operated
5 by a race track in Rock Island County shall be transferred
6 to a commonly owned race track in Cook County on August 12,
7 2016 (the effective date of Public Act 99-757). The
8 licensee shall retain its status in relation to purse
9 distribution under paragraph (11) of this subsection (h)
10 following the transfer to the new entity. The pari-mutuel
11 tax credit under Section 32.1 shall not be applied toward
12 any 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. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
20 100-201, eff. 8-18-17.)

21 Section 10. The Riverboat Gambling Act is amended by
22 changing Sections 5, 7, and 7.6 as follows:

23 (230 ILCS 10/5) (from Ch. 120, par. 2405)

24 Sec. 5. Gaming Board.

1 (a) (1) There is hereby established the Illinois Gaming
2 Board, which shall have the powers and duties specified in this
3 Act, and all other powers necessary and proper to fully and
4 effectively execute this Act for the purpose of administering,
5 regulating, and enforcing the system of riverboat gambling
6 established by this Act. Its jurisdiction shall extend under
7 this Act to every person, association, corporation,
8 partnership and trust involved in riverboat gambling
9 operations in the State of Illinois.

10 (2) The Board shall consist of 5 members to be appointed by
11 the Governor with the advice and consent of the Senate, one of
12 whom shall be designated by the Governor to be chairman. Each
13 member shall have a reasonable knowledge of the practice,
14 procedure and principles of gambling operations. Each member
15 shall either be a resident of Illinois or shall certify that he
16 will become a resident of Illinois before taking office. At
17 least one member shall be experienced in law enforcement and
18 criminal investigation, at least one member shall be a
19 certified public accountant experienced in accounting and
20 auditing, and at least one member shall be a lawyer licensed to
21 practice law in Illinois.

22 (3) The terms of office of the Board members shall be 3
23 years, except that the terms of office of the initial Board
24 members appointed pursuant to this Act will commence from the
25 effective date of this Act and run as follows: one for a term
26 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for

1 a term ending July 1, 1993. Upon the expiration of the
2 foregoing terms, the successors of such members shall serve a
3 term for 3 years and until their successors are appointed and
4 qualified for like terms. Vacancies in the Board shall be
5 filled for the unexpired term in like manner as original
6 appointments. Each member of the Board shall be eligible for
7 reappointment at the discretion of the Governor with the advice
8 and consent of the Senate.

9 (4) Each member of the Board shall receive \$300 for each
10 day the Board meets and for each day the member conducts any
11 hearing pursuant to this Act. Each member of the Board shall
12 also be reimbursed for all actual and necessary expenses and
13 disbursements incurred in the execution of official duties.

14 (5) No person shall be appointed a member of the Board or
15 continue to be a member of the Board who is, or whose spouse,
16 child or parent is, a member of the board of directors of, or a
17 person financially interested in, any gambling operation
18 subject to the jurisdiction of this Board, or any race track,
19 race meeting, racing association or the operations thereof
20 subject to the jurisdiction of the Illinois Racing Board. No
21 Board member shall hold any other public office. No person
22 shall be a member of the Board who is not of good moral
23 character or who has been convicted of, or is under indictment
24 for, a felony under the laws of Illinois or any other state, or
25 the United States.

26 (5.5) No member of the Board shall engage in any political

1 activity. For the purposes of this Section, "political" means
2 any activity in support of or in connection with any campaign
3 for federal, State, or local elective office or any political
4 organization, but does not include activities (i) relating to
5 the support or opposition of any executive, legislative, or
6 administrative action (as those terms are defined in Section 2
7 of the Lobbyist Registration Act), (ii) relating to collective
8 bargaining, or (iii) that are otherwise in furtherance of the
9 person's official State duties or governmental and public
10 service functions.

11 (6) Any member of the Board may be removed by the Governor
12 for neglect of duty, misfeasance, malfeasance, or nonfeasance
13 in office or for engaging in any political activity.

14 (7) Before entering upon the discharge of the duties of his
15 office, each member of the Board shall take an oath that he
16 will faithfully execute the duties of his office according to
17 the laws of the State and the rules and regulations adopted
18 therewith and shall give bond to the State of Illinois,
19 approved by the Governor, in the sum of \$25,000. Every such
20 bond, when duly executed and approved, shall be recorded in the
21 office of the Secretary of State. Whenever the Governor
22 determines that the bond of any member of the Board has become
23 or is likely to become invalid or insufficient, he shall
24 require such member forthwith to renew his bond, which is to be
25 approved by the Governor. Any member of the Board who fails to
26 take oath and give bond within 30 days from the date of his

1 appointment, or who fails to renew his bond within 30 days
2 after it is demanded by the Governor, shall be guilty of
3 neglect of duty and may be removed by the Governor. The cost of
4 any bond given by any member of the Board under this Section
5 shall be taken to be a part of the necessary expenses of the
6 Board.

