



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5034

Introduced 2/18/2020, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

230 ILCS 5/19.5	
230 ILCS 5/21	from Ch. 8, par. 37-21
230 ILCS 5/26	from Ch. 8, par. 37-26
230 ILCS 5/27	from Ch. 8, par. 37-27
230 ILCS 5/31.1	from Ch. 8, par. 37-31.1
230 ILCS 5/34.3 rep.	

Amends the Illinois Horse Racing Act of 1975. Changes the bond requirement for an applicant for an organization license. Provides that the Illinois Racing Board may appoint the Director of Mutuels to serve as the State director for inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees. Provides that the pari-mutuel tax imposed at all pari-mutuel wagering facilities and on advance deposit wagering shall be remitted to the Board (rather than the Department of Revenue). Provides that the Board shall distribute contributed funds to a charitable organization on a schedule determined by the Board, based on the charitable organization's estimated expenditures related to the grant (rather than by December 31 of each year). Repeals provisions requiring the Board and the Department of Agriculture to establish a program to conduct drug testing on horses at county fairs. Makes other changes. Effective immediately.

LRB101 20532 SMS 70139 b

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 19.5, 21, 26, 27, and 31.1 as follows:

6 (230 ILCS 5/19.5)

7 Sec. 19.5. Standardbred racetrack in Cook County.
8 Notwithstanding anything in this Act to the contrary, in
9 addition to organization licenses issued by the Board on the
10 effective date of this amendatory Act of the 101st General
11 Assembly, the Board shall issue an organization license limited
12 to standardbred racing to a racetrack located in one of the
13 following townships of Cook County: Bloom, Bremen, Calumet,
14 Orland, Rich, Thornton, or Worth. This additional organization
15 license shall not be issued within a 35-mile radius of another
16 organization license issued by the Board on the effective date
17 of this amendatory Act of the 101st General Assembly, unless
18 the person having operating control of such racetrack has given
19 written consent to the organization licensee applicant, which
20 consent must be filed with the Board at or prior to the time
21 application is made. The organization license application
22 shall be submitted to the Board and the Board may grant the
23 organization license at any meeting of the Board ~~shall be~~

1 ~~granted upon application~~, and the licensee shall have all of
2 the current and future rights of existing Illinois racetracks,
3 including, but not limited to, the ability to obtain an
4 inter-track wagering license, the ability to obtain
5 inter-track wagering location licenses, the ability to obtain
6 an organization gaming license pursuant to the Illinois
7 Gambling Act with 1,200 gaming positions, and the ability to
8 offer Internet wagering on horse racing.

9 (Source: P.A. 101-31, eff. 6-28-19.)

10 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

11 Sec. 21. (a) Applications for organization licenses must be
12 filed with the Board at a time and place prescribed by the
13 rules and regulations of the Board. The Board shall examine the
14 applications within 21 days after the date allowed for filing
15 with respect to their conformity with this Act and such rules
16 and regulations as may be prescribed by the Board. If any
17 application does not comply with this Act or the rules and
18 regulations prescribed by the Board, such application may be
19 rejected and an organization license refused to the applicant,
20 or the Board may, within 21 days of the receipt of such
21 application, advise the applicant of the deficiencies of the
22 application under the Act or the rules and regulations of the
23 Board, and require the submittal of an amended application
24 within a reasonable time determined by the Board; and upon
25 submittal of the amended application by the applicant, the

1 Board may consider the application consistent with the process
2 described in subsection (e-5) of Section 20 of this Act. If it
3 is found to be in compliance with this Act and the rules and
4 regulations of the Board, the Board may then issue an
5 organization license to such applicant.

6 (b) The Board may exercise discretion in granting racing
7 dates to qualified applicants different from those requested by
8 the applicants in their applications. However, if all eligible
9 applicants for organization licenses whose tracks are located
10 within 100 miles of each other execute and submit to the Board
11 a written agreement among such applicants as to the award of
12 racing dates, including where applicable racing programs, for
13 up to 3 consecutive years, then subject to annual review of
14 each applicant's compliance with Board rules and regulations,
15 provisions of this Act and conditions contained in annual dates
16 orders issued by the Board, the Board may grant such dates and
17 programs to such applicants as so agreed by them if the Board
18 determines that the grant of these racing dates is in the best
19 interests of racing. The Board shall treat any such agreement
20 as the agreement signatories' joint and several application for
21 racing dates during the term of the agreement.

