

**93RD GENERAL ASSEMBLY****State of Illinois****2003 and 2004**

Introduced 2/4/2004, by Lou Lang

SYNOPSIS AS INTRODUCED:

See Index

Creates the Intercity Development Act. Provides that economically distressed communities may, by appointing a Board of Economic Advisors, receive assistance under the Act. Provides that the Board shall create a revitalization plan for the community. Provides that the Department of Commerce and Economic Opportunity shall, subject to appropriation, make grants to those communities for the operational expenses of the Board. Provides that Boards shall seek funding sources to enhance economic development. Amends the Illinois Pull Tabs and Jar Games Act. Increases certain prize limits. Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act to authorize the conduct of gambling using slot machines at race tracks. Further amends the Illinois Horse Racing Act of 1975 to delete the recapture provisions and to repeal provisions concerning the pari-mutuel tax credit and the Horse Racing Equity Fund. Imposes an admission tax of \$1 for each person who enters the grounds of an organization license. Makes changes concerning the distribution of breakage. Provides that, subject to the availability of horses, certain races that are limited to Illinois conceived and foaled or Illinois foaled horses or both shall be limited to Illinois conceived and foaled or Illinois foaled maidens. Authorizes 2 or more former or existing organization licensees to consolidate into a single consolidated organization. Further amends the Riverboat Gambling Act. Changes the admission tax, which is currently a graduated tax ranging from \$3 to \$5 per person, based on the number of persons admitted each year to \$2 for the first 1,500,000 persons admitted by a licensee per year and \$3 for all persons admitted in excess of 1,500,000 per year. Reduces the wagering tax. Authorizes an owners licensee to operate up to 2,000 gaming positions (rather than limit the number of gambling participants to 1,200). Provides that a licensee that successfully bids for unused positions may operate those positions in addition to the positions authorized by its license. Authorizes an owners license to relocate a portion of its slot machines to its home dock facility. Requires owners licensees to pay an aggregate amount of \$130,000,000 to the Gaming Board by July 1, 2004 for deposit into the State Gaming Fund. Amends the Criminal Code of 1961 to provide that certain provisions that apply to riverboat gambling also apply to slot machine gambling at race tracks. Amends Public Act 91-40 to replace that Act's inseverability clause with a severability clause. Preempts home rule concerning the regulation of electronic gaming. Makes other changes. Amends the State Finance Act to create the Intercity Development Fund. Effective immediately.

LRB093 15178 LRD 40774 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning economic development.

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

4 Section 1. Short title. This Act may be cited as the
5 Intercity Development Act.

6 Section 5. Findings and purpose.

7 (a) The General Assembly finds that:

8 (1) There is a great need for economic revitalization
9 in many communities throughout this State.

10 (2) Each community has valuable resources at its
11 fingertips that can be tapped in the revitalization
12 process.

13 (3) With adequate support and assistance from the State
14 and other resources, each community can participate in and
15 shepherd its own economic renewal.

16 (4) Successful redevelopment plans are based on policy
17 that is responsive to the existing composition and
18 character of the economically distressed community and
19 that allows and compels the community to participate in the
20 redevelopment planning process.

21 (5) A successful redevelopment initiative creates and
22 maintains a capable and adaptable workforce, has access to
23 capital, has a sound fiscal base, has adequate
24 infrastructure, has well-managed natural resources, and
25 has an attractive quality of life.

26 (b) It is the purpose of this legislation to provide a
27 mechanism for an economically distressed community to use in
28 its efforts to revitalize the community.

29 Section 10. Definitions. As used in this Section:

30 "Community" means a municipality, a county with respect to
31 the unincorporated areas of a county, and any combination of

1 municipalities and counties acting jointly.

2 "Department" means the Department of Commerce and Economic
3 Opportunity.

4 "Economically distressed community" means any community
5 that is certified by the Department as being in the highest 3%
6 of all communities in the State in its rate of unemployment,
7 its poverty rate, and the rate of bankruptcy petitions filed.

8 Section 15. Certification; Board of Economic Advisors.

9 (a) In order to receive the assistance as provided in this
10 Act, a community shall first, by ordinance passed by its
11 corporate authorities, request that the Department certify
12 that it is an economically distressed community. The community
13 must submit a certified copy of the ordinance to the
14 Department. After review of the ordinance, if the Department
15 determines that the community meets the requirements for
16 certification, the Department shall certify the community as an
17 economically distressed community.

18 (b) A community that is certified by the Department as an
19 economically distressed community may appoint a Board of
20 Economic Advisors to create and implement a revitalization plan
21 for the community. The Board shall consist of 12 members of the
22 community, appointed by the mayor or the presiding officer of
23 the county or jointly by the presiding officers of each
24 municipality and county that have joined to form a community
25 for the purposes of this Act. The Board members shall be
26 appointed from the 12 sectors vital to community redevelopment
27 as follows:

28 (1) A member representing households and families.

29 (2) A member representing religious organizations.

30 (3) A member representing educational institutions.

31 (4) A member representing daycare centers, care
32 centers for the handicapped, and care centers for the
33 disadvantaged.

34 (5) A member representing community based
35 organizations such as neighborhood improvement

1 associations.

2 (6) A member representing federal and State employment
3 service systems, skill training centers, and placement
4 referrals.

5 (7) A member representing Masonic organizations,
6 fraternities, sororities, and social clubs.

7 (8) A member representing hospitals, nursing homes,
8 senior citizens, public health agencies, and funeral
9 homes.

10 (9) A member representing organized sports, parks,
11 parties, and games of chance.

12 (10) A member representing political parties, clubs,
13 and affiliations, and election related matters concerning
14 voter education and participation.

15 (11) A member representing the cultural aspects of the
16 community, including cultural events, lifestyles,
17 languages, music, visual and performing arts, and
18 literature.

19 (12) A member representing police and fire protection
20 agencies, prisons, weapons systems, and the military
21 industrial complex.