7 (7.5) For the examination of all mechanical,
8 electromechanical, or electronic table games, slot machines,
9 slot accounting systems, and other electronic gaming equipment
10 for compliance with this Act, the Board may utilize the
11 services of one or more independent outside testing
12 laboratories that have been accredited by a national
13 accreditation body and that, in the judgment of the Board, are
14 qualified to perform such examinations.

15 (8) The Board shall employ such personnel as may be
16 necessary to carry out its functions and shall determine the
17 salaries of all personnel, except those personnel whose
18 salaries are determined under the terms of a collective
19 bargaining agreement. No person shall be employed to serve the
20 Board who is, or whose spouse, parent or child is, an official
21 of, or has a financial interest in or financial relation with,
22 any operator engaged in gambling operations within this State
23 or any organization engaged in conducting horse racing within
24 this State. Any employee violating these prohibitions shall be
25 subject to termination of employment.

26 (9) An Administrator shall perform any and all duties that

1 the Board shall assign him. The salary of the Administrator
2 shall be determined by the Board and, in addition, he shall be
3 reimbursed for all actual and necessary expenses incurred by
4 him in discharge of his official duties. The Administrator
5 shall keep records of all proceedings of the Board and shall
6 preserve all records, books, documents and other papers
7 belonging to the Board or entrusted to its care. The
8 Administrator shall devote his full time to the duties of the
9 office and shall not hold any other office or employment.

10 (b) The Board shall have general responsibility for the
11 implementation of this Act. Its duties include, without
12 limitation, the following:

13 (1) To decide promptly and in reasonable order all
14 license applications. Any party aggrieved by an action of
15 the Board denying, suspending, revoking, restricting or
16 refusing to renew a license may request a hearing before
17 the Board. A request for a hearing must be made to the
18 Board in writing within 5 days after service of notice of
19 the action of the Board. Notice of the action of the Board
20 shall be served either by personal delivery or by certified
21 mail, postage prepaid, to the aggrieved party. Notice
22 served by certified mail shall be deemed complete on the
23 business day following the date of such mailing. The Board
24 shall conduct all requested hearings promptly and in
25 reasonable order;

26 (2) To conduct all hearings pertaining to civil

1 violations of this Act or rules and regulations promulgated
2 hereunder;

3 (3) To promulgate such rules and regulations as in its
4 judgment may be necessary to protect or enhance the
5 credibility and integrity of gambling operations
6 authorized by this Act and the regulatory process
7 hereunder;

8 (4) To provide for the establishment and collection of
9 all license and registration fees and taxes imposed by this
10 Act and the rules and regulations issued pursuant hereto.
11 All such fees and taxes shall be deposited into the State
12 Gaming Fund;

13 (5) To provide for the levy and collection of penalties
14 and fines for the violation of provisions of this Act and
15 the rules and regulations promulgated hereunder. All such
16 fines and penalties shall be deposited into the Education
17 Assistance Fund, created by Public Act 86-0018, of the
18 State of Illinois;

19 (6) To be present through its inspectors and agents any
20 time gambling operations are conducted on any riverboat for
21 the purpose of certifying the revenue thereof, receiving
22 complaints from the public, and conducting such other
23 investigations into the conduct of the gambling games and
24 the maintenance of the equipment as from time to time the
25 Board may deem necessary and proper;

26 (7) To review and rule upon any complaint by a licensee

1 regarding any investigative procedures of the State which
2 are unnecessarily disruptive of gambling operations. The
3 need to inspect and investigate shall be presumed at all
4 times. The disruption of a licensee's operations shall be
5 proved by clear and convincing evidence, and establish
6 that: (A) the procedures had no reasonable law enforcement
7 purposes, and (B) the procedures were so disruptive as to
8 unreasonably inhibit gambling operations;

9 (8) To hold at least one meeting each quarter of the
10 fiscal year. In addition, special meetings may be called by
11 the Chairman or any 2 Board members upon 72 hours written
12 notice to each member. All Board meetings shall be subject
13 to the Open Meetings Act. Three members of the Board shall
14 constitute a quorum, and 3 votes shall be required for any
15 final determination by the Board. The Board shall keep a
16 complete and accurate record of all its meetings. A
17 majority of the members of the Board shall constitute a
18 quorum for the transaction of any business, for the
19 performance of any duty, or for the exercise of any power
20 which this Act requires the Board members to transact,
21 perform or exercise en banc, except that, upon order of the
22 Board, one of the Board members or an administrative law
23 judge designated by the Board may conduct any hearing
24 provided for under this Act or by Board rule and may
25 recommend findings and decisions to the Board. The Board
26 member or administrative law judge conducting such hearing

1 shall have all powers and rights granted to the Board in
2 this Act. The record made at the time of the hearing shall
3 be reviewed by the Board, or a majority thereof, and the
4 findings and decision of the majority of the Board shall
5 constitute the order of the Board in such case;

6 (9) To maintain records which are separate and distinct
7 from the records of any other State board or commission.
8 Such records shall be available for public inspection and
9 shall accurately reflect all Board proceedings;

10 (10) To file a written annual report with the Governor
11 on or before July 1 ~~March 1~~ each year and such additional
12 reports as the Governor may request. The annual report
13 shall include a statement of receipts and disbursements by
14 the Board, actions taken by the Board, and any additional
15 information and recommendations which the Board may deem
16 valuable or which the Governor may request;

17 (11) (Blank);

18 (12) (Blank);

19 (13) To assume responsibility for administration and
20 enforcement of the Video Gaming Act; and

21 (14) To adopt, by rule, a code of conduct governing
22 Board members and employees that ensure, to the maximum
23 extent possible, that persons subject to this Code avoid
24 situations, relationships, or associations that may
25 represent or lead to a conflict of interest.

