

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Section 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  
17 the provisions of this Act, be held or construed to be  
18 unlawful, other statutes of this State to the contrary  
19 notwithstanding. Subject to rules for advance wagering  
20 promulgated by the Board, any licensee may accept wagers in  
21 advance of the day of the race wagered upon occurs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

1 escrow or otherwise withheld from wagers pending a  
2 determination of the legality of advance deposit wagering, no  
3 action shall be brought to declare such wagers or the  
4 disbursement of any fees previously escrowed illegal.

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

22 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
23 inter-track wagering licensee other than the host track may  
24 receive supplemental interstate simulcasts only with the  
25 consent of the host track, except when the Board finds that  
26 the simulcast is clearly adverse to the integrity of

1 racing. Consent granted under this paragraph (2) to any  
2 inter-track wagering licensee shall be deemed consent to  
3 all non-host licensees. The interstate commission fee for  
4 the supplemental interstate simulcast shall be paid by all  
5 participating non-host licensees.

6 (3) Each licensee conducting interstate simulcast  
7 wagering may retain, subject to the payment of all  
8 applicable taxes and the purses, an amount not to exceed  
9 17% of all money wagered. If any licensee conducts the  
10 pari-mutuel system wagering on races conducted at  
11 racetracks in another state or country, each such race or  
12 race program shall be considered a separate racing day for  
13 the purpose of determining the daily handle and computing  
14 the privilege tax of that daily handle as provided in  
15 subsection (a) of Section 27. Until January 1, 2000, from  
16 the sums permitted to be retained pursuant to this  
17 subsection, each inter-track wagering location licensee  
18 shall pay 1% of the pari-mutuel handle wagered on simulcast  
19 wagering to the Horse Racing Tax Allocation Fund, subject  
20 to the provisions of subparagraph (B) of paragraph (11) of  
21 subsection (h) of Section 26 of this Act.

22 (4) A licensee who receives an interstate simulcast may  
23 combine its gross or net pools with pools at the sending  
24 racetracks pursuant to rules established by the Board. All  
25 licensees combining their gross pools at a sending  
26 racetrack shall adopt the take-out percentages of the

1 sending racetrack. A licensee may also establish a separate  
2 pool and takeout structure for wagering purposes on races  
3 conducted at race tracks outside of the State of Illinois.  
4 The licensee may permit pari-mutuel wagers placed in other  
5 states or countries to be combined with its gross or net  
6 wagering pools or other wagering pools.

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

16 (A) For interstate simulcast wagers made at a host  
17 track, 50% to the host track and 50% to purses at the  
18 host track.

19 (B) For wagers placed on interstate simulcast  
20 races, supplemental simulcasts as defined in  
21 subparagraphs (1) and (2), and separately pooled races  
22 conducted outside of the State of Illinois made at a  
23 non-host licensee, 25% to the host track, 25% to the  
24 non-host licensee, and 50% to the purses at the host  
25 track.

26 (6) Notwithstanding any provision in this Act to the

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

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

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

23 ~~(B) Between January 1 and the third Friday in~~  
24 ~~February, inclusive, if no live thoroughbred racing is~~  
25 ~~occurring in Illinois during this period, and the~~  
26 ~~interstate simulcast is a thoroughbred race, the purse~~

1 ~~share to its interstate simulcast purse pool to be~~  
2 ~~distributed under paragraph (10) of this subsection~~  
3 ~~(g);~~

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

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

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

20 (7.1) Notwithstanding any other provision of this Act  
21 to the contrary, if no standardbred racing is conducted at  
22 a racetrack located in Madison County during any calendar  
23 year beginning on or after January 1, 2002, all moneys  
24 derived by that racetrack from simulcast wagering and  
25 inter-track wagering that (1) are to be used for purses and  
26 (2) are generated between the hours of 6:30 p.m. and 6:30

1 a.m. during that calendar year shall be paid as follows:

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

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

22 (7.2) Notwithstanding any other provision of this Act  
23 to the contrary, if no thoroughbred racing is conducted at  
24 a racetrack located in Madison County during any calendar  
25 year beginning on or after January 1, 2002, all moneys  
26 derived by that racetrack from simulcast wagering and

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

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

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



1 Fund.

2 (7.3) (Blank). ~~If no live standardbred racing is~~  
3 ~~conducted at a racetrack located in Madison County in~~  
4 ~~calendar year 2000 or 2001, an organization licensee who is~~  
5 ~~licensed to conduct horse racing at that racetrack shall,~~  
6 ~~before January 1, 2002, pay all moneys derived from~~  
7 ~~simulcast wagering and inter track wagering in calendar~~  
8 ~~years 2000 and 2001 and paid into the licensee's~~  
9 ~~standardbred purse account as follows:~~

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

12 ~~(B) Twenty percent to the Illinois Colt Stakes~~  
13 ~~Purse Distribution Fund.~~

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

19 ~~Moneys paid into the Illinois Colt Stakes Purse~~  
20 ~~Distribution Fund pursuant to this paragraph (7.3) shall be~~  
21 ~~paid to purses for standardbred races for Illinois~~  
22 ~~conceived and foaled horses conducted at any county~~  
23 ~~fairgrounds. Moneys paid into the Illinois Colt Stakes~~  
24 ~~Purse Distribution Fund pursuant to this paragraph (7.3)~~  
25 ~~shall be used as determined by the Department of~~  
26 ~~Agriculture, with the advice and assistance of the Illinois~~

1 ~~Standardbred Breeders Fund Advisory Board, shall be in~~  
2 ~~addition to and not in lieu of any other moneys paid to~~  
3 ~~standardbred purses under this Act, and shall not be~~  
4 ~~commingled with any other moneys paid into that Fund.~~

5 (7.4) (Blank). ~~If live standardbred racing is~~  
6 ~~conducted at a racetrack located in Madison County at any~~  
7 ~~time in calendar year 2001 before the payment required~~  
8 ~~under paragraph (7.3) has been made, the organization~~  
9 ~~licensee who is licensed to conduct racing at that~~  
10 ~~racetrack shall pay all moneys derived by that racetrack~~  
11 ~~from simulcast wagering and inter-track wagering during~~  
12 ~~calendar years 2000 and 2001 that (1) are to be used for~~  
13 ~~purses and (2) are generated between the hours of 6:30 p.m.~~  
14 ~~and 6:30 a.m. during 2000 or 2001 to the standardbred purse~~  
15 ~~account at that racetrack to be used for standardbred~~  
16 ~~purses.~~

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

24 (8.1) Notwithstanding any provisions in this Act to the  
25 contrary, if 2 organization licensees are conducting  
26 standardbred race meetings concurrently between the hours

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

13 (9) (Blank).

