



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2942

by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

230 ILCS 5/26  
230 ILCS 5/27

from Ch. 8, par. 37-26  
from Ch. 8, par. 37-27

Amends the Illinois Horse Racing Act of 1975. Provides that inter-track wagering location licensees must pay their pari-mutuel handle percentage to the municipality and county no later than the 20th of the month following the month the handle was generated. Provides that inter-track wagering location licensees must pay the admission fees to the municipality and county no later than the 20th of the month following the month the admission fees were imposed (rather than remitting the admission fees to the Illinois Racing Board within 48 hours and the Illinois Racing Board remitting the admission fees to the municipality or county). Effective immediately.

LRB101 08941 SMS 54031 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Sections 26 and 27 as follows:

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

7 Sec. 26. Wagering.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 of racing. The host track simulcast program shall include the  
2 signal of live racing of all organization licensees. All  
3 non-host licensees and advance deposit wagering licensees  
4 shall carry the signal of and accept wagers on live racing of  
5 all organization licensees. Advance deposit wagering licensees  
6 shall not be permitted to accept out-of-state wagers on any  
7 Illinois signal provided pursuant to this Section without the  
8 approval and consent of the organization licensee providing the  
9 signal. For one year after August 15, 2014 (the effective date  
10 of Public Act 98-968), 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, 2020, 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 takeout ~~take out~~ percentages of

1 the sending racetrack. A licensee may also establish a  
2 separate pool and takeout structure for wagering purposes  
3 on races conducted at race tracks outside of the State of  
4 Illinois. The licensee may permit pari-mutuel wagers  
5 placed in other states or countries to be combined with its  
6 gross or net 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  
11 ~~host-track~~) and all applicable State and local taxes,  
12 except as provided in subsection (g) of Section 27 of this  
13 Act, the remainder of moneys retained from simulcast  
14 wagering pursuant to this subsection (g), and Section 26.2  
15 shall be divided as 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 any  
9           provision of this Act to the contrary, after payment of all  
10          applicable State and local taxes and interstate commission  
11          fees, non-host licensees who derive their licenses from a  
12          track located in a county with a population in excess of  
13          230,000 and that borders the Mississippi River shall retain  
14          50% of the retention from interstate simulcast wagers and  
15          shall pay 50% to purses at the track from which the  
16          non-host licensee derives its license.

17          (7.1) Notwithstanding any other provision of this Act  
18          to the contrary, if no standardbred racing is conducted at  
19          a racetrack located in Madison County during any calendar  
20          year beginning on or after January 1, 2002, all moneys  
21          derived by that racetrack from simulcast wagering and  
22          inter-track wagering that (1) are to be used for purses and  
23          (2) are generated between the hours of 6:30 p.m. and 6:30  
24          a.m. during that calendar year shall be paid as follows:

25                  (A) If the licensee that conducts horse racing at  
26                  that racetrack requests from the Board at least as many

1 racing dates as were conducted in calendar year 2000,  
2 80% shall be paid to its thoroughbred purse account;  
3 and

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

19 (7.2) Notwithstanding any other provision of this Act  
20 to the contrary, if no thoroughbred racing is conducted at  
21 a racetrack located in Madison County during any calendar  
22 year beginning on or after January 1, 2002, all moneys  
23 derived by that racetrack from simulcast wagering and  
24 inter-track wagering that (1) are to be used for purses and  
25 (2) are generated between the hours of 6:30 a.m. and 6:30  
26 p.m. during that calendar year shall be deposited as

1 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 deposited into its standardbred purse  
6 account; and

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

25 (7.3) (Blank).

26 (7.4) (Blank).



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

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

23          (9) (Blank).

24          (10) (Blank).

25          (11) (Blank).

26          (12) The Board shall have authority to compel all host

1 tracks to receive the simulcast of any or all races  
2 conducted at the Springfield or DuQuoin State fairgrounds  
3 and include all such races as part of their simulcast  
4 programs.