26 (c) The Board shall have jurisdiction over and shall

1 supervise all gambling operations governed by this Act. The
2 Board shall have all powers necessary and proper to fully and
3 effectively execute the provisions of this Act, including, but
4 not limited to, the following:

5 (1) To investigate applicants and determine the
6 eligibility of applicants for licenses and to select among
7 competing applicants the applicants which best serve the
8 interests of the citizens of Illinois.

9 (2) To have jurisdiction and supervision over all
10 riverboat gambling operations in this State and all persons
11 on riverboats where gambling operations are conducted.

12 (3) To promulgate rules and regulations for the purpose
13 of administering the provisions of this Act and to
14 prescribe rules, regulations and conditions under which
15 all riverboat gambling in the State shall be conducted.
16 Such rules and regulations are to provide for the
17 prevention of practices detrimental to the public interest
18 and for the best interests of riverboat gambling, including
19 rules and regulations regarding the inspection of such
20 riverboats and the review of any permits or licenses
21 necessary to operate a riverboat under any laws or
22 regulations applicable to riverboats, and to impose
23 penalties for violations thereof.

24 (4) To enter the office, riverboats, facilities, or
25 other places of business of a licensee, where evidence of
26 the compliance or noncompliance with the provisions of this

1 Act is likely to be found.

2 (5) To investigate alleged violations of this Act or
3 the rules of the Board and to take appropriate disciplinary
4 action against a licensee or a holder of an occupational
5 license for a violation, or institute appropriate legal
6 action for enforcement, or both.

7 (6) To adopt standards for the licensing of all persons
8 under this Act, as well as for electronic or mechanical
9 gambling games, and to establish fees for such licenses.

10 (7) To adopt appropriate standards for all riverboats
11 and facilities.

12 (8) To require that the records, including financial or
13 other statements of any licensee under this Act, shall be
14 kept in such manner as prescribed by the Board and that any
15 such licensee involved in the ownership or management of
16 gambling operations submit to the Board an annual balance
17 sheet and profit and loss statement, list of the
18 stockholders or other persons having a 1% or greater
19 beneficial interest in the gambling activities of each
20 licensee, and any other information the Board deems
21 necessary in order to effectively administer this Act and
22 all rules, regulations, orders and final decisions
23 promulgated under this Act.

24 (9) To conduct hearings, issue subpoenas for the
25 attendance of witnesses and subpoenas duces tecum for the
26 production of books, records and other pertinent documents

1 in accordance with the Illinois Administrative Procedure
2 Act, and to administer oaths and affirmations to the
3 witnesses, when, in the judgment of the Board, it is
4 necessary to administer or enforce this Act or the Board
5 rules.

6 (10) To prescribe a form to be used by any licensee
7 involved in the ownership or management of gambling
8 operations as an application for employment for their
9 employees.

10 (11) To revoke or suspend licenses, as the Board may
11 see fit and in compliance with applicable laws of the State
12 regarding administrative procedures, and to review
13 applications for the renewal of licenses. The Board may
14 suspend an owners license, without notice or hearing upon a
15 determination that the safety or health of patrons or
16 employees is jeopardized by continuing a riverboat's
17 operation. The suspension may remain in effect until the
18 Board determines that the cause for suspension has been
19 abated. The Board may revoke the owners license upon a
20 determination that the owner has not made satisfactory
21 progress toward abating the hazard.

22 (12) To eject or exclude or authorize the ejection or
23 exclusion of, any person from riverboat gambling
24 facilities where such person is in violation of this Act,
25 rules and regulations thereunder, or final orders of the
26 Board, or where such person's conduct or reputation is such

1 that his presence within the riverboat gambling facilities
2 may, in the opinion of the Board, call into question the
3 honesty and integrity of the gambling operations or
4 interfere with orderly conduct thereof; provided that the
5 propriety of such ejection or exclusion is subject to
6 subsequent hearing by the Board.

7 (13) To require all licensees of gambling operations to
8 utilize a cashless wagering system whereby all players'
9 money is converted to tokens, electronic cards, or chips
10 which shall be used only for wagering in the gambling
11 establishment.

12 (14) (Blank).