14 (10) (Blank).

15 (11) (Blank).

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

21 (13) Notwithstanding any other provision of this Act,  
22 in the event that the total Illinois pari-mutuel handle on  
23 Illinois horse races at all wagering facilities in any  
24 calendar year is less than 75% of the total Illinois  
25 pari-mutuel handle on Illinois horse races at all such  
26 wagering facilities for calendar year 1994, then each

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

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

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

19 (1) Any person licensed to conduct a race meeting (i)  
20 at a track where 60 or more days of racing were conducted  
21 during the immediately preceding calendar year or where  
22 over the 5 immediately preceding calendar years an average  
23 of 30 or more days of racing were conducted annually may be  
24 issued an inter-track wagering license; (ii) at a track  
25 located in a county that is bounded by the Mississippi  
26 River, which has a population of less than 150,000

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

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

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

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

22 (4) Prior to the issuance of a license to conduct  
23 inter-track wagering and simulcast wagering, the applicant  
24 shall file with the Board a bond payable to the State of  
25 Illinois in the sum of \$50,000, executed by the applicant  
26 and a surety company or companies authorized to do business

1 in this State, and conditioned upon (i) the payment by the  
2 licensee of all taxes due under Section 27 or 27.1 and any  
3 other monies due and payable under this Act, and (ii)  
4 distribution by the licensee, upon presentation of the  
5 winning ticket or tickets, of all sums payable to the  
6 patrons of pari-mutuel pools.

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

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

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

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

23 (8.1) Inter-track wagering location licensees who  
24 derive their licenses from a particular organization  
25 licensee shall conduct inter-track wagering and simulcast  
26 wagering only at locations that are within 160 miles of



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

22 (8.2) Inter-track wagering or simulcast wagering shall  
23 not be conducted by an inter-track wagering location  
24 licensee at any location within 500 feet of an existing  
25 church or existing school, nor within 500 feet of the  
26 residences of more than 50 registered voters without

1 receiving written permission from a majority of the  
2 registered voters at such residences. Such written  
3 permission statements shall be filed with the Board. The  
4 distance of 500 feet shall be measured to the nearest part  
5 of any building used for worship services, education  
6 programs, residential purposes, or conducting inter-track  
7 wagering by an inter-track wagering location licensee, and  
8 not to property boundaries. However, inter-track wagering  
9 or simulcast wagering may be conducted at a site within 500  
10 feet of a church, school or residences of 50 or more  
11 registered voters if such church, school or residences have  
12 been erected or established, or such voters have been  
13 registered, after the Board issues the original  
14 inter-track wagering location license at the site in  
15 question. Inter-track wagering location licensees may  
16 conduct inter-track wagering and simulcast wagering only  
17 in areas that are zoned for commercial or manufacturing  
18 purposes or in areas for which a special use has been  
19 approved by the local zoning authority. However, no license  
20 to conduct inter-track wagering and simulcast wagering  
21 shall be granted by the Board with respect to any  
22 inter-track wagering location within the jurisdiction of  
23 any local zoning authority which has, by ordinance or by  
24 resolution, prohibited the establishment of an inter-track  
25 wagering location within its jurisdiction. However,  
26 inter-track wagering and simulcast wagering may be

1 conducted at a site if such ordinance or resolution is  
2 enacted after the Board licenses the original inter-track  
3 wagering location licensee for the site in question.

4 (9) (Blank).

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

15 (10.1) Except as provided in subsection (g) of Section  
16 27 of this Act, inter-track wagering location licensees  
17 shall pay 1% of the pari-mutuel handle at each location to  
18 the municipality in which such location is situated and 1%  
19 of the pari-mutuel handle at each location to the county in  
20 which such location is situated. In the event that an  
21 inter-track wagering location licensee is situated in an  
22 unincorporated area of a county, such licensee shall pay 2%  
23 of the pari-mutuel handle from such location to such  
24 county.

25 (10.2) Notwithstanding any other provision of this  
26 Act, with respect to inter-track wagering at a race track

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

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

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

23 (11) (A) After payment of the privilege or pari-mutuel  
24 tax, any other applicable taxes, and the costs and expenses  
25 in connection with the gathering, transmission, and  
26 dissemination of all data necessary to the conduct of

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

17 (B) From the sums permitted to be retained pursuant to  
18 this Act each inter-track wagering location licensee shall  
19 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
20 4.75% of the pari-mutuel handle on inter-track wagering at  
21 such location on races as purses, except that an  
22 inter-track wagering location licensee that derives its  
23 license from a track located in a county with a population  
24 in excess of 230,000 and that borders the Mississippi River  
25 shall retain all purse moneys for its own purse account  
26 consistent with distribution set forth in this subsection

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

1           redistributed to the host track or to purses at the host  
2           track under subparagraph (B) of paragraph (5) of subsection  
3           (g) of this Section 26 shall be redistributed based on each  
4           host track's pro rata share of the total inter-track  
5           wagering and simulcast wagering handle at all host tracks  
6           during the calendar year in question, and second, that any  
7           amounts redistributed as described in part (I) to an  
8           inter-track wagering location licensee that accepts wagers  
9           on races conducted by an organization licensee that  
10          conducts a race meet in a county with a population in  
11          excess of 230,000 and that borders the Mississippi River  
12          shall be further redistributed, effective January 1, 2017,  
13          as provided in ~~subparagraphs (D) and (E) of~~ paragraph (7)  
14          of subsection (g) of this Section 26, with the portion of  
15          that further redistribution allocated to purses at that  
16          organization licensee to be divided between standardbred  
17          purses and thoroughbred purses based on the amounts  
18          otherwise allocated to purses at that organization  
19          licensee during the calendar year in question; and (iv) 8%  
20          of the pari-mutuel handle on inter-track wagering wagered  
21          at such location to satisfy all costs and expenses of  
22          conducting its wagering. The remainder of the monies  
23          retained by the inter-track wagering location licensee  
24          shall be allocated 40% to the location licensee and 60% to  
25          the organization licensee which provides the Illinois  
26          races to the location, except that an inter-track wagering