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

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

25 (h) The Board may approve and license the conduct of  
26 inter-track wagering and simulcast wagering by inter-track

1     wagering licensees and inter-track wagering location licensees  
2     subject to the following terms and conditions:

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

1 control of the racing facility may receive inter-track  
2 wagering location licenses. An eligible race track located  
3 in a county that has a population of more than 230,000 and  
4 that is bounded by the Mississippi River may establish up  
5 to 9 inter-track wagering locations, an eligible race track  
6 located in Stickney Township in Cook County may establish  
7 up to 16 inter-track wagering locations, and an eligible  
8 race track located in Palatine Township in Cook County may  
9 establish up to 18 inter-track wagering locations. An  
10 application for said license shall be filed with the Board  
11 prior to such dates as may be fixed by the Board. With an  
12 application for an inter-track wagering location license  
13 there shall be delivered to the Board a certified check or  
14 bank draft payable to the order of the Board for an amount  
15 equal to \$500. The application shall be on forms prescribed  
16 and furnished by the Board. The application shall comply  
17 with all other rules, regulations and conditions imposed by  
18 the Board in connection therewith.

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

1 by the Board.

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

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

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

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

26 (7) An inter-track wagering licensee or inter-track

1           wagering location licensee may accept wagers at the track  
2           or location where it is licensed, or as otherwise provided  
3           under this Act.

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

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

1 the current year, unless the person having operating  
2 control of such race track has given its written consent to  
3 such inter-track wagering location licensees, which  
4 consent must be filed with the Board at or prior to the  
5 time application is made.

6 (8.2) Inter-track wagering or simulcast wagering shall  
7 not be conducted by an inter-track wagering location  
8 licensee at any location within 500 feet of an existing  
9 church or existing school, nor within 500 feet of the  
10 residences of more than 50 registered voters without  
11 receiving written permission from a majority of the  
12 registered voters at such residences. Such written  
13 permission statements shall be filed with the Board. The  
14 distance of 500 feet shall be measured to the nearest part  
15 of any building used for worship services, education  
16 programs, residential purposes, or conducting inter-track  
17 wagering by an inter-track wagering location licensee, and  
18 not to property boundaries. However, inter-track wagering  
19 or simulcast wagering may be conducted at a site within 500  
20 feet of a church, school or residences of 50 or more  
21 registered voters if such church, school or residences have  
22 been erected or established, or such voters have been  
23 registered, after the Board issues the original  
24 inter-track wagering location license at the site in  
25 question. Inter-track wagering location licensees may  
26 conduct inter-track wagering and simulcast wagering only



1 in areas that are zoned for commercial or manufacturing  
2 purposes or in areas for which a special use has been  
3 approved by the local zoning authority. However, no license  
4 to conduct inter-track wagering and simulcast wagering  
5 shall be granted by the Board with respect to any  
6 inter-track wagering location within the jurisdiction of  
7 any local zoning authority which has, by ordinance or by  
8 resolution, prohibited the establishment of an inter-track  
9 wagering location within its jurisdiction. However,  
10 inter-track wagering and simulcast wagering may be  
11 conducted at a site if such ordinance or resolution is  
12 enacted after the Board licenses the original inter-track  
13 wagering location licensee for the site in question.

14 (9) (Blank).

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

25 (10.1) Except as provided in subsection (g) of Section  
26 27 of this Act, inter-track wagering location licensees

1 shall pay 1% of the pari-mutuel handle at each location to  
2 the municipality in which such location is situated and 1%  
3 of the pari-mutuel handle at each location to the county in  
4 which such location is situated. In the event that an  
5 inter-track wagering location licensee is situated in an  
6 unincorporated area of a county, such licensee shall pay 2%  
7 of the pari-mutuel handle from such location to such  
8 county. Inter-track wagering location licensees must pay  
9 the handle percentage required under this paragraph to the  
10 municipality and county no later than the 20th of the month  
11 following the month such handle was generated.

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

1 follows:

2 (A) That portion of all moneys wagered on  
3 standardbred racing that is required under this Act to  
4 be paid to purses shall be paid to purses for  
5 standardbred races.

6 (B) That portion of all moneys wagered on  
7 thoroughbred racing that is required under this Act to  
8 be paid to purses shall be paid to purses for  
9 thoroughbred races.

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

1           230,000 and that borders the Mississippi River shall not  
2           divide any remaining retention with that organization  
3           licensee.