22 The Board shall meet initially within 30 days of its
23 appointment, shall select one member as chairperson at its
24 initial meeting, and shall thereafter meet at the call of the
25 chairperson. Members of the Board shall serve without
26 compensation but shall be reimbursed for their reasonable and
27 necessary expenses from funds available for that purpose.

28 (b) The Board shall create a 3-year to 5-year
29 revitalization plan for the community. The plan shall contain
30 distinct, measurable objectives for revitalization. The
31 objectives shall be used to guide ongoing implementation of the
32 plan and to measure progress during the 3-year to 5-year
33 period. The Board shall work in a dynamic manner defining goals
34 for the community based on the strengths and weaknesses of the
35 individual sectors of the community as presented by each member
36 of the Board. The Board shall meet periodically and revise the

1 plan in light of the input from each member of the Board
2 concerning his or her respective sector of expertise. The
3 process shall be a community driven revitalization process,
4 with community-specific data determining the direction and
5 scope of the revitalization.

6 Section 20. Action by the Board.

7 (a) Organize. The Board shall first assess the needs and
8 the resources of the community operating from the basic premise
9 that the family unit is the primary unit of community and that
10 the demand for goods and services from this residential sector
11 is the main source of recovery and growth for the redevelopment
12 of a community. The Board shall inventory community assets,
13 including the condition of the family with respect to the role
14 of the family as workers, consumers, and investors. The Board
15 shall inventory the type and viability of businesses and
16 industries currently in the community. In compiling the
17 inventory, the Board shall rely on the input of each Board
18 member with respect to his or her expertise in a given sector
19 of the revitalization plan.

20 (b) Revitalize. In implementing the revitalization plan,
21 the Board shall focus on and build from existing resources in
22 the community, growing existing businesses rather than luring
23 business into the community from the outside. The Board shall
24 also focus on the residents themselves rather than jobs. The
25 Board shall promote investment in training residents in areas
26 that will lead to employment and in turn will bring revenue
27 into the community.

28 (c) Mobilize. The Board shall engage in the dynamic process
29 of community self-revitalization through a continuous
30 reassessment of the needs of the community in the
31 revitalization process. As each goal of the 3-year to 5-year
32 plan is achieved, the Board shall draw from the resources of
33 its members to establish new goals and implement new strategies
34 employing the lessons learned in the earlier stages of
35 revitalization.

1 (d) Advise. The Board shall Act as the liaison between the
2 community and the local, county, and State government. The
3 Board shall make use of the resources of these governmental
4 entities and shall provide counsel to each of these bodies with
5 respect to economic development.

6 The Board shall also act as a liaison between private
7 business entities located in the community and the community
8 itself. The Board shall offer advice and assistance to these
9 entities when requested and provide incentives and support,
10 both economic and otherwise, to facilitate expansion and
11 further investment in the community by the businesses.

12 The Board shall annually submit a report to the General
13 Assembly and the Governor summarizing the accomplishments of
14 the community concerning revitalization and the goals of the
15 community for future revitalization.

16 Section 25. Funding sources.

17 (a) The moneys appropriated into the Intercity Development
18 Fund, which is hereby created as a special fund in the State
19 Treasury, shall be allocated as follows:

20 (1) 50% shall be paid to the Department to be used to make
21 grants as follows:

22 (A) 25% shall be allocated for use within the City of
23 Chicago;

24 (B) 25% shall be allocated for use within Cook County,
25 but outside of the City of Chicago; and

26 (C) 50% shall be allocated to communities that are
27 located outside of Cook County and are certified as
28 economically distressed communities and that have created
29 Boards of Economic Advisors under this Act for the
30 operational expenses of the Boards.

31 The procedures for grant applications shall be established
32 by the Department by rule.

33 (2) The remaining 50% of the moneys shall be allocated as
34 follows:

35 (A) 25% shall be paid, subject to appropriation, to the

1 general fund of the City of Chicago;

2 (B) 25% shall be paid, subject to appropriation, to the
3 general fund of Cook County; and

4 (C) 50% shall be paid, subject to appropriation, to the
5 general funds of communities that are located outside of
6 Cook County and are certified as economically distressed
7 communities and that have created Boards of Economic
8 Advisors under this Act for the operational expenses of the
9 Boards.

10 (b) The Board, as a vital part of its function, shall seek
11 funding sources to enhance economic development. The Board
12 shall seek funding from the local, State, and federal
13 government as well as from private funding sources, whether in
14 the form of grants, loans, or otherwise. The Department shall
15 advise the Boards of Economic Advisors created under this Act
16 of all available sources of funding for economic development
17 that it is aware of and shall assist the Boards in securing
18 this funding.

19 (c) To the extent that there is a gap in funding for
20 economic development, the Board shall recommend possible
21 solutions to be undertaken by the State in addressing this
22 issue to fill the funding gap.

23 Section 75. The Illinois Horse Racing Act of 1975 is
24 amended by changing Sections 1.2, 3.11, 9, 20, 25, 26, 26.1,
25 27, 28.1, 30, 31, 36, and 42 and by adding Sections 3.24, 3.25,
26 3.26, 3.27, 34.2, and 56 as follows:

27 (230 ILCS 5/1.2)

28 Sec. 1.2. Legislative intent. This Act is intended to
29 benefit the people of the State of Illinois by encouraging the
30 breeding and production of race horses, assisting economic
31 development, and promoting Illinois tourism. The General
32 Assembly finds and declares it to be the public policy of the
33 State of Illinois to:

34 (a) support and enhance Illinois' horse racing industry,

1 which is a significant component within the agribusiness
2 industry;

3 (b) ensure that Illinois' horse racing industry remains
4 competitive with neighboring states;

5 (c) stimulate growth within Illinois' horse racing
6 industry, thereby encouraging new investment and development
7 to produce additional tax revenues and to create additional
8 jobs;

9 (d) promote the further growth of tourism;

10 (e) encourage the breeding of thoroughbred and
11 standardbred horses in this State; and

12 (f) ensure that public confidence and trust in the
13 credibility and integrity of racing operations and the
14 regulatory process is maintained.