22 (c) Where 2 or more applicants propose to conduct horse
23 race meetings within 35 miles of each other, as certified to
24 the Board under Section 19 (a) (1) of this Act, on conflicting
25 dates, the Board may determine and grant the number of racing
26 days to be awarded to the several applicants in accordance with

1 the provisions of subsection (e-5) of Section 20 of this Act.

2 (d) (Blank).

3 (e) Prior to the issuance of an organization license, the
4 applicant shall file with the Board the bond required in
5 subsection (d) of Section 27 a bond payable to the State of
6 Illinois ~~in the sum of \$200,000,~~ executed by the applicant and
7 a surety company or companies authorized to do business in this
8 State, and conditioned upon the payment by the organization
9 licensee of all taxes due under Section 27, other monies due
10 and payable under this Act, all purses due and payable, and
11 that the organization licensee will upon presentation of the
12 winning ticket or tickets distribute all sums due to the
13 patrons of pari-mutuel pools. ~~Beginning on the date when any~~
14 ~~organization licensee begins conducting gaming pursuant to an~~
15 ~~organization gaming license issued under the Illinois Gambling~~
16 ~~Act, the amount of the bond required under this subsection (e)~~
17 ~~shall be \$500,000.~~

18 (f) Each organization license shall specify the person to
19 whom it is issued, the dates upon which horse racing is
20 permitted, and the location, place, track, or enclosure where
21 the horse race meeting is to be held.

22 (g) Any person who owns one or more race tracks within the
23 State may seek, in its own name, a separate organization
24 license for each race track.

25 (h) All racing conducted under such organization license is
26 subject to this Act and to the rules and regulations from time

1 to time prescribed by the Board, and every such organization
2 license issued by the Board shall contain a recital to that
3 effect.

4 (i) Each such organization licensee may provide that at
5 least one race per day may be devoted to the racing of quarter
6 horses, appaloosas, arabians, or paints.

7 (j) In acting on applications for organization licenses,
8 the Board shall give weight to an organization license which
9 has implemented a good faith affirmative action effort to
10 recruit, train and upgrade minorities in all classifications
11 within the organization license.

12 (Source: P.A. 101-31, eff. 6-28-19.)

13 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

14 Sec. 26. Wagering.

15 (a) Any licensee may conduct and supervise the pari-mutuel
16 system of wagering, as defined in Section 3.12 of this Act, on
17 horse races conducted by an Illinois organization licensee or
18 conducted at a racetrack located in another state or country in
19 accordance with subsection (g) of Section 26 of this Act.
20 Subject to the prior consent of the Board, licensees may
21 supplement any pari-mutuel pool in order to guarantee a minimum
22 distribution. Such pari-mutuel method of wagering shall not,
23 under any circumstances if conducted under the provisions of
24 this Act, be held or construed to be unlawful, other statutes
25 of this State to the contrary notwithstanding. Subject to rules

1 for advance wagering promulgated by the Board, any licensee may
2 accept wagers in advance of the day of the race wagered upon
3 occurs.

4 (b) Except for those gaming activities for which a license
5 is obtained and authorized under the Illinois Lottery Law, the
6 Charitable Games Act, the Raffles and Poker Runs Act, or the
7 Illinois Gambling Act, no other method of betting, pool making,
8 wagering or gambling shall be used or permitted by the
9 licensee. Each licensee may retain, subject to the payment of
10 all applicable taxes and purses, an amount not to exceed 17% of
11 all money wagered under subsection (a) of this Section, except
12 as may otherwise be permitted under this Act.

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

20 (c) (Blank).

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

1 purpose of guaranteeing minimum distributions of any
2 pari-mutuel pool, shall be evenly distributed to the purse
3 account of the organization licensee and the organization
4 licensee, except that the balance of the sum of all outstanding
5 pari-mutuel tickets generated from simulcast wagering and
6 inter-track wagering by an organization licensee located in a
7 county with a population in excess of 230,000 and borders the
8 Mississippi River or any licensee that derives its license from
9 that organization licensee shall be evenly distributed to the
10 purse account of the organization licensee and the organization
11 licensee.