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

1 amount collected and distributed to the Horse Racing Tax  
2 Allocation Fund during calendar year 1994, that excess  
3 amount shall be redistributed (I) to all inter-track  
4 wagering location licensees, based on each licensee's pro  
5 rata ~~pro rata~~ share of the total handle from inter-track  
6 wagering and simulcast wagering for all inter-track  
7 wagering location licensees during the calendar year in  
8 which this provision is applicable; then (II) the amounts  
9 redistributed to each inter-track wagering location  
10 licensee as described in subpart (I) shall be further  
11 redistributed as provided in subparagraph (B) of paragraph  
12 (5) of subsection (g) of this Section 26 provided first,  
13 that the shares of those amounts, which are to be  
14 redistributed to the host track or to purses at the host  
15 track under subparagraph (B) of paragraph (5) of subsection  
16 (g) of this Section 26 shall be redistributed based on each  
17 host track's pro rata share of the total inter-track  
18 wagering and simulcast wagering handle at all host tracks  
19 during the calendar year in question, and second, that any  
20 amounts redistributed as described in part (I) to an  
21 inter-track wagering location licensee that accepts wagers  
22 on races conducted by an organization licensee that  
23 conducts a race meet in a county with a population in  
24 excess of 230,000 and that borders the Mississippi River  
25 shall be further redistributed, effective January 1, 2017,  
26 as provided in paragraph (7) of subsection (g) of this

1 Section 26, with the portion of that further redistribution  
2 allocated to purses at that organization licensee to be  
3 divided between standardbred purses and thoroughbred  
4 purses based on the amounts otherwise allocated to purses  
5 at that organization licensee during the calendar year in  
6 question; and (iv) 8% of the pari-mutuel handle on  
7 inter-track wagering wagered at such location to satisfy  
8 all costs and expenses of conducting its wagering. The  
9 remainder of the monies retained by the inter-track  
10 wagering location licensee shall be allocated 40% to the  
11 location licensee and 60% to the organization licensee  
12 which provides the Illinois races to the location, except  
13 that an inter-track wagering location licensee that  
14 derives its license from a track located in a county with a  
15 population in excess of 230,000 and that borders the  
16 Mississippi River shall not divide any remaining retention  
17 with the organization licensee that provides the race or  
18 races and an inter-track wagering location licensee that  
19 accepts wagers on races conducted by an organization  
20 licensee that conducts a race meet in a county with a  
21 population in excess of 230,000 and that borders the  
22 Mississippi River shall not divide any remaining retention  
23 with the organization licensee. Notwithstanding the  
24 provisions of clauses (ii) and (iv) of this paragraph, in  
25 the case of the additional inter-track wagering location  
26 licenses authorized under paragraph (1) of this subsection

1 (h) by Public Act 87-110, those licensees shall pay the  
2 following amounts as purses: during the first 12 months the  
3 licensee is in operation, 5.25% of the pari-mutuel handle  
4 wagered at the location on races; during the second 12  
5 months, 5.25%; during the third 12 months, 5.75%; during  
6 the fourth 12 months, 6.25%; and during the fifth 12 months  
7 and thereafter, 6.75%. The following amounts shall be  
8 retained by the licensee to satisfy all costs and expenses  
9 of conducting its wagering: during the first 12 months the  
10 licensee is in operation, 8.25% of the pari-mutuel handle  
11 wagered at the location; during the second 12 months,  
12 8.25%; during the third 12 months, 7.75%; during the fourth  
13 12 months, 7.25%; and during the fifth 12 months and  
14 thereafter, 6.75%. For additional inter-track wagering  
15 location licensees authorized under Public Act 89-16,  
16 purses for the first 12 months the licensee is in operation  
17 shall be 5.75% of the pari-mutuel wagered at the location,  
18 purses for the second 12 months the licensee is in  
19 operation shall be 6.25%, and purses thereafter shall be  
20 6.75%. For additional inter-track location licensees  
21 authorized under Public Act 89-16, the licensee shall be  
22 allowed to retain to satisfy all costs and expenses: 7.75%  
23 of the pari-mutuel handle wagered at the location during  
24 its first 12 months of operation, 7.25% during its second  
25 12 months of operation, and 6.75% thereafter.