15 (Source: P.A. 91-40, eff. 6-25-99.)

16 (230 ILCS 5/3.11) (from Ch. 8, par. 37-3.11)

17 Sec. 3.11. "Organization licensee" means any person,
18 not-for-profit corporation, municipality, or legal authority
19 with bonding power created to promote tourism, receiving an
20 organization license from the Board to conduct a race meeting
21 or meetings.

22 (Source: P.A. 79-1185.)

23 (230 ILCS 5/3.24 new)

24 Sec. 3.24. "Adjusted gross receipts" means the gross
25 receipts from electronic gaming less winnings paid to wagerers.

26 (230 ILCS 5/3.25 new)

27 Sec. 3.25. "Electronic gaming" means slot machine gambling
28 conducted at a race track pursuant to an electronic gaming
29 license.

30 (230 ILCS 5/3.26 new)

31 Sec. 3.26. "Electronic gaming license" means a license to
32 conduct electronic gaming issued under Section 56.

1 (230 ILCS 5/3.27 new)

2 Sec. 3.27. "Electronic gaming facility" means that portion
3 of an organization licensee's race track facility at which
4 electronic gaming is conducted.

5 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

6 Sec. 9. The Board shall have all powers necessary and
7 proper to fully and effectively execute the provisions of this
8 Act, including, but not limited to, the following:

9 (a) The Board is vested with jurisdiction and supervision
10 over all race meetings in this State, over all licensees doing
11 business in this State, over all occupation licensees, and over
12 all persons on the facilities of any licensee. Such
13 jurisdiction shall include the power to issue licenses to the
14 Illinois Department of Agriculture authorizing the pari-mutuel
15 system of wagering on harness and Quarter Horse races held (1)
16 at the Illinois State Fair in Sangamon County, and (2) at the
17 DuQuoin State Fair in Perry County. The jurisdiction of the
18 Board shall also include the power to issue licenses to county
19 fairs which are eligible to receive funds pursuant to the
20 Agricultural Fair Act, as now or hereafter amended, or their
21 agents, authorizing the pari-mutuel system of wagering on horse
22 races conducted at the county fairs receiving such licenses.
23 Such licenses shall be governed by subsection (n) of this
24 Section.

25 Upon application, the Board shall issue a license to the
26 Illinois Department of Agriculture to conduct harness and
27 Quarter Horse races at the Illinois State Fair and at the
28 DuQuoin State Fairgrounds during the scheduled dates of each
29 fair. The Board shall not require and the Department of
30 Agriculture shall be exempt from the requirements of Sections
31 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),
32 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24
33 and 25. The Board and the Department of Agriculture may extend
34 any or all of these exemptions to any contractor or agent

1 engaged by the Department of Agriculture to conduct its race
2 meetings when the Board determines that this would best serve
3 the public interest and the interest of horse racing.

4 Notwithstanding any provision of law to the contrary, it
5 shall be lawful for any licensee to operate pari-mutuel
6 wagering or contract with the Department of Agriculture to
7 operate pari-mutuel wagering at the DuQuoin State Fairgrounds
8 or for the Department to enter into contracts with a licensee,
9 employ its owners, employees or agents and employ such other
10 occupation licensees as the Department deems necessary in
11 connection with race meetings and wagerings.

12 (b) The Board is vested with the full power to promulgate
13 reasonable rules and regulations for the purpose of
14 administering the provisions of this Act and to prescribe
15 reasonable rules, regulations and conditions under which all
16 horse race meetings or wagering in the State shall be
17 conducted. Such reasonable rules and regulations are to provide
18 for the prevention of practices detrimental to the public
19 interest and to promote the best interests of horse racing and
20 to impose penalties for violations thereof.

21 (c) The Board, and any person or persons to whom it
22 delegates this power, is vested with the power to enter the
23 facilities and other places of business of any licensee to
24 determine whether there has been compliance with the provisions
25 of this Act and its rules and regulations.

26 (d) The Board, and any person or persons to whom it
27 delegates this power, is vested with the authority to
28 investigate alleged violations of the provisions of this Act,
29 its reasonable rules and regulations, orders and final
30 decisions; the Board shall take appropriate disciplinary
31 action against any licensee or occupation licensee for
32 violation thereof or institute appropriate legal action for the
33 enforcement thereof.

34 (e) The Board, and any person or persons to whom it
35 delegates this power, may eject or exclude from any race
36 meeting or the facilities of any licensee, or any part thereof,

1 any occupation licensee or any other individual whose conduct
2 or reputation is such that his presence on those facilities
3 may, in the opinion of the Board, call into question the
4 honesty and integrity of horse racing or wagering or interfere
5 with the orderly conduct of horse racing or wagering; provided,
6 however, that no person shall be excluded or ejected from the
7 facilities of any licensee solely on the grounds of race,
8 color, creed, national origin, ancestry, or sex. The power to
9 eject or exclude an occupation licensee or other individual may
10 be exercised for just cause by the licensee or the Board,
11 subject to subsequent hearing by the Board as to the propriety
12 of said exclusion.

13 (f) The Board is vested with the power to acquire,
14 establish, maintain and operate (or provide by contract to
15 maintain and operate) testing laboratories and related
16 facilities, for the purpose of conducting saliva, blood, urine
17 and other tests on the horses run or to be run in any horse race
18 meeting, including races run at county fairs, and to purchase
19 all equipment and supplies deemed necessary or desirable in
20 connection with any such testing laboratories and related
21 facilities and all such tests.

