

# HB5649



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

**HB5649**

by Rep. Aaron M. Ortiz

### SYNOPSIS AS INTRODUCED:

230 ILCS 5/26

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Makes a technical change in a Section concerning wagering.

LRB101 20743 SMS 70428 b

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 Section 26 as follows:

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

7 Sec. 26. Wagering.

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

22 (b) Except for those gaming activities for which a license  
23 is obtained and authorized under the Illinois Lottery Law, the

1 Charitable Games Act, the Raffles and Poker Runs Act, or the  
2 Illinois Gambling Act, no other method of betting, pool making,  
3 wagering or gambling shall be used or permitted by the  
4 licensee. Each licensee may retain, subject to the payment of  
5 all applicable taxes and purses, an amount not to exceed 17% of  
6 all money wagered under subsection (a) of this Section, except  
7 as may otherwise be permitted under this Act.

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

15 (c) (Blank).

16 (c-5) The sum held by any licensee for payment of  
17 outstanding pari-mutuel tickets, if unclaimed prior to  
18 December 31 of the next year, shall be retained by the licensee  
19 for payment of such tickets until that date. Within 10 days  
20 thereafter, the balance of such sum remaining unclaimed, less  
21 any uncashed supplements contributed by such licensee for the  
22 purpose of guaranteeing minimum distributions of any  
23 pari-mutuel pool, shall be evenly distributed to the purse  
24 account of the organization licensee and the organization  
25 licensee, except that the balance of the sum of all outstanding  
26 pari-mutuel tickets generated from simulcast wagering and

1 inter-track wagering by an organization licensee located in a  
2 county with a population in excess of 230,000 and borders the  
3 Mississippi River or any licensee that derives its license from  
4 that organization licensee shall be evenly distributed to the  
5 purse account of the organization licensee and the organization  
6 licensee.

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

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

21 (f) Notwithstanding the other provisions of this Act, an  
22 organization licensee may contract with an entity in another  
23 state or country to permit any legal wagering entity in another  
24 state or country to accept wagers solely within such other  
25 state or country on races conducted by the organization  
26 licensee in this State. Beginning January 1, 2000, these wagers

1 shall not be subject to State taxation. Until January 1, 2000,  
2 when the out-of-State entity conducts a pari-mutuel pool  
3 separate from the organization licensee, a privilege tax equal  
4 to 7 1/2% of all monies received by the organization licensee  
5 from entities in other states or countries pursuant to such  
6 contracts is imposed on the organization licensee, and such  
7 privilege tax shall be remitted to the Department of Revenue  
8 within 48 hours of receipt of the moneys from the simulcast.  
9 When the out-of-State entity conducts a combined pari-mutuel  
10 pool with the organization licensee, the tax shall be 10% of  
11 all monies received by the organization licensee with 25% of  
12 the receipts from this 10% tax to be distributed to the county  
13 in which the race was conducted.

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

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

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

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

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

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



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

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

1 for wagers in Illinois or other states have been placed in  
2 escrow or otherwise withheld from wagers pending a  
3 determination of the legality of advance deposit wagering, no  
4 action shall be brought to declare such wagers or the  
5 disbursement of any fees previously escrowed illegal.

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

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

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

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

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

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

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

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

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

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

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

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

26                (A) If the licensee that conducts horse racing at

1           that racetrack requests from the Board at least as many  
2           racing dates as were conducted in calendar year 2000,  
3           80% shall be paid to its thoroughbred purse account;  
4           and

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

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

1 p.m. during that calendar year shall be deposited as  
2 follows:

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

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

26 ~~(7.3) (Blank).~~



1           ~~(7.4) (Blank).~~

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

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

24          (9) (Blank).

25          (10) (Blank).

26          (11) (Blank).

1           (12) The Board shall have authority to compel all host  
2 tracks to receive the simulcast of any or all races  
3 conducted at the Springfield or DuQuoin State fairgrounds  
4 and include all such races as part of their simulcast  
5 programs.