26 (C) There is hereby created the Horse Racing Tax

1 Allocation Fund which shall remain in existence until  
2 December 31, 1999. Moneys remaining in the Fund after  
3 December 31, 1999 shall be paid into the General Revenue  
4 Fund. Until January 1, 2000, all monies paid into the Horse  
5 Racing Tax Allocation Fund pursuant to this paragraph (11)  
6 by inter-track wagering location licensees located in park  
7 districts of 500,000 population or less, or in a  
8 municipality that is not included within any park district  
9 but is included within a conservation district and is the  
10 county seat of a county that (i) is contiguous to the state  
11 of Indiana and (ii) has a 1990 population of 88,257  
12 according to the United States Bureau of the Census, and  
13 operating on May 1, 1994 shall be allocated by  
14 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 park districts or municipalities

1           that do not have a park district of 500,000 population  
2           or less for museum purposes (if an inter-track wagering  
3           location licensee is located in such a park district)  
4           or to conservation districts for museum purposes (if an  
5           inter-track wagering location licensee is located in a  
6           municipality that is not included within any park  
7           district but is included within a conservation  
8           district and is the county seat of a county that (i) is  
9           contiguous to the state of Indiana and (ii) has a 1990  
10          population of 88,257 according to the United States  
11          Bureau of the Census, except that if the conservation  
12          district does not maintain a museum, the monies shall  
13          be allocated equally between the county and the  
14          municipality in which the inter-track wagering  
15          location licensee is located for general purposes) or  
16          to a municipal recreation board for park purposes (if  
17          an inter-track wagering location licensee is located  
18          in a municipality that is not included within any park  
19          district and park maintenance is the function of the  
20          municipal recreation board and the municipality has a  
21          1990 population of 9,302 according to the United States  
22          Bureau of the Census); provided that the monies are  
23          distributed to each park district or conservation  
24          district or municipality that does not have a park  
25          district in an amount equal to four-sevenths of the  
26          amount collected by each inter-track wagering location

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

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

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

1           Two-sevenths to the Department of Agriculture.  
2           Fifty percent of this two-sevenths shall be used to  
3           promote the Illinois horse racing and breeding  
4           industry, and shall be distributed by the Department of  
5           Agriculture upon the advice of a 9-member committee  
6           appointed by the Governor consisting of the following  
7           members: the Director of Agriculture, who shall serve  
8           as chairman; 2 representatives of organization  
9           licensees conducting thoroughbred race meetings in  
10          this State, recommended by those licensees; 2  
11          representatives of organization licensees conducting  
12          standardbred race meetings in this State, recommended  
13          by those licensees; a representative of the Illinois  
14          Thoroughbred Breeders and Owners Foundation,  
15          recommended by that Foundation; a representative of  
16          the Illinois Standardbred Owners and Breeders  
17          Association, recommended by that Association; a  
18          representative of the Horsemen's Benevolent and  
19          Protective Association or any successor organization  
20          thereto established in Illinois comprised of the  
21          largest number of owners and trainers, recommended by  
22          that Association or that successor organization; and a  
23          representative of the Illinois Harness Horsemen's  
24          Association, recommended by that Association.  
25          Committee members shall serve for terms of 2 years,  
26          commencing January 1 of each even-numbered year. If a

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

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

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

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

5           (i) If the inter-track wagering licensee,  
6 except an inter-track wagering licensee that  
7 derives its license from an organization licensee  
8 located in a county with a population in excess of  
9 230,000 and bounded by the Mississippi River, is  
10 not conducting its own race meeting during the same  
11 dates, then the entire purse allocation shall be to  
12 purses at the track where the races wagered on are  
13 being conducted.

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

25           (iii) If the inter-track wagering is being  
26 conducted by an inter-track wagering location

1 licensee, except an inter-track wagering location  
2 licensee that derives its license from an  
3 organization licensee located in a county with a  
4 population in excess of 230,000 and bounded by the  
5 Mississippi River, the entire purse allocation for  
6 Illinois races shall be to purses at the track  
7 where the race meeting being wagered on is being  
8 held.

9 (12) The Board shall have all powers necessary and  
10 proper to fully supervise and control the conduct of  
11 inter-track wagering and simulcast wagering by inter-track  
12 wagering licensees and inter-track wagering location  
13 licensees, including, but not limited to the following:

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

23 (B) The Board, and any person or persons to whom it  
24 delegates this power, is vested with the power to enter  
25 the facilities of any licensee to determine whether  
26 there has been compliance with the provisions of this

1 Act and the rules and regulations relating to the  
2 conduct of such wagering.

3 (C) The Board, and any person or persons to whom it  
4 delegates this power, may eject or exclude from any  
5 licensee's facilities, any person whose conduct or  
6 reputation is such that his presence on such premises  
7 may, in the opinion of the Board, call into the  
8 question the honesty and integrity of, or interfere  
9 with the orderly conduct of such wagering; provided,  
10 however, that no person shall be excluded or ejected  
11 from such premises solely on the grounds of race,  
12 color, creed, national origin, ancestry, or sex.