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

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

26 (f) Notwithstanding the other provisions of this Act, an

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

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

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

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

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

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

1 trainers, jockeys, or standardbred drivers who race horses at
2 that organization licensee's racing meeting, may contract with
3 another person to carry out a system of advance deposit
4 wagering. Such consent may not be unreasonably withheld. Only
5 with respect to an appeal to the Board that consent for an
6 organization licensee that maintains its own advance deposit
7 wagering system is being unreasonably withheld, the Board shall
8 issue a final order within 30 days after initiation of the
9 appeal, and the organization licensee's advance deposit
10 wagering system may remain operational during that 30-day
11 period. The actions of any organization licensee who conducts
12 advance deposit wagering or any person who has a contract with
13 an organization licensee to conduct advance deposit wagering
14 who conducts advance deposit wagering on or after January 1,
15 2013 and prior to June 7, 2013 (the effective date of Public
16 Act 98-18) taken in reliance on the changes made to this
17 subsection (g) by Public Act 98-18 are hereby validated,
18 provided payment of all applicable pari-mutuel taxes are
19 remitted to the Board. All advance deposit wagers placed from
20 within Illinois must be placed through a Board-approved advance
21 deposit wagering licensee; no other entity may accept an
22 advance deposit wager from a person within Illinois. All
23 advance deposit wagering is subject to any rules adopted by the
24 Board. The Board may adopt rules necessary to regulate advance
25 deposit wagering through the use of emergency rulemaking in
26 accordance with Section 5-45 of the Illinois Administrative

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

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

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

1 receiving the simulcast.

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

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

1 subsection (h) of Section 26 of this Act.

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

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

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

25 (B) For wagers placed on interstate simulcast
26 races, supplemental simulcasts as defined in

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

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

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

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

1 that conducts horse racing at that racetrack requests from
2 the Board at least as many racing dates as were conducted
3 in calendar year 2000, all moneys derived by that racetrack
4 from simulcast wagering and inter-track wagering that (1)
5 are to be used for purses and (2) are generated between the
6 hours of 6:30 p.m. and 6:30 a.m. during that calendar year
7 shall be paid as follows:

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

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

1 Advisory Board.

2 (7.2) Notwithstanding any other provision of this Act
3 to the contrary, if no thoroughbred racing is conducted at
4 a racetrack located in Madison County during any calendar
5 year beginning on or after January 1, 2002 and the licensee
6 that conducts horse racing at that racetrack requests from
7 the Board at least as many racing dates as were conducted
8 in calendar year 2000, all moneys derived by that racetrack
9 from simulcast wagering and inter-track wagering that (1)
10 are to be used for purses and (2) are generated between the
11 hours of 6:30 a.m. and 6:30 p.m. during that calendar year
12 shall be deposited as follows:

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

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

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

10 ~~(7.3) (Blank).~~

11 ~~(7.4) (Blank).~~

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

19 (8.1) Notwithstanding any provisions in this Act to the
20 contrary, if 2 organization licensees are conducting
21 standardbred race meetings concurrently between the hours
22 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
23 State and local taxes and interstate commission fees, the
24 remainder of the amount retained from simulcast wagering
25 otherwise attributable to the host track and to host track
26 purses shall be split daily between the 2 organization

1 licenses and the purses at the tracks of the 2
2 organization licensees, respectively, based on each
3 organization licensee's share of the total live handle for
4 that day, provided that this provision shall not apply to
5 any non-host licensee that derives its license from a track
6 located in a county with a population in excess of 230,000
7 and that borders the Mississippi River.

8 (9) (Blank).

9 (10) (Blank).

10 (11) (Blank).

11 (12) The Board shall have authority to compel all host
12 tracks to receive the simulcast of any or all races
13 conducted at the Springfield or DuQuoin State fairgrounds
14 and include all such races as part of their simulcast
15 programs.

16 (13) Notwithstanding any other provision of this Act,
17 in the event that the total Illinois pari-mutuel handle on
18 Illinois horse races at all wagering facilities in any
19 calendar year is less than 75% of the total Illinois
20 pari-mutuel handle on Illinois horse races at all such
21 wagering facilities for calendar year 1994, then each
22 wagering facility that has an annual total Illinois
23 pari-mutuel handle on Illinois horse races that is less
24 than 75% of the total Illinois pari-mutuel handle on
25 Illinois horse races at such wagering facility for calendar
26 year 1994, shall be permitted to receive, from any amount