13 (15) To suspend, revoke or restrict licenses, to
14 require the removal of a licensee or an employee of a
15 licensee for a violation of this Act or a Board rule or for
16 engaging in a fraudulent practice, and to impose civil
17 penalties of up to \$5,000 against individuals and up to
18 \$10,000 or an amount equal to the daily gross receipts,
19 whichever is larger, against licensees for each violation
20 of any provision of the Act, any rules adopted by the
21 Board, any order of the Board or any other action which, in
22 the Board's discretion, is a detriment or impediment to
23 riverboat gambling operations.

24 (16) To hire employees to gather information, conduct
25 investigations and carry out any other tasks contemplated
26 under this Act.

1 (17) To establish minimum levels of insurance to be
2 maintained by licensees.

3 (18) To authorize a licensee to sell or serve alcoholic
4 liquors, wine or beer as defined in the Liquor Control Act
5 of 1934 on board a riverboat and to have exclusive
6 authority to establish the hours for sale and consumption
7 of alcoholic liquor on board a riverboat, notwithstanding
8 any provision of the Liquor Control Act of 1934 or any
9 local ordinance, and regardless of whether the riverboat
10 makes excursions. The establishment of the hours for sale
11 and consumption of alcoholic liquor on board a riverboat is
12 an exclusive power and function of the State. A home rule
13 unit may not establish the hours for sale and consumption
14 of alcoholic liquor on board a riverboat. This amendatory
15 Act of 1991 is a denial and limitation of home rule powers
16 and functions under subsection (h) of Section 6 of Article
17 VII of the Illinois Constitution.

18 (19) After consultation with the U.S. Army Corps of
19 Engineers, to establish binding emergency orders upon the
20 concurrence of a majority of the members of the Board
21 regarding the navigability of water, relative to
22 excursions, in the event of extreme weather conditions,
23 acts of God or other extreme circumstances.

24 (20) To delegate the execution of any of its powers
25 under this Act for the purpose of administering and
26 enforcing this Act and its rules and regulations hereunder.

1 (20.5) To approve any contract entered into on its
2 behalf.

3 (20.6) To appoint investigators to conduct
4 investigations, searches, seizures, arrests, and other
5 duties imposed under this Act, as deemed necessary by the
6 Board. These investigators have and may exercise all of the
7 rights and powers of peace officers, provided that these
8 powers shall be limited to offenses or violations occurring
9 or committed on a riverboat or dock, as defined in
10 subsections (d) and (f) of Section 4, or as otherwise
11 provided by this Act or any other law.

12 (20.7) To contract with the Department of State Police
13 for the use of trained and qualified State police officers
14 and with the Department of Revenue for the use of trained
15 and qualified Department of Revenue investigators to
16 conduct investigations, searches, seizures, arrests, and
17 other duties imposed under this Act and to exercise all of
18 the rights and powers of peace officers, provided that the
19 powers of Department of Revenue investigators under this
20 subdivision (20.7) shall be limited to offenses or
21 violations occurring or committed on a riverboat or dock,
22 as defined in subsections (d) and (f) of Section 4, or as
23 otherwise provided by this Act or any other law. In the
24 event the Department of State Police or the Department of
25 Revenue is unable to fill contracted police or
26 investigative positions, the Board may appoint

1 investigators to fill those positions pursuant to
2 subdivision (20.6).

3 (21) To take any other action as may be reasonable or
4 appropriate to enforce this Act and rules and regulations
5 hereunder.

6 (d) The Board may seek and shall receive the cooperation of
7 the Department of State Police in conducting background
8 investigations of applicants and in fulfilling its
9 responsibilities under this Section. Costs incurred by the
10 Department of State Police as a result of such cooperation
11 shall be paid by the Board in conformance with the requirements
12 of Section 2605-400 of the Department of State Police Law (20
13 ILCS 2605/2605-400).

14 (e) The Board must authorize to each investigator and to
15 any other employee of the Board exercising the powers of a
16 peace officer a distinct badge that, on its face, (i) clearly
17 states that the badge is authorized by the Board and (ii)
18 contains a unique identifying number. No other badge shall be
19 authorized by the Board.

20 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

21 (230 ILCS 10/7) (from Ch. 120, par. 2407)

22 Sec. 7. Owners licenses.

23 (a) The Board shall issue owners licenses to persons, firms
24 or corporations which apply for such licenses upon payment to
25 the Board of the non-refundable license fee set by the Board,

1 upon payment of a \$25,000 license fee for the first year of
2 operation and a \$5,000 license fee for each succeeding year and
3 upon a determination by the Board that the applicant is
4 eligible for an owners license pursuant to this Act and the
5 rules of the Board. From the effective date of this amendatory
6 Act of the 95th General Assembly until (i) 3 years after the
7 effective date of this amendatory Act of the 95th General
8 Assembly, (ii) the date any organization licensee begins to
9 operate a slot machine or video game of chance under the
10 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
11 that payments begin under subsection (c-5) of Section 13 of the
12 Act, or (iv) the wagering tax imposed under Section 13 of this
13 Act is increased by law to reflect a tax rate that is at least
14 as stringent or more stringent than the tax rate contained in
15 subsection (a-3) of Section 13, whichever occurs first, as a
16 condition of licensure and as an alternative source of payment
17 for those funds payable under subsection (c-5) of Section 13 of
18 the Riverboat Gambling Act, any owners licensee that holds or
19 receives its owners license on or after the effective date of
20 this amendatory Act of the 94th General Assembly, other than an
21 owners licensee operating a riverboat with adjusted gross
22 receipts in calendar year 2004 of less than \$200,000,000, must
23 pay into the Horse Racing Equity Trust Fund, in addition to any
24 other payments required under this Act, an amount equal to 3%
25 of the adjusted gross receipts received by the owners licensee.
26 The payments required under this Section shall be made by the