13 (D) (Blank).

14 (E) The Board is vested with the power to appoint  
15 delegates to execute any of the powers granted to it  
16 under this Section for the purpose of administering  
17 this wagering and any rules and regulations  
18 promulgated in accordance with this Act.

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



1           (G) The Board is vested with the power to impose  
2           civil penalties of up to \$5,000 against individuals and  
3           up to \$10,000 against licensees for each violation of  
4           any provision of this Act relating to the conduct of  
5           this wagering, any rules adopted by the Board, any  
6           order of the Board or any other action which in the  
7           Board's discretion, is a detriment or impediment to  
8           such wagering.

9           (13) The Department of Agriculture may enter into  
10          agreements with licensees authorizing such licensees to  
11          conduct inter-track wagering on races to be held at the  
12          licensed race meetings conducted by the Department of  
13          Agriculture. Such agreement shall specify the races of the  
14          Department of Agriculture's licensed race meeting upon  
15          which the licensees will conduct wagering. In the event  
16          that a licensee conducts inter-track pari-mutuel wagering  
17          on races from the Illinois State Fair or DuQuoin State Fair  
18          which are in addition to the licensee's previously approved  
19          racing program, those races shall be considered a separate  
20          racing day for the purpose of determining the daily handle  
21          and computing the privilege or pari-mutuel tax on that  
22          daily handle as provided in Sections 27 and 27.1. Such  
23          agreements shall be approved by the Board before such  
24          wagering may be conducted. In determining whether to grant  
25          approval, the Board shall give due consideration to the  
26          best interests of the public and of horse racing. The

1 provisions of paragraphs (1), (8), (8.1), and (8.2) of  
2 subsection (h) of this Section which are not specified in  
3 this paragraph (13) shall not apply to licensed race  
4 meetings conducted by the Department of Agriculture at the  
5 Illinois State Fair in Sangamon County or the DuQuoin State  
6 Fair in Perry County, or to any wagering conducted on those  
7 race meetings.

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

20 (i) Notwithstanding the other provisions of this Act, the  
21 conduct of wagering at wagering facilities is authorized on all  
22 days, except as limited by subsection (b) of Section 19 of this  
23 Act.

24 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
25 100-201, eff. 8-18-17; 100-627, eff. 7-20-18; 100-1152, eff.  
26 12-14-18; revised 1-13-19.)

1 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

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

19 In addition, every organization licensee, except as  
20 provided in Section 27.1 of this Act, which conducts multiple  
21 wagering shall pay, until January 1, 2000, as a privilege tax  
22 on multiple wagers an amount equal to 1.25% of all moneys  
23 wagered each day on such multiple wagers, plus an additional  
24 amount equal to 3.5% of the amount wagered each day on any  
25 other multiple wager which involves a single betting interest

1 on 3 or more horses. The licensee shall remit the amount of  
2 such taxes to the Department of Revenue within 48 hours after  
3 the close of the racing day on which it is assessed or within  
4 such other time as the Board prescribes.

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

7 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
8 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
9 at all pari-mutuel wagering facilities and on advance deposit  
10 wagering from a location other than a wagering facility, except  
11 as otherwise provided for in this subsection (a-5). In addition  
12 to the pari-mutuel tax imposed on advance deposit wagering  
13 pursuant to this subsection (a-5), beginning on August 24, 2012  
14 (the effective date of Public Act 97-1060) and through December  
15 31, 2020, an additional pari-mutuel tax at the rate of 0.25%  
16 shall be imposed on advance deposit wagering. Until August 25,  
17 2012, the additional 0.25% pari-mutuel tax imposed on advance  
18 deposit wagering by Public Act 96-972 shall be deposited into  
19 the Quarter Horse Purse Fund, which shall be created as a  
20 non-appropriated trust fund administered by the Board for  
21 grants to thoroughbred organization licensees for payment of  
22 purses for quarter horse races conducted by the organization  
23 licensee. Beginning on August 26, 2012, the additional 0.25%  
24 pari-mutuel tax imposed on advance deposit wagering shall be  
25 deposited into the Standardbred Purse Fund, which shall be  
26 created as a non-appropriated trust fund administered by the