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

1 previous calendar year. Annually, the General Assembly
2 shall appropriate sufficient funds from the General
3 Revenue Fund to the Department of Agriculture for payment
4 into the thoroughbred and standardbred horse racing purse
5 accounts at Illinois pari-mutuel tracks. The amount paid to
6 each purse account shall be the amount certified by the
7 Illinois Racing Board in January to be transferred from
8 each account to each eligible racing facility in accordance
9 with the provisions of this Section. Beginning in the
10 calendar year in which an organization licensee that is
11 eligible to receive payment under this paragraph (13)
12 begins to receive funds from gaming pursuant to an
13 organization gaming license issued under the Illinois
14 Gambling Act, the amount of the payment due to all wagering
15 facilities licensed under that organization licensee under
16 this paragraph (13) shall be the amount certified by the
17 Board in January of that year. An organization licensee and
18 its related wagering facilities shall no longer be able to
19 receive payments under this paragraph (13) beginning in the
20 year subsequent to the first year in which the organization
21 licensee begins to receive funds from gaming pursuant to an
22 organization gaming license issued under the Illinois
23 Gambling Act.

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

1 subject to the following terms and conditions:

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

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

21 (2) The Board shall examine the applications with
22 respect to their conformity with this Act and the rules and
23 regulations imposed by the Board. If found to be in
24 compliance with the Act and rules and regulations of the
25 Board, the Board may then issue a license to conduct
26 inter-track wagering and simulcast wagering to such

1 applicant. All such applications shall be acted upon by the
2 Board at a meeting to be held on such date as may be fixed
3 by the Board.

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

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

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

24 (6) All wagering under such license is subject to this
25 Act and to the rules and regulations from time to time
26 prescribed by the Board, and every such license issued by

1 the Board shall contain a recital to that effect.

2 (7) An inter-track wagering licensee or inter-track
3 wagering location licensee may accept wagers at the track
4 or location where it is licensed, or as otherwise provided
5 under this Act.

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

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

1 City of Chicago at any location within 8 miles of any race
2 track at which a horse race meeting has been licensed in
3 the current year, unless the person having operating
4 control of such race track has given its written consent to
5 such inter-track wagering location licensees, which
6 consent must be filed with the Board at or prior to the
7 time application is made.

8 (8.2) Inter-track wagering or simulcast wagering shall
9 not be conducted by an inter-track wagering location
10 licensee at any location within 100 feet of an existing
11 church, an existing elementary or secondary public school,
12 or an existing elementary or secondary private school
13 registered with or recognized by the State Board of
14 Education. The distance of 100 feet shall be measured to
15 the nearest part of any building used for worship services,
16 education programs, or conducting inter-track wagering by
17 an inter-track wagering location licensee, and not to
18 property boundaries. However, inter-track wagering or
19 simulcast wagering may be conducted at a site within 100
20 feet of a church or school if such church or school has
21 been erected or established after the Board issues the
22 original inter-track wagering location license at the site
23 in question. Inter-track wagering location licensees may
24 conduct inter-track wagering and simulcast wagering only
25 in areas that are zoned for commercial or manufacturing
26 purposes or in areas for which a special use has been

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

12 (9) (Blank).

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

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

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

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

26 (A) That portion of all moneys wagered on

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

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

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

1 licensee.

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

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

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

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

24 (C) There is hereby created the Horse Racing Tax
25 Allocation Fund which shall remain in existence until
26 December 31, 1999. Moneys remaining in the Fund after

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

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

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

24 Four-sevenths to park districts or municipalities
25 that do not have a park district of 500,000 population
26 or less for museum purposes (if an inter-track wagering

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

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

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

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

25 Two-sevenths to the Department of Agriculture.
26 Fifty percent of this two-sevenths shall be used to

1 promote the Illinois horse racing and breeding
2 industry, and shall be distributed by the Department of
3 Agriculture upon the advice of a 9-member committee
4 appointed by the Governor consisting of the following
5 members: the Director of Agriculture, who shall serve
6 as chairman; 2 representatives of organization
7 licensees conducting thoroughbred race meetings in
8 this State, recommended by those licensees; 2
9 representatives of organization licensees conducting
10 standardbred race meetings in this State, recommended
11 by those licensees; a representative of the Illinois
12 Thoroughbred Breeders and Owners Foundation,
13 recommended by that Foundation; a representative of
14 the Illinois Standardbred Owners and Breeders
15 Association, recommended by that Association; a
16 representative of the Horsemen's Benevolent and
17 Protective Association or any successor organization
18 thereto established in Illinois comprised of the
19 largest number of owners and trainers, recommended by
20 that Association or that successor organization; and a
21 representative of the Illinois Harness Horsemen's
22 Association, recommended by that Association.
23 Committee members shall serve for terms of 2 years,
24 commencing January 1 of each even-numbered year. If a
25 representative of any of the above-named entities has
26 not been recommended by January 1 of any even-numbered