1 owners licensee to the State Treasurer no later than 3:00
2 o'clock p.m. of the day after the day when the adjusted gross
3 receipts were received by the owners licensee. A person, firm
4 or corporation is ineligible to receive an owners license if:

5 (1) the person has been convicted of a felony under the
6 laws of this State, any other state, or the United States;

7 (2) the person has been convicted of any violation of
8 Article 28 of the Criminal Code of 1961 or the Criminal
9 Code of 2012, or substantially similar laws of any other
10 jurisdiction;

11 (3) the person has submitted an application for a
12 license under this Act which contains false information;

13 (4) the person is a member of the Board;

14 (5) a person defined in (1), (2), (3) or (4) is an
15 officer, director or managerial employee of the firm or
16 corporation;

17 (6) the firm or corporation employs a person defined in
18 (1), (2), (3) or (4) who participates in the management or
19 operation of gambling operations authorized under this
20 Act;

21 (7) (blank); or

22 (8) a license of the person, firm or corporation issued
23 under this Act, or a license to own or operate gambling
24 facilities in any other jurisdiction, has been revoked.

25 The Board is expressly prohibited from making changes to
26 the requirement that licensees make payment into the Horse

1 Racing Equity Trust Fund without the express authority of the
2 Illinois General Assembly and making any other rule to
3 implement or interpret this amendatory Act of the 95th General
4 Assembly. For the purposes of this paragraph, "rules" is given
5 the meaning given to that term in Section 1-70 of the Illinois
6 Administrative Procedure Act.

7 (b) In determining whether to grant an owners license to an
8 applicant, the Board shall consider:

9 (1) the character, reputation, experience and
10 financial integrity of the applicants and of any other or
11 separate person that either:

12 (A) controls, directly or indirectly, such
13 applicant, or

14 (B) is controlled, directly or indirectly, by such
15 applicant or by a person which controls, directly or
16 indirectly, such applicant;

17 (2) the facilities or proposed facilities for the
18 conduct of riverboat gambling;

19 (3) the highest prospective total revenue to be derived
20 by the State from the conduct of riverboat gambling;

21 (4) the extent to which the ownership of the applicant
22 reflects the diversity of the State by including minority
23 persons, women, and persons with a disability and the good
24 faith affirmative action plan of each applicant to recruit,
25 train and upgrade minority persons, women, and persons with
26 a disability in all employment classifications;

1 (4.5) the extent to which the ownership of the
2 applicant includes veterans of service in the armed forces
3 of the United States, and the good faith affirmative action
4 plan of each applicant to recruit, train, and upgrade
5 veterans of service in the armed forces of the United
6 States in all employment classifications;

7 (5) the financial ability of the applicant to purchase
8 and maintain adequate liability and casualty insurance;

9 (6) whether the applicant has adequate capitalization
10 to provide and maintain, for the duration of a license, a
11 riverboat;

12 (7) the extent to which the applicant exceeds or meets
13 other standards for the issuance of an owners license which
14 the Board may adopt by rule; and

15 (8) The amount of the applicant's license bid.

16 (c) Each owners license shall specify the place where
17 riverboats shall operate and dock.

18 (d) Each applicant shall submit with his application, on
19 forms provided by the Board, 2 sets of his fingerprints.

20 (e) The Board may issue up to 10 licenses authorizing the
21 holders of such licenses to own riverboats. In the application
22 for an owners license, the applicant shall state the dock at
23 which the riverboat is based and the water on which the
24 riverboat will be located. The Board shall issue 5 licenses to
25 become effective not earlier than January 1, 1991. Three of
26 such licenses shall authorize riverboat gambling on the

1 Mississippi River, or, with approval by the municipality in
2 which the riverboat was docked on August 7, 2003 and with Board
3 approval, be authorized to relocate to a new location, in a
4 municipality that (1) borders on the Mississippi River or is
5 within 5 miles of the city limits of a municipality that
6 borders on the Mississippi River and (2), on August 7, 2003,
7 had a riverboat conducting riverboat gambling operations
8 pursuant to a license issued under this Act; one of which shall
9 authorize riverboat gambling from a home dock in the city of
10 East St. Louis. One other license shall authorize riverboat
11 gambling on the Illinois River south of Marshall County. The
12 Board shall issue one additional license to become effective
13 not earlier than March 1, 1992, which shall authorize riverboat
14 gambling on the Des Plaines River in Will County. The Board may
15 issue 4 additional licenses to become effective not earlier
16 than March 1, 1992. In determining the water upon which
17 riverboats will operate, the Board shall consider the economic
18 benefit which riverboat gambling confers on the State, and
19 shall seek to assure that all regions of the State share in the
20 economic benefits of riverboat gambling.