1 location licensee that derives its license from a track  
2 located in a county with a population in excess of 230,000  
3 and that borders the Mississippi River shall not divide any  
4 remaining retention with the organization licensee that  
5 provides the race or races and an inter-track wagering  
6 location licensee that accepts wagers on races conducted by  
7 an organization licensee that conducts a race meet in a  
8 county with a population in excess of 230,000 and that  
9 borders the Mississippi River shall not divide any  
10 remaining retention with the organization licensee.  
11 Notwithstanding the provisions of clauses (ii) and (iv) of  
12 this paragraph, in the case of the additional inter-track  
13 wagering location licenses authorized under paragraph (1)  
14 of this subsection (h) by Public Act 87-110, those  
15 licensees shall pay the following amounts as purses: during  
16 the first 12 months the licensee is in operation, 5.25% of  
17 the pari-mutuel handle wagered at the location on races;  
18 during the second 12 months, 5.25%; during the third 12  
19 months, 5.75%; during the fourth 12 months, 6.25%; and  
20 during the fifth 12 months and thereafter, 6.75%. The  
21 following amounts shall be retained by the licensee to  
22 satisfy all costs and expenses of conducting its wagering:  
23 during the first 12 months the licensee is in operation,  
24 8.25% of the pari-mutuel handle wagered at the location;  
25 during the second 12 months, 8.25%; during the third 12  
26 months, 7.75%; during the fourth 12 months, 7.25%; and



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

14 (C) There is hereby created the Horse Racing Tax  
15 Allocation Fund which shall remain in existence until  
16 December 31, 1999. Moneys remaining in the Fund after  
17 December 31, 1999 shall be paid into the General Revenue  
18 Fund. Until January 1, 2000, all monies paid into the Horse  
19 Racing Tax Allocation Fund pursuant to this paragraph (11)  
20 by inter-track wagering location licensees located in park  
21 districts of 500,000 population or less, or in a  
22 municipality that is not included within any park district  
23 but is included within a conservation district and is the  
24 county seat of a county that (i) is contiguous to the state  
25 of Indiana and (ii) has a 1990 population of 88,257  
26 according to the United States Bureau of the Census, and

1 operating on May 1, 1994 shall be allocated by  
2 appropriation as follows:

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

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

14 Four-sevenths to park districts or municipalities  
15 that do not have a park district of 500,000 population  
16 or less for museum purposes (if an inter-track wagering  
17 location licensee is located in such a park district)  
18 or to conservation districts for museum purposes (if an  
19 inter-track wagering location licensee is located in a  
20 municipality that is not included within any park  
21 district but is included within a conservation  
22 district and is the county seat of a county that (i) is  
23 contiguous to the state of Indiana and (ii) has a 1990  
24 population of 88,257 according to the United States  
25 Bureau of the Census, except that if the conservation  
26 district does not maintain a museum, the monies shall

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

1 museum may deposit the monies in the corporate fund of  
2 the park district or municipality where the  
3 inter-track wagering location is located, to be used  
4 for general purposes; and

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

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

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

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

26 Four-sevenths to museums and aquariums located in

1 park districts of over 500,000 population; provided  
2 that the monies are distributed in accordance with the  
3 previous year's distribution of the maintenance tax  
4 for such museums and aquariums as provided in Section 2  
5 of the Park District Aquarium and Museum Act; and

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

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

19 (i) If the inter-track wagering licensee,  
20 except an inter-track wagering licensee that  
21 derives its license from an organization licensee  
22 located in a county with a population in excess of  
23 230,000 and bounded by the Mississippi River, is  
24 not conducting its own race meeting during the same  
25 dates, then the entire purse allocation shall be to  
26 purses at the track where the races wagered on are

1 being conducted.

2 (ii) If the inter-track wagering licensee,  
3 except an inter-track wagering licensee that  
4 derives its license from an organization licensee  
5 located in a county with a population in excess of  
6 230,000 and bounded by the Mississippi River, is  
7 also conducting its own race meeting during the  
8 same dates, then the purse allocation shall be as  
9 follows: 50% to purses at the track where the races  
10 wagered on are being conducted; 50% to purses at  
11 the track where the inter-track wagering licensee  
12 is accepting such wagers.

13 (iii) If the inter-track wagering is being  
14 conducted by an inter-track wagering location  
15 licensee, except an inter-track wagering location  
16 licensee that derives its license from an  
17 organization licensee located in a county with a  
18 population in excess of 230,000 and bounded by the  
19 Mississippi River, the entire purse allocation for  
20 Illinois races shall be to purses at the track  
21 where the race meeting being wagered on is being  
22 held.

23 (12) The Board shall have all powers necessary and  
24 proper to fully supervise and control the conduct of  
25 inter-track wagering and simulcast wagering by inter-track  
26 wagering licensees and inter-track wagering location



1 licensees, including, but not limited to the following:

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

11 (B) The Board, and any person or persons to whom it  
12 delegates this power, is vested with the power to enter  
13 the facilities of any licensee to determine whether  
14 there has been compliance with the provisions of this  
15 Act and the rules and regulations relating to the  
16 conduct of such wagering.

17 (C) The Board, and any person or persons to whom it  
18 delegates this power, may eject or exclude from any  
19 licensee's facilities, any person whose conduct or  
20 reputation is such that his presence on such premises  
21 may, in the opinion of the Board, call into the  
22 question the honesty and integrity of, or interfere  
23 with the orderly conduct of such wagering; provided,  
24 however, that no person shall be excluded or ejected  
25 from such premises solely on the grounds of race,  
26 color, creed, national origin, ancestry, or sex.

1 (D) (Blank).

2 (E) The Board is vested with the power to appoint  
3 delegates to execute any of the powers granted to it  
4 under this Section for the purpose of administering  
5 this wagering and any rules and regulations  
6 promulgated in accordance with this Act.

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

15 (G) The Board is vested with the power to impose  
16 civil penalties of up to \$5,000 against individuals and  
17 up to \$10,000 against licensees for each violation of  
18 any provision of this Act relating to the conduct of  
19 this wagering, any rules adopted by the Board, any  
20 order of the Board or any other action which in the  
21 Board's discretion, is a detriment or impediment to  
22 such wagering.

23 (13) The Department of Agriculture may enter into  
24 agreements with licensees authorizing such licensees to  
25 conduct inter-track wagering on races to be held at the  
26 licensed race meetings conducted by the Department of

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

22 (14) An inter-track wagering location license  
23 authorized by the Board in 2016 that is owned and operated  
24 by a race track in Rock Island County shall be transferred  
25 to a commonly owned race track in Cook County on August 12,  
26 2016 (the effective date of Public Act 99-757). The

1 licensee shall retain its status in relation to purse  
2 distribution under paragraph (11) of this subsection (h)  
3 following the transfer to the new entity. The pari-mutuel  
4 tax credit under Section 32.1 shall not be applied toward  
5 any pari-mutuel tax obligation of the inter-track wagering  
6 location licensee of the license that is transferred under  
7 this paragraph (14).