1 year, the Governor shall appoint a committee member to
2 fill that position. Committee members shall receive no
3 compensation for their services as members but shall be
4 reimbursed for all actual and necessary expenses and
5 disbursements incurred in the performance of their
6 official duties. The remaining 50% of this
7 two-sevenths shall be distributed to county fairs for
8 premiums and rehabilitation as set forth in the
9 Agricultural Fair Act;

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

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

25 (D) Except as provided in paragraph (11) of this
26 subsection (h), with respect to purse allocation from

1 inter-track wagering, the monies so retained shall be
2 divided as follows:

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

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

23 (iii) If the inter-track wagering is being
24 conducted by an inter-track wagering location
25 licensee, except an inter-track wagering location
26 licensee that derives its license from an

1 organization licensee located in a county with a
2 population in excess of 230,000 and bounded by the
3 Mississippi River, the entire purse allocation for
4 Illinois races shall be to purses at the track
5 where the race meeting being wagered on is being
6 held.

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

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

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

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

11 (D) (Blank).

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

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

26 (G) The Board is vested with the power to impose

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

8 (13) The Department of Agriculture may enter into
9 agreements with licensees authorizing such licensees to
10 conduct inter-track wagering on races to be held at the
11 licensed race meetings conducted by the Department of
12 Agriculture. Such agreement shall specify the races of the
13 Department of Agriculture's licensed race meeting upon
14 which the licensees will conduct wagering. In the event
15 that a licensee conducts inter-track pari-mutuel wagering
16 on races from the Illinois State Fair or DuQuoin State Fair
17 which are in addition to the licensee's previously approved
18 racing program, those races shall be considered a separate
19 racing day for the purpose of determining the daily handle
20 and computing the privilege or pari-mutuel tax on that
21 daily handle as provided in Sections 27 and 27.1. Such
22 agreements shall be approved by the Board before such
23 wagering may be conducted. In determining whether to grant
24 approval, the Board shall give due consideration to the
25 best interests of the public and of horse racing. The
26 provisions of paragraphs (1), (8), (8.1), and (8.2) of

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

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

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

23 (Source: P.A. 100-201, eff. 8-18-17; 100-627, eff. 7-20-18;
24 100-1152, eff. 12-14-18; 101-31, eff. 6-28-19; 101-52, eff.
25 7-12-19; 101-81, eff. 7-12-19; 101-109, eff. 7-19-19; revised
26 9-27-19.)

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), an additional
15 pari-mutuel tax at the rate of 0.25% shall be imposed on
16 advance deposit wagering. Until August 25, 2012, the additional
17 0.25% pari-mutuel tax imposed on advance deposit wagering by
18 Public Act 96-972 shall be deposited into the Quarter Horse
19 Purse Fund, which shall be created as a non-appropriated trust
20 fund administered by the Board for grants to thoroughbred
21 organization licensees for payment of purses for quarter horse
22 races conducted by the organization licensee. Beginning on
23 August 26, 2012, the additional 0.25% pari-mutuel tax imposed
24 on advance deposit wagering shall be deposited into the
25 Standardbred Purse Fund, which shall be created as a
26 non-appropriated trust fund administered by the Board, for

1 distribution 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 Board ~~Department~~
15 ~~of Revenue~~ within 48 hours after the close of the racing day
16 upon which it is assessed or within such other time as the
17 Board prescribes.

18 (a-10) Beginning on the date when an organization licensee
19 begins conducting gaming pursuant to an organization gaming
20 license, the following pari-mutuel tax is imposed upon an
21 organization licensee on Illinois races at the licensee's
22 racetrack:

23 1.5% of the pari-mutuel handle at or below the average
24 daily pari-mutuel handle for 2011.

25 2% of the pari-mutuel handle above the average daily
26 pari-mutuel handle for 2011 up to 125% of the average daily

1 pari-mutuel handle for 2011.

2 2.5% of the pari-mutuel handle 125% or more above the
3 average daily pari-mutuel handle for 2011 up to 150% of the
4 average daily pari-mutuel handle for 2011.

5 3% of the pari-mutuel handle 150% or more above the
6 average daily pari-mutuel handle for 2011 up to 175% of the
7 average daily pari-mutuel handle for 2011.

8 3.5% of the pari-mutuel handle 175% or more above the
9 average daily pari-mutuel handle for 2011.