21 In granting all licenses, the Board may give favorable
22 consideration to economically depressed areas of the State, to
23 applicants presenting plans which provide for significant
24 economic development over a large geographic area, and to
25 applicants who currently operate non-gambling riverboats in
26 Illinois. The Board shall review all applications for owners

1 licenses, and shall inform each applicant of the Board's
2 decision. The Board may grant an owners license to an applicant
3 that has not submitted the highest license bid, but if it does
4 not select the highest bidder, the Board shall issue a written
5 decision explaining why another applicant was selected and
6 identifying the factors set forth in this Section that favored
7 the winning bidder.

8 In addition to any other revocation powers granted to the
9 Board under this Act, the Board may revoke the owners license
10 of a licensee which fails to begin conducting gambling within
11 15 months of receipt of the Board's approval of the application
12 if the Board determines that license revocation is in the best
13 interests of the State.

14 (f) The first 10 owners licenses issued under this Act
15 shall permit the holder to own up to 2 riverboats and equipment
16 thereon for a period of 3 years after the effective date of the
17 license. Holders of the first 10 owners licenses must pay the
18 annual license fee for each of the 3 years during which they
19 are authorized to own riverboats.

20 (g) Upon the termination, expiration, or revocation of each
21 of the first 10 licenses, which shall be issued for a 3 year
22 period, all licenses are renewable annually upon payment of the
23 fee and a determination by the Board that the licensee
24 continues to meet all of the requirements of this Act and the
25 Board's rules. However, for licenses renewed on or after May 1,
26 1998, renewal shall be for a period of 4 years, unless the

1 Board sets a shorter period.

2 (h) An owners license shall entitle the licensee to own up
3 to 2 riverboats. A licensee shall limit the number of gambling
4 participants to 1,200 for any such owners license. A licensee
5 may operate both of its riverboats concurrently, provided that
6 the total number of gambling participants on both riverboats
7 does not exceed 1,200. Riverboats licensed to operate on the
8 Mississippi River and the Illinois River south of Marshall
9 County shall have an authorized capacity of at least 500
10 persons. Any other riverboat licensed under this Act shall have
11 an authorized capacity of at least 400 persons.

12 (i) A licensed owner is authorized to apply to the Board
13 for and, if approved therefor, to receive all licenses from the
14 Board necessary for the operation of a riverboat, including a
15 liquor license, a license to prepare and serve food for human
16 consumption, and other necessary licenses. All use, occupation
17 and excise taxes which apply to the sale of food and beverages
18 in this State and all taxes imposed on the sale or use of
19 tangible personal property apply to such sales aboard the
20 riverboat.

21 (j) The Board may issue or re-issue a license authorizing a
22 riverboat to dock in a municipality or approve a relocation
23 under Section 11.2 only if, prior to the issuance or
24 re-issuance of the license or approval, the governing body of
25 the municipality in which the riverboat will dock has by a
26 majority vote approved the docking of riverboats in the

1 municipality. The Board may issue or re-issue a license
2 authorizing a riverboat to dock in areas of a county outside
3 any municipality or approve a relocation under Section 11.2
4 only if, prior to the issuance or re-issuance of the license or
5 approval, the governing body of the county has by a majority
6 vote approved of the docking of riverboats within such areas.

7 (Source: P.A. 100-391, eff. 8-25-17.)

8 (230 ILCS 10/7.6)

9 Sec. 7.6. Business enterprise program.

10 (a) For the purposes of this Section, the terms "minority",
11 "minority-owned business", "woman", "women-owned business",
12 "person with a disability", and "business owned by a person
13 with a disability" have the meanings ascribed to them in the
14 Business Enterprise for Minorities, Women, and Persons with
15 Disabilities Act.

16 (b) The Board shall, by rule, establish goals for the award
17 of contracts by each owners licensee to businesses owned by
18 minorities, women, and persons with disabilities, expressed as
19 percentages of an owners licensee's total dollar amount of
20 contracts awarded during each calendar year. Each owners
21 licensee must make every effort to meet the goals established
22 by the Board pursuant to this Section. When setting the goals
23 for the award of contracts, the Board shall not include
24 contracts where: (1) any purchasing mandates would be dependent
25 upon the availability of minority-owned businesses,

1 women-owned businesses, and businesses owned by persons with
2 disabilities ready, willing, and able with capacity to provide
3 quality goods and services to a gaming operation at reasonable
4 prices; (2) there are no or a limited number of licensed
5 suppliers as defined by this Act for the goods or services
6 provided to the licensee; (3) the licensee or its parent
7 company owns a company that provides the goods or services; or
8 (4) the goods or services are provided to the licensee by a
9 publicly traded company.