8 (i) Notwithstanding the other provisions of this Act, the  
9 conduct of wagering at wagering facilities is authorized on all  
10 days, except as limited by subsection (b) of Section 19 of this  
11 Act.

12 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
13 100-201, eff. 8-18-17.)

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

16 (230 ILCS 10/5) (from Ch. 120, par. 2405)

17 Sec. 5. Gaming Board.

18 (a) (1) There is hereby established the Illinois Gaming  
19 Board, which shall have the powers and duties specified in this  
20 Act, and all other powers necessary and proper to fully and  
21 effectively execute this Act for the purpose of administering,  
22 regulating, and enforcing the system of riverboat gambling  
23 established by this Act. Its jurisdiction shall extend under  
24 this Act to every person, association, corporation,

1 partnership and trust involved in riverboat gambling  
2 operations in the State of Illinois.

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

15 (3) The terms of office of the Board members shall be 3  
16 years, except that the terms of office of the initial Board  
17 members appointed pursuant to this Act will commence from the  
18 effective date of this Act and run as follows: one for a term  
19 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
20 a term ending July 1, 1993. Upon the expiration of the  
21 foregoing terms, the successors of such members shall serve a  
22 term for 3 years and until their successors are appointed and  
23 qualified for like terms. Vacancies in the Board shall be  
24 filled for the unexpired term in like manner as original  
25 appointments. Each member of the Board shall be eligible for  
26 reappointment at the discretion of the Governor with the advice

1 and consent of the Senate.

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

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

19 (5.5) No member of the Board shall engage in any political  
20 activity. For the purposes of this Section, "political" means  
21 any activity in support of or in connection with any campaign  
22 for federal, State, or local elective office or any political  
23 organization, but does not include activities (i) relating to  
24 the support or opposition of any executive, legislative, or  
25 administrative action (as those terms are defined in Section 2  
26 of the Lobbyist Registration Act), (ii) relating to collective

1 bargaining, or (iii) that are otherwise in furtherance of the  
2 person's official State duties or governmental and public  
3 service functions.

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

7 (7) Before entering upon the discharge of the duties of his  
8 office, each member of the Board shall take an oath that he  
9 will faithfully execute the duties of his office according to  
10 the laws of the State and the rules and regulations adopted  
11 therewith and shall give bond to the State of Illinois,  
12 approved by the Governor, in the sum of \$25,000. Every such  
13 bond, when duly executed and approved, shall be recorded in the  
14 office of the Secretary of State. Whenever the Governor  
15 determines that the bond of any member of the Board has become  
16 or is likely to become invalid or insufficient, he shall  
17 require such member forthwith to renew his bond, which is to be  
18 approved by the Governor. Any member of the Board who fails to  
19 take oath and give bond within 30 days from the date of his  
20 appointment, or who fails to renew his bond within 30 days  
21 after it is demanded by the Governor, shall be guilty of  
22 neglect of duty and may be removed by the Governor. The cost of  
23 any bond given by any member of the Board under this Section  
24 shall be taken to be a part of the necessary expenses of the  
25 Board.

26 (7.5) For the examination of all mechanical,

1 electromechanical, or electronic table games, slot machines,  
2 slot accounting systems, and other electronic gaming equipment  
3 for compliance with this Act, the Board may utilize the  
4 services of one or more independent outside testing  
5 laboratories that have been accredited by a national  
6 accreditation body and that, in the judgment of the Board, are  
7 qualified to perform such examinations.

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

19 (9) An Administrator shall perform any and all duties that  
20 the Board shall assign him. The salary of the Administrator  
21 shall be determined by the Board and, in addition, he shall be  
22 reimbursed for all actual and necessary expenses incurred by  
23 him in discharge of his official duties. The Administrator  
24 shall keep records of all proceedings of the Board and shall  
25 preserve all records, books, documents and other papers  
26 belonging to the Board or entrusted to its care. The



1 Administrator shall devote his full time to the duties of the  
2 office and shall not hold any other office or employment.

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

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

19 (2) To conduct all hearings pertaining to civil  
20 violations of this Act or rules and regulations promulgated  
21 hereunder;

22 (3) To promulgate such rules and regulations as in its  
23 judgment may be necessary to protect or enhance the  
24 credibility and integrity of gambling operations  
25 authorized by this Act and the regulatory process  
26 hereunder;

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

6           (5) To provide for the levy and collection of penalties  
7           and fines for the violation of provisions of this Act and  
8           the rules and regulations promulgated hereunder. All such  
9           fines and penalties shall be deposited into the Education  
10          Assistance Fund, created by Public Act 86-0018, of the  
11          State of Illinois;

12          (6) To be present through its inspectors and agents any  
13          time gambling operations are conducted on any riverboat for  
14          the purpose of certifying the revenue thereof, receiving  
15          complaints from the public, and conducting such other  
16          investigations into the conduct of the gambling games and  
17          the maintenance of the equipment as from time to time the  
18          Board may deem necessary and proper;

19          (7) To review and rule upon any complaint by a licensee  
20          regarding any investigative procedures of the State which  
21          are unnecessarily disruptive of gambling operations. The  
22          need to inspect and investigate shall be presumed at all  
23          times. The disruption of a licensee's operations shall be  
24          proved by clear and convincing evidence, and establish  
25          that: (A) the procedures had no reasonable law enforcement  
26          purposes, and (B) the procedures were so disruptive as to

1           unreasonably inhibit gambling operations;

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

25          (9) To maintain records which are separate and distinct  
26          from the records of any other State board or commission.

1           Such records shall be available for public inspection and  
2           shall accurately reflect all Board proceedings;

3           (10) To file a written annual report with the Governor  
4           on or before July 1 ~~March 1~~ each year and such additional  
5           reports as the Governor may request. The annual report  
6           shall include a statement of receipts and disbursements by  
7           the Board, actions taken by the Board, and any additional  
8           information and recommendations which the Board may deem  
9           valuable or which the Governor may request;

10          (11) (Blank);

11          (12) (Blank);

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

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

19          (c) The Board shall have jurisdiction over and shall  
20          supervise all gambling operations governed by this Act. The  
21          Board shall have all powers necessary and proper to fully and  
22          effectively execute the provisions of this Act, including, but  
23          not limited to, the following:

24                 (1) To investigate applicants and determine the  
25                 eligibility of applicants for licenses and to select among  
26                 competing applicants the applicants which best serve the

1 interests of the citizens of Illinois.