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

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

24 (c) Licensees shall at all times keep accurate books and  
25 records of all monies wagered on each day of a race meeting and  
26 of the taxes paid to the Department of Revenue under the

1 provisions of this Section. The Board or its duly authorized  
2 representative or representatives shall at all reasonable  
3 times have access to such records for the purpose of examining  
4 and checking the same and ascertaining whether the proper  
5 amount of taxes is being paid as provided. The Board shall  
6 require verified reports and a statement of the total of all  
7 monies wagered daily at each wagering facility upon which the  
8 taxes are assessed and may prescribe forms upon which such  
9 reports and statement shall be made.

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

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

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

1 corporate boundaries or a township that has a Board licensed  
2 horse race meeting at a race track wholly within the  
3 unincorporated area of the township may charge a local  
4 amusement tax not to exceed 10¢ per admission to such horse  
5 race meeting by the enactment of an ordinance. However, any  
6 municipality or county that has a Board licensed inter-track  
7 wagering location facility wholly within its corporate  
8 boundaries may each impose an admission fee not to exceed \$1.00  
9 per admission to such inter-track wagering location facility,  
10 so that a total of not more than \$2.00 per admission may be  
11 imposed. Except as provided in subparagraph (g) of Section 27  
12 of this Act, the inter-track wagering location licensee shall  
13 collect any and all such fees. Inter-track wagering location  
14 licensees must pay the admission fees required under this  
15 subsection (f) to the municipality and county no later than the  
16 20th of the month following the month such admission fees were  
17 imposed. and within 48 hours remit the fees to the Board, which  
18 shall, pursuant to rule, cause the fees to be distributed to  
19 the county or municipality.

20 (g) Notwithstanding any provision in this Act to the  
21 contrary, if in any calendar year the total taxes and fees  
22 required to be collected from licensees and distributed under  
23 this Act to all State and local governmental authorities  
24 exceeds the amount of such taxes and fees distributed to each  
25 State and local governmental authority to which each State and  
26 local governmental authority was entitled under this Act for

1 calendar year 1994, then the first \$11 million of that excess  
2 amount shall be allocated at the earliest possible date for  
3 distribution as purse money for the succeeding calendar year.  
4 Upon reaching the 1994 level, and until the excess amount of  
5 taxes and fees exceeds \$11 million, the Board shall direct all  
6 licensees to cease paying the subject taxes and fees and the  
7 Board shall direct all licensees to allocate any such excess  
8 amount for purses as follows:

9 (i) the excess amount shall be initially divided  
10 between thoroughbred and standardbred purses based on the  
11 thoroughbred's and standardbred's respective percentages  
12 of total Illinois live wagering in calendar year 1994;

13 (ii) each thoroughbred and standardbred organization  
14 licensee issued an organization license in that  
15 succeeding allocation year shall be allocated an amount  
16 equal to the product of its percentage of total Illinois  
17 live thoroughbred or standardbred wagering in calendar  
18 year 1994 (the total to be determined based on the sum of  
19 1994 on-track wagering for all organization licensees  
20 issued organization licenses in both the allocation year  
21 and the preceding year) multiplied by the total amount  
22 allocated for standardbred or thoroughbred purses,  
23 provided that the first \$1,500,000 of the amount allocated  
24 to standardbred purses under item (i) shall be allocated to  
25 the Department of Agriculture to be expended with the  
26 assistance and advice of the Illinois Standardbred



1 Breeders Funds Advisory Board for the purposes listed in  
2 subsection (g) of Section 31 of this Act, before the amount  
3 allocated to standardbred purses under item (i) is  
4 allocated to standardbred organization licensees in the  
5 succeeding allocation year.

6 To the extent the excess amount of taxes and fees to be  
7 collected and distributed to State and local governmental  
8 authorities exceeds \$11 million, that excess amount shall be  
9 collected and distributed to State and local authorities as  
10 provided for under this Act.

11 (Source: P.A. 99-756, eff. 8-12-16; 100-627, eff. 7-20-18.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.