22 (g) The Board may require that the records, including
23 financial or other statements of any licensee or any person
24 affiliated with the licensee who is involved directly or
25 indirectly in the activities of any licensee as regulated under
26 this Act to the extent that those financial or other statements
27 relate to such activities be kept in such manner as prescribed
28 by the Board, and that Board employees shall have access to
29 those records during reasonable business hours. Within 120 days
30 of the end of its fiscal year, each licensee shall transmit to
31 the Board an audit of the financial transactions and condition
32 of the licensee's total operations. All audits shall be
33 conducted by certified public accountants. Each certified
34 public accountant must be registered in the State of Illinois
35 under the Illinois Public Accounting Act. The compensation for
36 each certified public accountant shall be paid directly by the

1 licensee to the certified public accountant. A licensee shall
2 also submit any other financial or related information the
3 Board deems necessary to effectively administer this Act and
4 all rules, regulations, and final decisions promulgated under
5 this Act.

6 (h) The Board shall name and appoint in the manner provided
7 by the rules and regulations of the Board: an Executive
8 Director; a State director of mutuels; State veterinarians and
9 representatives to take saliva, blood, urine and other tests on
10 horses; licensing personnel; revenue inspectors; and State
11 seasonal employees (excluding admission ticket sellers and
12 mutuel clerks). All of those named and appointed as provided in
13 this subsection shall serve during the pleasure of the Board;
14 their compensation shall be determined by the Board and be paid
15 in the same manner as other employees of the Board under this
16 Act.

17 (i) The Board shall require that there shall be 3 stewards
18 at each horse race meeting, at least 2 of whom shall be named
19 and appointed by the Board. Stewards appointed or approved by
20 the Board, while performing duties required by this Act or by
21 the Board, shall be entitled to the same rights and immunities
22 as granted to Board members and Board employees in Section 10
23 of this Act.

24 (j) The Board may discharge any Board employee who fails or
25 refuses for any reason to comply with the rules and regulations
26 of the Board, or who, in the opinion of the Board, is guilty of
27 fraud, dishonesty or who is proven to be incompetent. The Board
28 shall have no right or power to determine who shall be
29 officers, directors or employees of any licensee, or their
30 salaries except the Board may, by rule, require that all or any
31 officials or employees in charge of or whose duties relate to
32 the actual running of races be approved by the Board.

33 (k) The Board is vested with the power to appoint delegates
34 to execute any of the powers granted to it under this Section
35 for the purpose of administering this Act and any rules or
36 regulations promulgated in accordance with this Act.

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

7 (m) The Board is vested with the power to prescribe a form
8 to be used by licensees as an application for employment for
9 employees of each licensee.

10 (n) The Board shall have the power to issue a license to
11 any county fair, or its agent, authorizing the conduct of the
12 pari-mutuel system of wagering. The Board is vested with the
13 full power to promulgate reasonable rules, regulations and
14 conditions under which all horse race meetings licensed
15 pursuant to this subsection shall be held and conducted,
16 including rules, regulations and conditions for the conduct of
17 the pari-mutuel system of wagering. The rules, regulations and
18 conditions shall provide for the prevention of practices
19 detrimental to the public interest and for the best interests
20 of horse racing, and shall prescribe penalties for violations
21 thereof. Any authority granted the Board under this Act shall
22 extend to its jurisdiction and supervision over county fairs,
23 or their agents, licensed pursuant to this subsection. However,
24 the Board may waive any provision of this Act or its rules or
25 regulations which would otherwise apply to such county fairs or
26 their agents.

27 (o) Whenever the Board is authorized or required by law to
28 consider some aspect of criminal history record information for
29 the purpose of carrying out its statutory powers and
30 responsibilities, then, upon request and payment of fees in
31 conformance with the requirements of Section 2605-400 of the
32 Department of State Police Law (20 ILCS 2605/2605-400), the
33 Department of State Police is authorized to furnish, pursuant
34 to positive identification, such information contained in
35 State files as is necessary to fulfill the request.

36 (p) To insure the convenience, comfort, and wagering

1 accessibility of race track patrons, to provide for the
2 maximization of State revenue, and to generate increases in
3 purse allotments to the horsemen, the Board shall require any
4 licensee to staff the pari-mutuel department with adequate
5 personnel.

6 (Source: P.A. 91-239, eff. 1-1-00.)

7 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

8 Sec. 20. (a) Any person desiring to conduct a horse race
9 meeting may apply to the Board for an organization license. The
10 application shall be made on a form prescribed and furnished by
11 the Board. The application shall specify:

12 (1) the dates on which it intends to conduct the horse
13 race meeting, which dates shall be provided under Section
14 21;

15 (2) the hours of each racing day between which it
16 intends to hold or conduct horse racing at such meeting;

17 (3) the location where it proposes to conduct the
18 meeting; and

19 (4) any other information the Board may reasonably
20 require.

21 (b) A separate application for an organization license
22 shall be filed for each horse race meeting which such person
23 proposes to hold. Any such application, if made by an
24 individual, or by any individual as trustee, shall be signed
25 and verified under oath by such individual. If made by
26 individuals or a partnership, it shall be signed and verified
27 under oath by at least 2 of such individuals or members of such
28 partnership as the case may be. If made by an association,
29 corporation, corporate trustee or any other entity, it shall be
30 signed by the president and attested by the secretary or
31 assistant secretary under the seal of such association, trust
32 or corporation if it has a seal, and shall also be verified
33 under oath by one of the signing officers.

34 (c) The application shall specify the name of the persons,
35 association, trust, or corporation making such application and

1 the post office address of the applicant; if the applicant is a
2 trustee, the names and addresses of the beneficiaries; if a
3 corporation, the names and post office addresses of all
4 officers, stockholders and directors; or if such stockholders
5 hold stock as a nominee or fiduciary, the names and post office
6 addresses of these persons, partnerships, corporations, or
7 trusts who are the beneficial owners thereof or who are
8 beneficially interested therein; and if a partnership, the
9 names and post office addresses of all partners, general or
10 limited; if the applicant is a corporation, the name of the
11 state of its incorporation shall be specified.

12 (d) The applicant shall execute and file with the Board a
13 good faith affirmative action plan to recruit, train, and
14 upgrade minorities in all classifications within the
15 association.