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

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

17 (4) To enter the office, riverboats, facilities, or  
18 other places of business of a licensee, where evidence of  
19 the compliance or noncompliance with the provisions of this  
20 Act is likely to be found.

21 (5) To investigate alleged violations of this Act or  
22 the rules of the Board and to take appropriate disciplinary  
23 action against a licensee or a holder of an occupational  
24 license for a violation, or institute appropriate legal  
25 action for enforcement, or both.

26 (6) To adopt standards for the licensing of all persons

1 under this Act, as well as for electronic or mechanical  
2 gambling games, and to establish fees for such licenses.

3 (7) To adopt appropriate standards for all riverboats  
4 and facilities.

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

17 (9) To conduct hearings, issue subpoenas for the  
18 attendance of witnesses and subpoenas duces tecum for the  
19 production of books, records and other pertinent documents  
20 in accordance with the Illinois Administrative Procedure  
21 Act, and to administer oaths and affirmations to the  
22 witnesses, when, in the judgment of the Board, it is  
23 necessary to administer or enforce this Act or the Board  
24 rules.

25 (10) To prescribe a form to be used by any licensee  
26 involved in the ownership or management of gambling

1 operations as an application for employment for their  
2 employees.

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

15 (12) To eject or exclude or authorize the ejection or  
16 exclusion of, any person from riverboat gambling  
17 facilities where such person is in violation of this Act,  
18 rules and regulations thereunder, or final orders of the  
19 Board, or where such person's conduct or reputation is such  
20 that his presence within the riverboat gambling facilities  
21 may, in the opinion of the Board, call into question the  
22 honesty and integrity of the gambling operations or  
23 interfere with orderly conduct thereof; provided that the  
24 propriety of such ejection or exclusion is subject to  
25 subsequent hearing by the Board.

26 (13) To require all licensees of gambling operations to

1           utilize a cashless wagering system whereby all players'  
2           money is converted to tokens, electronic cards, or chips  
3           which shall be used only for wagering in the gambling  
4           establishment.

5           (14) (Blank).

6           (15) To suspend, revoke or restrict licenses, to  
7           require the removal of a licensee or an employee of a  
8           licensee for a violation of this Act or a Board rule or for  
9           engaging in a fraudulent practice, and to impose civil  
10          penalties of up to \$5,000 against individuals and up to  
11          \$10,000 or an amount equal to the daily gross receipts,  
12          whichever is larger, against licensees for each violation  
13          of any provision of the Act, any rules adopted by the  
14          Board, any order of the Board or any other action which, in  
15          the Board's discretion, is a detriment or impediment to  
16          riverboat gambling operations.

17          (16) To hire employees to gather information, conduct  
18          investigations and carry out any other tasks contemplated  
19          under this Act.

20          (17) To establish minimum levels of insurance to be  
21          maintained by licensees.

22          (18) To authorize a licensee to sell or serve alcoholic  
23          liquors, wine or beer as defined in the Liquor Control Act  
24          of 1934 on board a riverboat and to have exclusive  
25          authority to establish the hours for sale and consumption  
26          of alcoholic liquor on board a riverboat, notwithstanding



1 any provision of the Liquor Control Act of 1934 or any  
2 local ordinance, and regardless of whether the riverboat  
3 makes excursions. The establishment of the hours for sale  
4 and consumption of alcoholic liquor on board a riverboat is  
5 an exclusive power and function of the State. A home rule  
6 unit may not establish the hours for sale and consumption  
7 of alcoholic liquor on board a riverboat. This amendatory  
8 Act of 1991 is a denial and limitation of home rule powers  
9 and functions under subsection (h) of Section 6 of Article  
10 VII of the Illinois Constitution.

11 (19) After consultation with the U.S. Army Corps of  
12 Engineers, to establish binding emergency orders upon the  
13 concurrence of a majority of the members of the Board  
14 regarding the navigability of water, relative to  
15 excursions, in the event of extreme weather conditions,  
16 acts of God or other extreme circumstances.

17 (20) To delegate the execution of any of its powers  
18 under this Act for the purpose of administering and  
19 enforcing this Act and its rules and regulations hereunder.

20 (20.5) To approve any contract entered into on its  
21 behalf.

22 (20.6) To appoint investigators to conduct  
23 investigations, searches, seizures, arrests, and other  
24 duties imposed under this Act, as deemed necessary by the  
25 Board. These investigators have and may exercise all of the  
26 rights and powers of peace officers, provided that these

1 powers shall be limited to offenses or violations occurring  
2 or committed on a riverboat or dock, as defined in  
3 subsections (d) and (f) of Section 4, or as otherwise  
4 provided by this Act or any other law.

5 (20.7) To contract with the Department of State Police  
6 for the use of trained and qualified State police officers  
7 and with the Department of Revenue for the use of trained  
8 and qualified Department of Revenue investigators to  
9 conduct investigations, searches, seizures, arrests, and  
10 other duties imposed under this Act and to exercise all of  
11 the rights and powers of peace officers, provided that the  
12 powers of Department of Revenue investigators under this  
13 subdivision (20.7) shall be limited to offenses or  
14 violations occurring or committed on a riverboat or dock,  
15 as defined in subsections (d) and (f) of Section 4, or as  
16 otherwise provided by this Act or any other law. In the  
17 event the Department of State Police or the Department of  
18 Revenue is unable to fill contracted police or  
19 investigative positions, the Board may appoint  
20 investigators to fill those positions pursuant to  
21 subdivision (20.6).

22 (21) To take any other action as may be reasonable or  
23 appropriate to enforce this Act and rules and regulations  
24 hereunder.

25 (d) The Board may seek and shall receive the cooperation of  
26 the Department of State Police in conducting background

1 investigations of applicants and in fulfilling its  
2 responsibilities under this Section. Costs incurred by the  
3 Department of State Police as a result of such cooperation  
4 shall be paid by the Board in conformance with the requirements  
5 of Section 2605-400 of the Department of State Police Law (20  
6 ILCS 2605/2605-400).

7 (e) The Board must authorize to each investigator and to  
8 any other employee of the Board exercising the powers of a  
9 peace officer a distinct badge that, on its face, (i) clearly  
10 states that the badge is authorized by the Board and (ii)  
11 contains a unique identifying number. No other badge shall be  
12 authorized by the Board.