10 (c) Each owners licensee shall file with the Board an
11 annual report of its utilization of minority-owned businesses,
12 women-owned businesses, and businesses owned by persons with
13 disabilities during the preceding calendar year. The reports
14 shall include a self-evaluation of the efforts of the owners
15 licensee to meet its goals under this Section.

16 (c-5) The Board shall, by rule, establish goals for the
17 award of contracts by each owners licensee to businesses owned
18 by veterans of service in the armed forces of the United
19 States, expressed as percentages of an owners licensee's total
20 dollar amount of contracts awarded during each calendar year.
21 When setting the goals for the award of contracts, the Board
22 shall not include contracts where: (1) any purchasing mandates
23 would be dependent upon the availability of veteran-owned
24 businesses ready, willing, and able with capacity to provide
25 quality goods and services to a gaming operation at reasonable
26 prices; (2) there are no or a limited number of licensed

1 suppliers as defined in this Act for the goods or services
2 provided to the licensee; (3) the licensee or its parent
3 company owns a company that provides the goods or services; or
4 (4) the goods or services are provided to the licensee by a
5 publicly traded company.

6 Each owners licensee shall file with the Board an annual
7 report of its utilization of veteran-owned businesses during
8 the preceding calendar year. The reports shall include a
9 self-evaluation of the efforts of the owners licensee to meet
10 its goals under this Section.

11 (d) The owners licensee shall have the right to request a
12 waiver from the requirements of this Section. The Board shall
13 grant the waiver where the owners licensee demonstrates that
14 there has been made a good faith effort to comply with the
15 goals for participation by minority-owned businesses,
16 women-owned businesses, ~~and~~ businesses owned by persons with
17 disabilities, and veteran-owned businesses.

18 (e) If the Board determines that its goals and policies are
19 not being met by any owners licensee, then the Board may:

20 (1) adopt remedies for such violations; and

21 (2) recommend that the owners licensee provide
22 additional opportunities for participation by
23 minority-owned businesses, women-owned businesses, ~~and~~
24 businesses owned by persons with disabilities, and
25 veteran-owned businesses; such recommendations may
26 include, but shall not be limited to:

1 (A) assurances of stronger and better focused
2 solicitation efforts to obtain more minority-owned
3 businesses, women-owned businesses, ~~and~~ businesses
4 owned by persons with disabilities, and veteran-owned
5 businesses as potential sources of supply;

6 (B) division of job or project requirements, when
7 economically feasible, into tasks or quantities to
8 permit participation of minority-owned businesses,
9 women-owned businesses, ~~and~~ businesses owned by
10 persons with disabilities, and veteran-owned
11 businesses;

12 (C) elimination of extended experience or
13 capitalization requirements, when programmatically
14 feasible, to permit participation of minority-owned
15 businesses, women-owned businesses, ~~and~~ businesses
16 owned by persons with disabilities, and veteran-owned
17 businesses;

18 (D) identification of specific proposed contracts
19 as particularly attractive or appropriate for
20 participation by minority-owned businesses,
21 women-owned businesses, ~~and~~ businesses owned by
22 persons with disabilities, and veteran-owned
23 businesses, such identification to result from and be
24 coupled with the efforts of items (A) through (C); and

25 (E) implementation of regulations established for
26 the use of the sheltered market process.

1 (f) The Board shall file, no later than March 1 of each
2 year, an annual report that shall detail the level of
3 achievement toward the goals specified in this Section over the
4 3 most recent fiscal years. The annual report shall include,
5 but need not be limited to:

6 (1) a summary detailing expenditures subject to the
7 goals, the actual goals specified, and the goals attained
8 by each owners licensee; and

9 (2) an analysis of the level of overall goal
10 achievement concerning purchases from minority-owned
11 businesses, women-owned businesses, ~~and~~ businesses owned
12 by persons with disabilities, and veteran-owned
13 businesses.

14 (Source: P.A. 99-78, eff. 7-20-15; 100-391, eff. 8-25-17.)

15 Section 15. The Video Gaming Act is amended by changing
16 Sections 45 and 80 as follows:

17 (230 ILCS 40/45)

18 Sec. 45. Issuance of license.

19 (a) The burden is upon each applicant to demonstrate his
20 suitability for licensure. Each video gaming terminal
21 manufacturer, distributor, supplier, operator, handler,
22 licensed establishment, licensed truck stop establishment,
23 licensed fraternal establishment, and licensed veterans
24 establishment shall be licensed by the Board. The Board may

1 issue or deny a license under this Act to any person pursuant
2 to the same criteria set forth in Section 9 of the Riverboat
3 Gambling Act.

4 (a-5) The Board shall not grant a license to a person who
5 has facilitated, enabled, or participated in the use of
6 coin-operated devices for gambling purposes or who is under the
7 significant influence or control of such a person. For the
8 purposes of this Act, "facilitated, enabled, or participated in
9 the use of coin-operated amusement devices for gambling
10 purposes" means that the person has been convicted of any
11 violation of Article 28 of the Criminal Code of 1961 or the
12 Criminal Code of 2012. If there is pending legal action against
13 a person for any such violation, then the Board shall delay the
14 licensure of that person until the legal action is resolved.