16 (e) With such application there shall be delivered to the
17 Board a certified check or bank draft payable to the order of
18 the Board for an amount equal to \$1,000. All applications for
19 the issuance of an organization license shall be filed with the
20 Board before August 1 of the year prior to the year for which
21 application is made and shall be acted upon by the Board at a
22 meeting to be held on such date as shall be fixed by the Board
23 during the last 15 days of September of such prior year. At
24 such meeting, the Board shall announce the award of the racing
25 meets, live racing schedule, and designation of host track to
26 the applicants and its approval or disapproval of each
27 application. No announcement shall be considered binding until
28 a formal order is executed by the Board, which shall be
29 executed no later than October 15 of that prior year. Absent
30 the agreement of the affected organization licensees, the Board
31 shall not grant overlapping race meetings to 2 or more tracks
32 that are within 100 miles of each other to conduct the
33 thoroughbred racing.

34 (e-2) In awarding racing dates for calendar year 2005 and
35 thereafter, the Board shall award the same total number of
36 racing days as it awarded in calendar year 2003 plus an amount

1 as provided in subsection (e-3). In awarding racing dates under
2 this subsection (e-2), the Board shall have the discretion to
3 allocate those racing dates among organization licensees.

4 (e-3) Upon request, the Board shall award at least 100
5 standardbred racing dates to the organization licensee that
6 conducts racing at Fairmount Race Track. Any racing dates
7 awarded under this subsection (e-3) to an organization licensee
8 that conducts racing at Fairmount Race Track that are in excess
9 of the number awarded to that organization licensee in 2003
10 shall be in addition to those racing dates awarded under
11 subsection (e-2).

12 (e-5) In reviewing an application for the purpose of
13 granting an organization license consistent with the best
14 interests of the public and the sport of horse racing, the
15 Board shall consider:

16 (1) the character, reputation, experience, and
17 financial integrity of the applicant and of any other
18 separate person that either:

19 (i) controls the applicant, directly or
20 indirectly, or

21 (ii) is controlled, directly or indirectly, by
22 that applicant or by a person who controls, directly or
23 indirectly, that applicant;

24 (2) the applicant's facilities or proposed facilities
25 for conducting horse racing;

26 (3) the total revenue without regard to Section 32.1 to
27 be derived by the State and horsemen from the applicant's
28 conducting a race meeting;

29 (4) the applicant's good faith affirmative action plan
30 to recruit, train, and upgrade minorities in all employment
31 classifications;

32 (5) the applicant's financial ability to purchase and
33 maintain adequate liability and casualty insurance;

34 (6) the applicant's proposed and prior year's
35 promotional and marketing activities and expenditures of
36 the applicant associated with those activities;

1 (7) an agreement, if any, among organization licensees
2 as provided in subsection (b) of Section 21 of this Act;
3 and

4 (8) the extent to which the applicant exceeds or meets
5 other standards for the issuance of an organization license
6 that the Board shall adopt by rule.

7 In granting organization licenses and allocating dates for
8 horse race meetings, the Board shall have discretion to
9 determine an overall schedule, including required simulcasts
10 of Illinois races by host tracks that will, in its judgment, be
11 conducive to the best interests of the public and the sport of
12 horse racing.

13 (e-10) The Illinois Administrative Procedure Act shall
14 apply to administrative procedures of the Board under this Act
15 for the granting of an organization license, except that (1)
16 notwithstanding the provisions of subsection (b) of Section
17 10-40 of the Illinois Administrative Procedure Act regarding
18 cross-examination, the Board may prescribe rules limiting the
19 right of an applicant or participant in any proceeding to award
20 an organization license to conduct cross-examination of
21 witnesses at that proceeding where that cross-examination
22 would unduly obstruct the timely award of an organization
23 license under subsection (e) of Section 20 of this Act; (2) the
24 provisions of Section 10-45 of the Illinois Administrative
25 Procedure Act regarding proposals for decision are excluded
26 under this Act; (3) notwithstanding the provisions of
27 subsection (a) of Section 10-60 of the Illinois Administrative
28 Procedure Act regarding ex parte communications, the Board may
29 prescribe rules allowing ex parte communications with
30 applicants or participants in a proceeding to award an
31 organization license where conducting those communications
32 would be in the best interest of racing, provided all those
33 communications are made part of the record of that proceeding
34 pursuant to subsection (c) of Section 10-60 of the Illinois
35 Administrative Procedure Act; (4) the provisions of Section 14a
36 of this Act and the rules of the Board promulgated under that

1 Section shall apply instead of the provisions of Article 10 of
2 the Illinois Administrative Procedure Act regarding
3 administrative law judges; and (5) the provisions of subsection
4 (d) of Section 10-65 of the Illinois Administrative Procedure
5 Act that prevent summary suspension of a license pending
6 revocation or other action shall not apply.

7 (f) The Board may allot racing dates to an organization
8 licensee for more than one calendar year but for no more than 3
9 successive calendar years in advance, provided that the Board
10 shall review such allotment for more than one calendar year
11 prior to each year for which such allotment has been made. The
12 granting of an organization license to a person constitutes a
13 privilege to conduct a horse race meeting under the provisions
14 of this Act, and no person granted an organization license
15 shall be deemed to have a vested interest, property right, or
16 future expectation to receive an organization license in any
17 subsequent year as a result of the granting of an organization
18 license. Organization licenses shall be subject to revocation
19 if the organization licensee has violated any provision of this
20 Act or the rules and regulations promulgated under this Act or
21 has been convicted of a crime or has failed to disclose or has
22 stated falsely any information called for in the application
23 for an organization license. Any organization license
24 revocation proceeding shall be in accordance with Section 16
25 regarding suspension and revocation of occupation licenses.