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

14 (230 ILCS 10/7) (from Ch. 120, par. 2407)

15 Sec. 7. Owners licenses.

16 (a) The Board shall issue owners licenses to persons, firms  
17 or corporations which apply for such licenses upon payment to  
18 the Board of the non-refundable license fee set by the Board,  
19 upon payment of a \$25,000 license fee for the first year of  
20 operation and a \$5,000 license fee for each succeeding year and  
21 upon a determination by the Board that the applicant is  
22 eligible for an owners license pursuant to this Act and the  
23 rules of the Board. From the effective date of this amendatory  
24 Act of the 95th General Assembly until (i) 3 years after the  
25 effective date of this amendatory Act of the 95th General

1 Assembly, (ii) the date any organization licensee begins to  
2 operate a slot machine or video game of chance under the  
3 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
4 that payments begin under subsection (c-5) of Section 13 of the  
5 Act, or (iv) the wagering tax imposed under Section 13 of this  
6 Act is increased by law to reflect a tax rate that is at least  
7 as stringent or more stringent than the tax rate contained in  
8 subsection (a-3) of Section 13, whichever occurs first, as a  
9 condition of licensure and as an alternative source of payment  
10 for those funds payable under subsection (c-5) of Section 13 of  
11 the Riverboat Gambling Act, any owners licensee that holds or  
12 receives its owners license on or after the effective date of  
13 this amendatory Act of the 94th General Assembly, other than an  
14 owners licensee operating a riverboat with adjusted gross  
15 receipts in calendar year 2004 of less than \$200,000,000, must  
16 pay into the Horse Racing Equity Trust Fund, in addition to any  
17 other payments required under this Act, an amount equal to 3%  
18 of the adjusted gross receipts received by the owners licensee.  
19 The payments required under this Section shall be made by the  
20 owners licensee to the State Treasurer no later than 3:00  
21 o'clock p.m. of the day after the day when the adjusted gross  
22 receipts were received by the owners licensee. A person, firm  
23 or corporation is ineligible to receive an owners license if:

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

26 (2) the person has been convicted of any violation of

1 Article 28 of the Criminal Code of 1961 or the Criminal  
2 Code of 2012, or substantially similar laws of any other  
3 jurisdiction;

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

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

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

10 (6) the firm or corporation employs a person defined in  
11 (1), (2), (3) or (4) who participates in the management or  
12 operation of gambling operations authorized under this  
13 Act;

14 (7) (blank); or

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

18 The Board is expressly prohibited from making changes to  
19 the requirement that licensees make payment into the Horse  
20 Racing Equity Trust Fund without the express authority of the  
21 Illinois General Assembly and making any other rule to  
22 implement or interpret this amendatory Act of the 95th General  
23 Assembly. For the purposes of this paragraph, "rules" is given  
24 the meaning given to that term in Section 1-70 of the Illinois  
25 Administrative Procedure Act.

26 (b) In determining whether to grant an owners license to an

1 applicant, the Board shall consider:

2 (1) the character, reputation, experience and  
3 financial integrity of the applicants and of any other or  
4 separate person that either:

5 (A) controls, directly or indirectly, such  
6 applicant, or

7 (B) is controlled, directly or indirectly, by such  
8 applicant or by a person which controls, directly or  
9 indirectly, such applicant;

10 (2) the facilities or proposed facilities for the  
11 conduct of riverboat gambling;

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

14 (4) the extent to which the ownership of the applicant  
15 reflects the diversity of the State by including minority  
16 persons, women, and persons with a disability and the good  
17 faith affirmative action plan of each applicant to recruit,  
18 train and upgrade minority persons, women, and persons with  
19 a disability in all employment classifications;

20 (4.5) the extent to which the ownership of the  
21 applicant includes veterans of service in the armed forces  
22 of the United States, and the good faith affirmative action  
23 plan of each applicant to recruit, train, and upgrade  
24 veterans of service in the armed forces of the United  
25 States in all employment classifications;

26 (5) the financial ability of the applicant to purchase

1 and maintain adequate liability and casualty insurance;

2 (6) whether the applicant has adequate capitalization  
3 to provide and maintain, for the duration of a license, a  
4 riverboat;

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

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

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

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

13 (e) The Board may issue up to 10 licenses authorizing the  
14 holders of such licenses to own riverboats. In the application  
15 for an owners license, the applicant shall state the dock at  
16 which the riverboat is based and the water on which the  
17 riverboat will be located. The Board shall issue 5 licenses to  
18 become effective not earlier than January 1, 1991. Three of  
19 such licenses shall authorize riverboat gambling on the  
20 Mississippi River, or, with approval by the municipality in  
21 which the riverboat was docked on August 7, 2003 and with Board  
22 approval, be authorized to relocate to a new location, in a  
23 municipality that (1) borders on the Mississippi River or is  
24 within 5 miles of the city limits of a municipality that  
25 borders on the Mississippi River and (2), on August 7, 2003,  
26 had a riverboat conducting riverboat gambling operations

1 pursuant to a license issued under this Act; one of which shall  
2 authorize riverboat gambling from a home dock in the city of  
3 East St. Louis. One other license shall authorize riverboat  
4 gambling on the Illinois River south of Marshall County. The  
5 Board shall issue one additional license to become effective  
6 not earlier than March 1, 1992, which shall authorize riverboat  
7 gambling on the Des Plaines River in Will County. The Board may  
8 issue 4 additional licenses to become effective not earlier  
9 than March 1, 1992. In determining the water upon which  
10 riverboats will operate, the Board shall consider the economic  
11 benefit which riverboat gambling confers on the State, and  
12 shall seek to assure that all regions of the State share in the  
13 economic benefits of riverboat gambling.

14 In granting all licenses, the Board may give favorable  
15 consideration to economically depressed areas of the State, to  
16 applicants presenting plans which provide for significant  
17 economic development over a large geographic area, and to  
18 applicants who currently operate non-gambling riverboats in  
19 Illinois. The Board shall review all applications for owners  
20 licenses, and shall inform each applicant of the Board's  
21 decision. The Board may grant an owners license to an applicant  
22 that has not submitted the highest license bid, but if it does  
23 not select the highest bidder, the Board shall issue a written  
24 decision explaining why another applicant was selected and  
25 identifying the factors set forth in this Section that favored  
26 the winning bidder.



1           In addition to any other revocation powers granted to the  
2 Board under this Act, the Board may revoke the owners license  
3 of a licensee which fails to begin conducting gambling within  
4 15 months of receipt of the Board's approval of the application  
5 if the Board determines that license revocation is in the best  
6 interests of the State.