15 (b) Each person seeking and possessing a license as a video
16 gaming terminal manufacturer, distributor, supplier, operator,
17 handler, licensed establishment, licensed truck stop
18 establishment, licensed fraternal establishment, or licensed
19 veterans establishment shall submit to a background
20 investigation conducted by the Board with the assistance of the
21 State Police or other law enforcement. To the extent that the
22 corporate structure of the applicant allows, the background
23 investigation shall include any or all of the following as the
24 Board deems appropriate or as provided by rule for each
25 category of licensure: (i) each beneficiary of a trust, (ii)
26 each partner of a partnership, (iii) each member of a limited

1 liability company, (iv) each director and officer of a publicly
2 or non-publicly held corporation, (v) each stockholder of a
3 non-publicly held corporation, (vi) each stockholder of 5% or
4 more of a publicly held corporation, or (vii) each stockholder
5 of 5% or more in a parent or subsidiary corporation.

6 (c) Each person seeking and possessing a license as a video
7 gaming terminal manufacturer, distributor, supplier, operator,
8 handler, licensed establishment, licensed truck stop
9 establishment, licensed fraternal establishment, or licensed
10 veterans establishment shall disclose the identity of every
11 person, association, trust, corporation, or limited liability
12 company having a greater than 1% direct or indirect pecuniary
13 interest in the video gaming terminal operation for which the
14 license is sought. If the disclosed entity is a trust, the
15 application shall disclose the names and addresses of the
16 beneficiaries; if a corporation, the names and addresses of all
17 stockholders and directors; if a limited liability company, the
18 names and addresses of all members; or if a partnership, the
19 names and addresses of all partners, both general and limited.

20 (d) No person may be licensed as a video gaming terminal
21 manufacturer, distributor, supplier, operator, handler,
22 licensed establishment, licensed truck stop establishment,
23 licensed fraternal establishment, or licensed veterans
24 establishment if that person has been found by the Board to:

25 (1) have a background, including a criminal record,
26 reputation, habits, social or business associations, or

1 prior activities that pose a threat to the public interests
2 of the State or to the security and integrity of video
3 gaming;

4 (2) create or enhance the dangers of unsuitable,
5 unfair, or illegal practices, methods, and activities in
6 the conduct of video gaming; or

7 (3) present questionable business practices and
8 financial arrangements incidental to the conduct of video
9 gaming activities.

10 (e) Any applicant for any license under this Act has the
11 burden of proving his or her qualifications to the satisfaction
12 of the Board. The Board may adopt rules to establish additional
13 qualifications and requirements to preserve the integrity and
14 security of video gaming in this State.

15 (f) A non-refundable application fee shall be paid at the
16 time an application for a license is filed with the Board in
17 the following amounts:

- 18 (1) Manufacturer \$5,000
- 19 (2) Distributor..... \$5,000
- 20 (3) Terminal operator..... \$5,000
- 21 (4) Supplier \$2,500
- 22 (5) Technician \$100
- 23 (6) Terminal Handler \$100 ~~\$50~~
- 24 (7) Licensed establishment, licensed truck stop
- 25 establishment, licensed fraternal establishment,
- 26 or licensed veterans establishment \$100

1 (g) The Board shall establish an annual fee for each
2 license not to exceed the following:

- 3 (1) Manufacturer \$10,000
- 4 (2) Distributor..... \$10,000
- 5 (3) Terminal operator..... \$5,000
- 6 (4) Supplier \$2,000
- 7 (5) Technician \$100
- 8 (6) Licensed establishment, licensed truck stop
9 establishment, licensed fraternal establishment,
10 or licensed veterans establishment \$100
- 11 (7) Video gaming terminal..... \$100
- 12 (8) Terminal Handler \$100 ~~\$50~~

13 (h) A terminal operator and a licensed establishment,
14 licensed truck stop establishment, licensed fraternal
15 establishment, or licensed veterans establishment shall
16 equally split the fees specified in item (7) of subsection (g).
17 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
18 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

19 (230 ILCS 40/80)

20 Sec. 80. Applicability of Illinois Riverboat Gambling Act.
21 The provisions of the Illinois Riverboat Gambling Act, and all
22 rules promulgated thereunder, shall apply to the Video Gaming
23 Act, except where there is a conflict between the 2 Acts. All
24 current supplier licensees under the Riverboat Gambling Act
25 shall be entitled to licensure under the Video Gaming Act as

1 manufacturers, distributors, or suppliers without additional
2 Board investigation or approval, except by vote of the Board;
3 however, they are required to pay application and annual fees
4 under this Act. All provisions of the Uniform Penalty and
5 Interest Act shall apply, as far as practicable, to the subject
6 matter of this Act to the same extent as if such provisions
7 were included herein.

8 (Source: P.A. 96-37, eff. 7-13-09.)

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