26 (f-5) If, (i) an applicant does not file an acceptance of
27 the racing dates awarded by the Board as required under part
28 (1) of subsection (h) of this Section 20, or (ii) an
29 organization licensee has its license suspended or revoked
30 under this Act, the Board, upon conducting an emergency hearing
31 as provided for in this Act, may reaward on an emergency basis
32 pursuant to rules established by the Board, racing dates not
33 accepted or the racing dates associated with any suspension or
34 revocation period to one or more organization licensees, new
35 applicants, or any combination thereof, upon terms and
36 conditions that the Board determines are in the best interest

1 of racing, provided, the organization licensees or new
2 applicants receiving the awarded racing dates file an
3 acceptance of those reawarded racing dates as required under
4 paragraph (1) of subsection (h) of this Section 20 and comply
5 with the other provisions of this Act. The Illinois
6 Administrative Procedures Act shall not apply to the
7 administrative procedures of the Board in conducting the
8 emergency hearing and the reallocation of racing dates on an
9 emergency basis.

10 (g) (Blank).

11 (h) The Board shall send the applicant a copy of its
12 formally executed order by certified mail addressed to the
13 applicant at the address stated in his application, which
14 notice shall be mailed within 5 days of the date the formal
15 order is executed.

16 Each applicant notified shall, within 10 days after receipt
17 of the final executed order of the Board awarding racing dates:

18 (1) file with the Board an acceptance of such award in
19 the form prescribed by the Board;

20 (2) pay to the Board an additional amount equal to \$110
21 for each racing date awarded; and

22 (3) file with the Board the bonds required in Sections
23 21 and 25 at least 20 days prior to the first day of each
24 race meeting.

25 Upon compliance with the provisions of paragraphs (1), (2), and
26 (3) of this subsection (h), the applicant shall be issued an
27 organization license.

28 If any applicant fails to comply with this Section or fails
29 to pay the organization license fees herein provided, no
30 organization license shall be issued to such applicant.

31 (Source: P.A. 91-40, eff. 6-25-99.)

32 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

33 Sec. 25. Admissions tax; records and books; bond; penalty.

34 (a) There shall be paid to the Board at such time or times
35 as it shall prescribe, the sum of fifteen cents (15¢) for each

1 person entering the grounds or enclosure of each organization
2 licensee and inter-track wagering licensee upon a ticket of
3 admission except as provided in subsection (g) of Section 27 of
4 this Act. If tickets are issued for more than one day then the
5 sum of fifteen cents (15¢) shall be paid for each person using
6 such ticket on each day that the same shall be used. Provided,
7 however, that no charge shall be made on tickets of admission
8 issued to and in the name of directors, officers, agents or
9 employees of the organization licensee, or inter-track
10 wagering licensee, or to owners, trainers, jockeys, drivers and
11 their employees or to any person or persons entering the
12 grounds or enclosure for the transaction of business in
13 connection with such race meeting. The organization licensee or
14 inter-track wagering licensee may, if it desires, collect such
15 amount from each ticket holder in addition to the amount or
16 amounts charged for such ticket of admission.

17 (b) Accurate records and books shall at all times be kept
18 and maintained by the organization licensees and inter-track
19 wagering licensees showing the admission tickets issued and
20 used on each racing day and the attendance thereat of each
21 horse racing meeting. The Board or its duly authorized
22 representative or representatives shall at all reasonable
23 times have access to the admission records of any organization
24 licensee and inter-track wagering licensee for the purpose of
25 examining and checking the same and ascertaining whether or not
26 the proper amount has been or is being paid the State of
27 Illinois as herein provided. The Board shall also require,
28 before issuing any license, that the licensee shall execute and
29 deliver to it a bond, payable to the State of Illinois, in such
30 sum as it shall determine, not, however, in excess of fifty
31 thousand dollars (\$50,000), with a surety or sureties to be
32 approved by it, conditioned for the payment of all sums due and
33 payable or collected by it under this Section upon admission
34 fees received for any particular racing meetings. The Board may
35 also from time to time require sworn statements of the number
36 or numbers of such admissions and may prescribe blanks upon

1 which such reports shall be made. Any organization licensee or
2 inter-track wagering licensee failing or refusing to pay the
3 amount found to be due as herein provided, shall be deemed
4 guilty of a business offense and upon conviction shall be
5 punished by a fine of not more than five thousand dollars
6 (\$5,000) in addition to the amount due from such organization
7 licensee or inter-track wagering licensee as herein provided.
8 All fines paid into court by an organization licensee or
9 inter-track wagering licensee found guilty of violating this
10 Section shall be transmitted and paid over by the clerk of the
11 court to the Board.

12 (c) In addition to the admission tax imposed under
13 subsection (a), a tax of \$1 is hereby imposed for each person
14 who enters the grounds or enclosure of each organization
15 licensee. The tax is imposed upon the organization licensee.

16 (1) The admission tax shall be paid for each
17 admission.

18 (2) An organization licensee may issue tax-free
19 passes to actual and necessary officials and employees of
20 the licensee and other persons associated with race meeting
21 operations.

22 (3) The number and issuance of tax-free passes is
23 subject to the rules of the Board, and a list of all
24 persons to whom the tax-free passes are issued shall be
25 filed with the Board.

26 (4) The organization licensee shall pay the entire
27 admission tax to the Board. Such payments shall be made
28 daily. Accompanying each payment shall be a return on forms
29 provided by the Board, which shall include other
30 information regarding admission as the Board may require.
31 Failure to submit either the payment or the return within
32 the specified time may result in suspension or revocation
33 of the organization licensee's license.

34 (5) The Board shall administer and collect the
35 admission tax imposed by this subsection, to the extent
36 practicable, in a manner consistent with the provisions of

1 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 6, 6a, 6b, 6c, 8,
2 9, and 10 of the Retailers' Occupation Tax Act and Section
3 3-7 of the Uniform Penalty and Interest Act. All moneys
4 collected by the Board shall be deposited into the State
5 Gaming Fund.

6 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

7 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

8 Sec. 26. Wagering.

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

23 (b) Except as otherwise provided in Section 56, no other
24 method of betting, pool making, wagering or gambling shall be
25 used or permitted by the licensee. Each licensee may retain,
26 subject to the payment of all applicable taxes and purses, an
27 amount not to exceed 17% of all money wagered under subsection
28 (a) of this Section, except as may otherwise be permitted under
29 this Act.