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

13           (g) Upon the termination, expiration, or revocation of each  
14 of the first 10 licenses, which shall be issued for a 3 year  
15 period, all licenses are renewable annually upon payment of the  
16 fee and a determination by the Board that the licensee  
17 continues to meet all of the requirements of this Act and the  
18 Board's rules. However, for licenses renewed on or after May 1,  
19 1998, renewal shall be for a period of 4 years, unless the  
20 Board sets a shorter period.

21           (h) An owners license shall entitle the licensee to own up  
22 to 2 riverboats. A licensee shall limit the number of gambling  
23 participants to 1,200 for any such owners license. A licensee  
24 may operate both of its riverboats concurrently, provided that  
25 the total number of gambling participants on both riverboats  
26 does not exceed 1,200. Riverboats licensed to operate on the

1 Mississippi River and the Illinois River south of Marshall  
2 County shall have an authorized capacity of at least 500  
3 persons. Any other riverboat licensed under this Act shall have  
4 an authorized capacity of at least 400 persons.

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

14 (j) The Board may issue or re-issue a license authorizing a  
15 riverboat to dock in a municipality or approve a relocation  
16 under Section 11.2 only if, prior to the issuance or  
17 re-issuance of the license or approval, the governing body of  
18 the municipality in which the riverboat will dock has by a  
19 majority vote approved the docking of riverboats in the  
20 municipality. The Board may issue or re-issue a license  
21 authorizing a riverboat to dock in areas of a county outside  
22 any municipality or approve a relocation under Section 11.2  
23 only if, prior to the issuance or re-issuance of the license or  
24 approval, the governing body of the county has by a majority  
25 vote approved of the docking of riverboats within such areas.

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

1 (230 ILCS 10/7.6)

2 Sec. 7.6. Business enterprise program.

3 (a) For the purposes of this Section, the terms "minority",  
4 "minority-owned business", "woman", "women-owned business",  
5 "person with a disability", and "business owned by a person  
6 with a disability" have the meanings ascribed to them in the  
7 Business Enterprise for Minorities, Women, and Persons with  
8 Disabilities Act.

9 (b) The Board shall, by rule, establish goals for the award  
10 of contracts by each owners licensee to businesses owned by  
11 minorities, women, and persons with disabilities, expressed as  
12 percentages of an owners licensee's total dollar amount of  
13 contracts awarded during each calendar year. Each owners  
14 licensee must make every effort to meet the goals established  
15 by the Board pursuant to this Section. When setting the goals  
16 for the award of contracts, the Board shall not include  
17 contracts where: (1) any purchasing mandates would be dependent  
18 upon the availability of minority-owned businesses,  
19 women-owned businesses, and businesses owned by persons with  
20 disabilities ready, willing, and able with capacity to provide  
21 quality goods and services to a gaming operation at reasonable  
22 prices; (2) there are no or a limited number of licensed  
23 suppliers as defined by this Act for the goods or services  
24 provided to the licensee; (3) the licensee or its parent  
25 company owns a company that provides the goods or services; or

1 (4) the goods or services are provided to the licensee by a  
2 publicly traded company.

3 (c) Each owners licensee shall file with the Board an  
4 annual report of its utilization of minority-owned businesses,  
5 women-owned businesses, and businesses owned by persons with  
6 disabilities during the preceding calendar year. The reports  
7 shall include a self-evaluation of the efforts of the owners  
8 licensee to meet its goals under this Section.

9 (c-5) The Board shall, by rule, establish goals for the  
10 award of contracts by each owners licensee to businesses owned  
11 by veterans of service in the armed forces of the United  
12 States, expressed as percentages of an owners licensee's total  
13 dollar amount of contracts awarded during each calendar year.  
14 When setting the goals for the award of contracts, the Board  
15 shall not include contracts where: (1) any purchasing mandates  
16 would be dependent upon the availability of veteran-owned  
17 businesses ready, willing, and able with capacity to provide  
18 quality goods and services to a gaming operation at reasonable  
19 prices; (2) there are no or a limited number of licensed  
20 suppliers as defined in this Act for the goods or services  
21 provided to the licensee; (3) the licensee or its parent  
22 company owns a company that provides the goods or services; or  
23 (4) the goods or services are provided to the licensee by a  
24 publicly traded company.

25 Each owners licensee shall file with the Board an annual  
26 report of its utilization of veteran-owned businesses during

1 the preceding calendar year. The reports shall include a  
2 self-evaluation of the efforts of the owners licensee to meet  
3 its goals under this Section.

4 (d) The owners licensee shall have the right to request a  
5 waiver from the requirements of this Section. The Board shall  
6 grant the waiver where the owners licensee demonstrates that  
7 there has been made a good faith effort to comply with the  
8 goals for participation by minority-owned businesses,  
9 women-owned businesses, ~~and~~ businesses owned by persons with  
10 disabilities, and veteran-owned businesses.

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

13 (1) adopt remedies for such violations; and

14 (2) recommend that the owners licensee provide  
15 additional opportunities for participation by  
16 minority-owned businesses, women-owned businesses, ~~and~~  
17 businesses owned by persons with disabilities, and  
18 veteran-owned businesses; such recommendations may  
19 include, but shall not be limited to:

20 (A) assurances of stronger and better focused  
21 solicitation efforts to obtain more minority-owned  
22 businesses, women-owned businesses, ~~and~~ businesses  
23 owned by persons with disabilities, and veteran-owned  
24 businesses as potential sources of supply;

25 (B) division of job or project requirements, when  
26 economically feasible, into tasks or quantities to

1 permit participation of minority-owned businesses,  
2 women-owned businesses, ~~and~~ businesses owned by  
3 persons with disabilities, and veteran-owned  
4 businesses;

5 (C) elimination of extended experience or  
6 capitalization requirements, when programmatically  
7 feasible, to permit participation of minority-owned  
8 businesses, women-owned businesses, ~~and~~ businesses  
9 owned by persons with disabilities, and veteran-owned  
10 businesses;

11 (D) identification of specific proposed contracts  
12 as particularly attractive or appropriate for  
13 participation by minority-owned businesses,  
14 women-owned businesses, ~~and~~ businesses owned by  
15 persons with disabilities, and veteran-owned  
16 businesses, such identification to result from and be  
17 coupled with the efforts of items (A) through (C); and

18 (E) implementation of regulations established for  
19 the use of the sheltered market process.