10 The pari-mutuel tax imposed by this subsection (a-10) shall
11 be remitted to the Board within 48 hours after the close of the
12 racing day upon which it is assessed or within such other time
13 as the Board prescribes.

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

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

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

6 (d) Before a license is issued or re-issued, the licensee
7 shall post a bond in the sum of \$500,000 to the State of
8 Illinois. The bond shall be used to guarantee that the licensee
9 faithfully makes the payments, keeps the books and records, ~~and~~
10 makes reports, and conducts games of chance in conformity with
11 this Act and the rules adopted by the Board. The bond shall not
12 be canceled by a surety on less than 30 days' notice in writing
13 to the Board. If a bond is canceled and the licensee fails to
14 file a new bond with the Board in the required amount on or
15 before the effective date of cancellation, the licensee's
16 license shall be revoked. The total and aggregate liability of
17 the surety on the bond is limited to the amount specified in
18 the bond.

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

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

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

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

1 year 1994, then the first \$11 million of that excess amount
2 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 licensee 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. 100-627, eff. 7-20-18; 101-31, eff. 6-28-19;
12 101-52, eff. 7-12-19; revised 8-28-19.)

13 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

14 Sec. 31.1. (a) Unless subsection (a-5) applies,
15 organization licensees collectively shall contribute annually
16 to charity the sum of \$750,000 to non-profit organizations that
17 provide medical and family, counseling, and similar services to
18 persons who reside or work on the backstretch of Illinois
19 racetracks. Unless subsection (a-5) applies, these
20 contributions shall be collected as follows: (i) no later than
21 July 1st of each year the Board shall assess each organization
22 licensee, except those tracks located in Madison County, which
23 tracks shall pay \$30,000 annually apiece into the Board charity
24 fund, that amount which equals \$690,000 multiplied by the
25 amount of pari-mutuel wagering handled by the organization

1 licensee in the year preceding assessment and divided by the
2 total pari-mutuel wagering handled by all Illinois
3 organization licensees, except those tracks located in Madison
4 and Rock Island counties, in the year preceding assessment;
5 (ii) notice of the assessed contribution shall be mailed to
6 each organization licensee; (iii) within thirty days of its
7 receipt of such notice, each organization licensee shall remit
8 the assessed contribution to the Board. Unless subsection (a-5)
9 applies, if an organization licensee commences operation of
10 gaming at its facility pursuant to an organization gaming
11 license under the Illinois Gambling Act, then the organization
12 licensee shall contribute an additional \$83,000 per year
13 beginning in the year subsequent to the first year in which the
14 organization licensee begins receiving funds from gaming
15 pursuant to an organization gaming license. If an organization
16 licensee wilfully fails to so remit the contribution, the Board
17 may revoke its license to conduct horse racing.

18 (a-5) If (1) an organization licensee that did not operate
19 live racing in 2017 is awarded racing dates in 2018 or in any
20 subsequent year and (2) all organization licensees are
21 operating gaming pursuant to an organization gaming license
22 under the Illinois Gambling Act, then subsection (a) does not
23 apply and organization licensees collectively shall contribute
24 annually to charity the sum of \$1,000,000 to non-profit
25 organizations that provide medical and family, counseling, and
26 similar services to persons who reside or work on the

1 backstretch of Illinois racetracks. These contributions shall
2 be collected as follows: (i) no later than July 1st of each
3 year the Board shall assess each organization licensee an
4 amount based on the proportionate amount of live racing days in
5 the calendar year for which the Board has awarded to the
6 organization licensee out of the total aggregate number of live
7 racing days awarded; (ii) notice of the assessed contribution
8 shall be mailed to each organization licensee; (iii) within 30
9 days after its receipt of such notice, each organization
10 licensee shall remit the assessed contribution to the Board. If
11 an organization licensee willfully fails to so remit the
12 contribution, the Board may revoke its license to conduct horse
13 racing.

14 (b) No later than October 1st of each year, any qualified
15 charitable organization seeking an allotment of contributed
16 funds shall submit to the Board an application for those funds,
17 using the Board's approved form. ~~The No later than December~~
18 ~~31st of each year, the~~ Board shall distribute all such amounts
19 collected that year to such charitable organization applicants
20 on a schedule determined by the Board, based on the charitable
21 organization's estimated expenditures related to this grant.

22 (Source: P.A. 101-31, eff. 6-28-19.)

23 (230 ILCS 5/34.3 rep.)

24 Section 10. The Illinois Horse Racing Act of 1975 is
25 amended by repealing Section 34.3.

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