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

1 premises of that licensee.

2 (c) Until January 1, 2000, the sum held by any licensee for
3 payment of outstanding pari-mutuel tickets, if unclaimed prior
4 to December 31 of the next year, shall be retained by the
5 licensee for payment of such tickets until that date. Within 10
6 days thereafter, the balance of such sum remaining unclaimed,
7 less any uncashed supplements contributed by such licensee for
8 the purpose of guaranteeing minimum distributions of any
9 pari-mutuel pool, shall be paid to the Illinois Veterans'
10 Rehabilitation Fund of the State treasury, except as provided
11 in subsection (g) of Section 27 of this Act.

12 (c-5) Beginning January 1, 2000, the sum held by any
13 licensee for payment of outstanding pari-mutuel tickets, if
14 unclaimed prior to December 31 of the next year, shall be
15 retained by the licensee for payment of such tickets until that
16 date. Within 10 days thereafter, the balance of such sum
17 remaining unclaimed, less any uncashed supplements contributed
18 by such licensee for the purpose of guaranteeing minimum
19 distributions of any pari-mutuel pool, shall be evenly
20 distributed to the purse account of the organization licensee
21 and the organization licensee.

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

27 (e) No licensee shall knowingly permit any minor, other
28 than an employee of such licensee or an owner, trainer, jockey,
29 driver, or employee thereof, to be admitted during a racing
30 program unless accompanied by a parent or guardian, or any
31 minor to be a patron of the pari-mutuel system of wagering
32 conducted or supervised by it. The admission of any
33 unaccompanied minor, other than an employee of the licensee or
34 an owner, trainer, jockey, driver, or employee thereof at a
35 race track is a Class C misdemeanor.

36 (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.

27 (g) A host track may accept interstate simulcast wagers on
28 horse races conducted in other states or countries and shall
29 control the number of signals and types of breeds of racing in
30 its simulcast program, subject to the disapproval of the Board.
31 The Board may prohibit a simulcast program only if it finds
32 that the simulcast program is clearly adverse to the integrity
33 of racing. The host track simulcast program shall include the
34 signal of live racing of all organization licensees. All
35 non-host licensees shall carry the host track simulcast program
36 and accept wagers on all races included as part of the

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

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

31 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
32 intertrack wagering licensee other than the host track may
33 receive supplemental interstate simulcasts only with the
34 consent of the host track, except when the Board finds that
35 the simulcast is clearly adverse to the integrity of
36 racing. Consent granted under this paragraph (2) to any

1 intertrack wagering licensee shall be deemed consent to all
2 non-host licensees. The interstate commission fee for the
3 supplemental interstate simulcast shall be paid by all
4 participating non-host licensees.

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

21 (4) A licensee who receives an interstate simulcast may
22 combine its gross or net pools with pools at the sending
23 racetracks pursuant to rules established by the Board. All
24 licensees combining their gross pools at a sending
25 racetrack shall adopt the take-out percentages of the
26 sending racetrack. A licensee may also establish a separate
27 pool and takeout structure for wagering purposes on races
28 conducted at race tracks outside of the State of Illinois.
29 The licensee may permit pari-mutuel wagers placed in other
30 states or countries to be combined with its gross or net
31 wagering pools or other wagering pools.

32 (5) After the payment of the interstate commission fee
33 (except for the interstate commission fee on a supplemental
34 interstate simulcast, which shall be paid by the host track
35 and by each non-host licensee through the host-track) and
36 all applicable State and local taxes, except as provided in

1 subsection (g) of Section 27 of this Act, the remainder of
2 moneys retained from simulcast wagering pursuant to this
3 subsection (g), and Section 26.2 shall be divided as
4 follows:

5 (A) For interstate simulcast wagers made at a host
6 track, 50% to the host track and 50% to purses at the
7 host track.

8 (B) For wagers placed on interstate simulcast
9 races, supplemental simulcasts as defined in
10 subparagraphs (1) and (2), and separately pooled races
11 conducted outside of the State of Illinois made at a
12 non-host licensee, 25% to the host track, 25% to the
13 non-host licensee, and 50% to the purses at the host
14 track.

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

23 (7) Notwithstanding any provision of this Act to the
24 contrary, after payment of all applicable State and local
25 taxes and interstate commission fees, non-host licensees
26 who derive their licenses from a track located in a county
27 with a population in excess of 230,000 and that borders the
28 Mississippi River shall retain 50% of the retention from
29 interstate simulcast wagers and shall pay 50% to purses at
30 the track from which the non-host licensee derives its
31 license as follows:

32 (A) Between January 1 and the third Friday in
33 February, inclusive, if no live thoroughbred racing is
34 occurring in Illinois during this period, when the
35 interstate simulcast is a standardbred race, the purse
36 share to its standardbred purse account;

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

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

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

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

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

32 (A) If the licensee that conducts horse racing at
33 that racetrack requests from the Board at least as many
34 racing dates as were conducted in calendar year 2000,
35 80% shall be paid to its thoroughbred purse account;
36 and

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

16 (7.2) Notwithstanding any other provision of this Act
17 to the contrary, if no thoroughbred racing is conducted at
18 a racetrack located in Madison County during any calendar
19 year beginning on or after January 1, 2002, all moneys
20 derived by that racetrack from simulcast wagering and
21 inter-track wagering that (1) are to be used for purses and
22 (2) are generated between the hours of 6:30 a.m. and 6:30
23 p.m. during that calendar year shall be deposited as
24 follows:

25 (A) If the licensee that conducts horse racing at
26 that racetrack requests from the Board at least as many
27 racing dates as were conducted in calendar year 2000,
28 80% shall be deposited into its standardbred purse
29 account; and

30 (B) Twenty percent shall be deposited into the
31 Illinois Colt Stakes Purse Distribution Fund. Moneys
32 deposited into the Illinois Colt Stakes Purse
33 Distribution Fund pursuant to this subparagraph (B)
34 shall be paid to Illinois conceived and foaled
35 thoroughbred breeders' programs and to thoroughbred
36 purses for races conducted at any county fairgrounds

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

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

20 (A) Eighty percent to that licensee's thoroughbred
21 purse account to be used for thoroughbred purses; and

22 (B) Twenty percent to the Illinois Colt Stakes
23 Purse Distribution Fund.