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

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

1 eligible to receive payment under this paragraph (13)  
2 begins to receive funds from gaming pursuant to an  
3 organization gaming license issued under the Illinois  
4 Gambling Act, the amount of the payment due to all wagering  
5 facilities licensed under that organization licensee under  
6 this paragraph (13) shall be the amount certified by the  
7 Board in January of that year. An organization licensee and  
8 its related wagering facilities shall no longer be able to  
9 receive payments under this paragraph (13) beginning in the  
10 year subsequent to the first year in which the organization  
11 licensee begins to receive funds from gaming pursuant to an  
12 organization gaming license issued under the Illinois  
13 Gambling Act.

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

18 (1) Any person licensed to conduct a race meeting (i)  
19 at a track where 60 or more days of racing were conducted  
20 during the immediately preceding calendar year or where  
21 over the 5 immediately preceding calendar years an average  
22 of 30 or more days of racing were conducted annually may be  
23 issued an inter-track wagering license; (ii) at a track  
24 located in a county that is bounded by the Mississippi  
25 River, which has a population of less than 150,000  
26 according to the 1990 decennial census, and an average of

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

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

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

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

24 (4) Prior to the issuance of a license to conduct  
25 inter-track wagering and simulcast wagering, the applicant  
26 shall file with the Board a bond payable to the State of

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

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

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

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

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

25 (8.1) Inter-track wagering location licensees who  
26 derive their licenses from a particular organization

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

24 (8.2) Inter-track wagering or simulcast wagering shall  
25 not be conducted by an inter-track wagering location  
26 licensee at any location within 100 feet of an existing



1 church, an existing elementary or secondary public school,  
2 or an existing elementary or secondary private school  
3 registered with or recognized by the State Board of  
4 Education. The distance of 100 feet shall be measured to  
5 the nearest part of any building used for worship services,  
6 education programs, or conducting inter-track wagering by  
7 an inter-track wagering location licensee, and not to  
8 property boundaries. However, inter-track wagering or  
9 simulcast wagering may be conducted at a site within 100  
10 feet of a church or school if such church or school has  
11 been erected or established after the Board issues the  
12 original inter-track wagering location license at the site  
13 in question. Inter-track wagering location licensees may  
14 conduct inter-track wagering and simulcast wagering only  
15 in areas that are zoned for commercial or manufacturing  
16 purposes or in areas for which a special use has been  
17 approved by the local zoning authority. However, no license  
18 to conduct inter-track wagering and simulcast wagering  
19 shall be granted by the Board with respect to any  
20 inter-track wagering location within the jurisdiction of  
21 any local zoning authority which has, by ordinance or by  
22 resolution, prohibited the establishment of an inter-track  
23 wagering location within its jurisdiction. However,  
24 inter-track wagering and simulcast wagering may be  
25 conducted at a site if such ordinance or resolution is  
26 enacted after the Board licenses the original inter-track

1           wagering location licensee for the site in question.

2           (9) (Blank).

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

13           (10.1) Except as provided in subsection (g) of Section  
14 27 of this Act, inter-track wagering location licensees  
15 shall pay 1% of the pari-mutuel handle at each location to  
16 the municipality in which such location is situated and 1%  
17 of the pari-mutuel handle at each location to the county in  
18 which such location is situated. In the event that an  
19 inter-track wagering location licensee is situated in an  
20 unincorporated area of a county, such licensee shall pay 2%  
21 of the pari-mutuel handle from such location to such  
22 county. Inter-track wagering location licensees must pay  
23 the handle percentage required under this paragraph to the  
24 municipality and county no later than the 20th of the month  
25 following the month such handle was generated.

26           (10.2) Notwithstanding any other provision of this

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

26 Four-sevenths to museums and aquariums located in

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

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

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

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

1 being conducted.

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

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

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

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

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

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

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



1 (D) (Blank).

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

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

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

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

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

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

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

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

12          (Source: P.A. 100-201, eff. 8-18-17; 100-627, eff. 7-20-18;  
13          100-1152, eff. 12-14-18; 101-31, eff. 6-28-19; 101-52, eff.  
14          7-12-19; 101-81, eff. 7-12-19; 101-109, eff. 7-19-19; revised  
15          9-27-19.)