20 (f) The Board shall file, no later than March 1 of each  
21 year, an annual report that shall detail the level of  
22 achievement toward the goals specified in this Section over the  
23 3 most recent fiscal years. The annual report shall include,  
24 but need not be limited to:

25 (1) a summary detailing expenditures subject to the  
26 goals, the actual goals specified, and the goals attained

1 by each owners licensee; and

2 (2) an analysis of the level of overall goal  
3 achievement concerning purchases from minority-owned  
4 businesses, women-owned businesses, ~~and~~ businesses owned  
5 by persons with disabilities, and veteran-owned  
6 businesses.

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

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

10 (230 ILCS 40/45)

11 Sec. 45. Issuance of license.

12 (a) The burden is upon each applicant to demonstrate his  
13 suitability for licensure. Each video gaming terminal  
14 manufacturer, distributor, supplier, operator, handler,  
15 licensed establishment, licensed truck stop establishment,  
16 licensed fraternal establishment, and licensed veterans  
17 establishment shall be licensed by the Board. The Board may  
18 issue or deny a license under this Act to any person pursuant  
19 to the same criteria set forth in Section 9 of the Riverboat  
20 Gambling Act.

21 (a-5) The Board shall not grant a license to a person who  
22 has facilitated, enabled, or participated in the use of  
23 coin-operated devices for gambling purposes or who is under the  
24 significant influence or control of such a person. For the

1 purposes of this Act, "facilitated, enabled, or participated in  
2 the use of coin-operated amusement devices for gambling  
3 purposes" means that the person has been convicted of any  
4 violation of Article 28 of the Criminal Code of 1961 or the  
5 Criminal Code of 2012. If there is pending legal action against  
6 a person for any such violation, then the Board shall delay the  
7 licensure of that person until the legal action is resolved.

8 (b) Each person seeking and possessing a license as a video  
9 gaming terminal manufacturer, distributor, supplier, operator,  
10 handler, licensed establishment, licensed truck stop  
11 establishment, licensed fraternal establishment, or licensed  
12 veterans establishment shall submit to a background  
13 investigation conducted by the Board with the assistance of the  
14 State Police or other law enforcement. To the extent that the  
15 corporate structure of the applicant allows, the background  
16 investigation shall include any or all of the following as the  
17 Board deems appropriate or as provided by rule for each  
18 category of licensure: (i) each beneficiary of a trust, (ii)  
19 each partner of a partnership, (iii) each member of a limited  
20 liability company, (iv) each director and officer of a publicly  
21 or non-publicly held corporation, (v) each stockholder of a  
22 non-publicly held corporation, (vi) each stockholder of 5% or  
23 more of a publicly held corporation, or (vii) each stockholder  
24 of 5% or more in a parent or subsidiary corporation.

25 (c) Each person seeking and possessing a license as a video  
26 gaming terminal manufacturer, distributor, supplier, operator,



1 handler, licensed establishment, licensed truck stop  
2 establishment, licensed fraternal establishment, or licensed  
3 veterans establishment shall disclose the identity of every  
4 person, association, trust, corporation, or limited liability  
5 company having a greater than 1% direct or indirect pecuniary  
6 interest in the video gaming terminal operation for which the  
7 license is sought. If the disclosed entity is a trust, the  
8 application shall disclose the names and addresses of the  
9 beneficiaries; if a corporation, the names and addresses of all  
10 stockholders and directors; if a limited liability company, the  
11 names and addresses of all members; or if a partnership, the  
12 names and addresses of all partners, both general and limited.

13 (d) No person may be licensed as a video gaming terminal  
14 manufacturer, distributor, supplier, operator, handler,  
15 licensed establishment, licensed truck stop establishment,  
16 licensed fraternal establishment, or licensed veterans  
17 establishment if that person has been found by the Board to:

18 (1) have a background, including a criminal record,  
19 reputation, habits, social or business associations, or  
20 prior activities that pose a threat to the public interests  
21 of the State or to the security and integrity of video  
22 gaming;

23 (2) create or enhance the dangers of unsuitable,  
24 unfair, or illegal practices, methods, and activities in  
25 the conduct of video gaming; or

26 (3) present questionable business practices and

1 financial arrangements incidental to the conduct of video  
2 gaming activities.

3 (e) Any applicant for any license under this Act has the  
4 burden of proving his or her qualifications to the satisfaction  
5 of the Board. The Board may adopt rules to establish additional  
6 qualifications and requirements to preserve the integrity and  
7 security of video gaming in this State.

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

- 11 (1) Manufacturer ..... \$5,000
- 12 (2) Distributor..... \$5,000
- 13 (3) Terminal operator..... \$5,000
- 14 (4) Supplier ..... \$2,500
- 15 (5) Technician ..... \$100
- 16 (6) Terminal Handler ..... ~~\$50~~ \$100
- 17 (7) Licensed establishment, licensed truck stop  
18 establishment, licensed fraternal establishment,  
19 or licensed veterans establishment ..... \$100

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

- 22 (1) Manufacturer ..... \$10,000
- 23 (2) Distributor..... \$10,000
- 24 (3) Terminal operator..... \$5,000
- 25 (4) Supplier ..... \$2,000
- 26 (5) Technician ..... \$100

1           (6) Licensed establishment, licensed truck stop  
 2           establishment, licensed fraternal establishment,  
 3           or licensed veterans establishment ..... \$100

4           (7) Video gaming terminal..... \$100

5           (8) Terminal Handler ..... \$100 ~~\$50~~

6           (h) A terminal operator and a licensed establishment,  
 7           licensed truck stop establishment, licensed fraternal  
 8           establishment, or licensed veterans establishment shall  
 9           equally split the fees specified in item (7) of subsection (g).

10          (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;  
 11          98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

12          (230 ILCS 40/80)

13          Sec. 80. Applicability of Illinois Riverboat Gambling Act.  
 14          The provisions of the Illinois Riverboat Gambling Act, and all  
 15          rules promulgated thereunder, shall apply to the Video Gaming  
 16          Act, except where there is a conflict between the 2 Acts. All  
 17          current supplier licensees under the Riverboat Gambling Act  
 18          shall be entitled to licensure under the Video Gaming Act as  
 19          manufacturers, distributors, or suppliers without additional  
 20          Board investigation or approval, except by vote of the Board;  
 21          however, they are required to pay application and annual fees  
 22          under this Act. All provisions of the Uniform Penalty and  
 23          Interest Act shall apply, as far as practicable, to the subject  
 24          matter of this Act to the same extent as if such provisions  
 25          were included herein.

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

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.