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

29 Moneys paid into the Illinois Colt Stakes Purse
30 Distribution Fund pursuant to this paragraph (7.3) shall be
31 paid to purses for standardbred races for Illinois
32 conceived and foaled horses conducted at any county
33 fairgrounds. Moneys paid into the Illinois Colt Stakes
34 Purse Distribution Fund pursuant to this paragraph (7.3)
35 shall be used as determined by the Department of
36 Agriculture, with the advice and assistance of the Illinois

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

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

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

23 (8.1) Notwithstanding any provisions in this Act to the
24 contrary, if 2 organization licensees are conducting
25 standardbred race meetings concurrently between the hours
26 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
27 State and local taxes and interstate commission fees, the
28 remainder of the amount retained from simulcast wagering
29 otherwise attributable to the host track and to host track
30 purses shall be split daily between the 2 organization
31 licensees and the purses at the tracks of the 2
32 organization licensees, respectively, based on each
33 organization licensee's share of the total live handle for
34 that day, provided that this provision shall not apply to
35 any non-host licensee that derives its license from a track
36 located in a county with a population in excess of 230,000

1 and that borders the Mississippi River.

2 (9) (Blank).

3 (10) (Blank).

4 (11) (Blank).

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

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

~~reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section.~~

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

(1) Any person licensed to conduct a race meeting (i) at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually may be issued an inter-track wagering license; (ii) at a track located in a county that is bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license; or (iii) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding

1 calendar year may be issued an inter-track wagering
2 license, unless a lesser schedule of live racing is the
3 result of (A) weather, unsafe track conditions, or other
4 acts of God; (B) an agreement between the organization
5 licensee and the associations representing the largest
6 number of owners, trainers, jockeys, or standardbred
7 drivers who race horses at that organization licensee's
8 racing meeting; or (C) a finding by the Board of
9 extraordinary circumstances and that it was in the best
10 interest of the public and the sport to conduct fewer than
11 100 days of live racing. Any such person having operating
12 control of the racing facility may also receive up to 6
13 inter-track wagering location licenses. In no event shall
14 more than 6 inter-track wagering locations be established
15 for each eligible race track, except that an eligible race
16 track located in a county that has a population of more
17 than 230,000 and that is bounded by the Mississippi River
18 may establish up to 7 inter-track wagering locations. An
19 application for said license shall be filed with the Board
20 prior to such dates as may be fixed by the Board. With an
21 application for an inter-track wagering location license
22 there shall be delivered to the Board a certified check or
23 bank draft payable to the order of the Board for an amount
24 equal to \$500. The application shall be on forms prescribed
25 and furnished by the Board. The application shall comply
26 with all other rules, regulations and conditions imposed by
27 the Board in connection therewith.

28 (2) The Board shall examine the applications with
29 respect to their conformity with this Act and the rules and
30 regulations imposed by the Board. If found to be in
31 compliance with the Act and rules and regulations of the
32 Board, the Board may then issue a license to conduct
33 inter-track wagering and simulcast wagering to such
34 applicant. All such applications shall be acted upon by the
35 Board at a meeting to be held on such date as may be fixed
36 by the Board.

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

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

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

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

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

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

32 (8.1) Inter-track wagering location licensees who
33 derive their licenses from a particular organization
34 licensee shall conduct inter-track wagering and simulcast
35 wagering only at locations which are either within 90 miles
36 of that race track where the particular organization

1 licensee is licensed to conduct racing, or within 135 miles
2 of that race track where the particular organization
3 licensee is licensed to conduct racing in the case of race
4 tracks in counties of less than 400,000 that were operating
5 on or before June 1, 1986. However, inter-track wagering
6 and simulcast wagering shall not be conducted by those
7 licensees at any location within 5 miles of any race track
8 at which a horse race meeting has been licensed in the
9 current year, unless the person having operating control of
10 such race track has given its written consent to such
11 inter-track wagering location licensees, which consent
12 must be filed with the Board at or prior to the time
13 application is made.

14 (8.2) Inter-track wagering or simulcast wagering shall
15 not be conducted by an inter-track wagering location
16 licensee at any location within 500 feet of an existing
17 church or existing school, nor within 500 feet of the
18 residences of more than 50 registered voters without
19 receiving written permission from a majority of the
20 registered voters at such residences. Such written
21 permission statements shall be filed with the Board. The
22 distance of 500 feet shall be measured to the nearest part
23 of any building used for worship services, education
24 programs, residential purposes, or conducting inter-track
25 wagering by an inter-track wagering location licensee, and
26 not to property boundaries. However, inter-track wagering
27 or simulcast wagering may be conducted at a site within 500
28 feet of a church, school or residences of 50 or more
29 registered voters if such church, school or residences have
30 been erected or established, or such voters have been
31 registered, after the Board issues the original
32 inter-track wagering location license at the site in
33 question. Inter-track wagering location licensees may
34 conduct inter-track wagering and simulcast wagering only
35 in areas that are zoned for commercial or manufacturing
36 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%
27 of the pari-mutuel handle at each location to the county in
28 which such location is situated. In the event that an
29 inter-track wagering location licensee is situated in an
30 unincorporated area of a county, such licensee shall pay 2%
31 of the pari-mutuel handle from such location to such
32 county.

33 (10.2) Notwithstanding any other provision of this
34 Act, with respect to intertrack wagering at a race track
35 located in a county that has a population of more than
36 230,000 and that is bounded by the Mississippi River ("the

1 first race track"), or at a facility operated by an
2 inter-track wagering licensee or inter-track wagering
3 location licensee that derives its license from the
4 organization licensee that operates the first race track,
5 on races conducted at the first race track or on races
6 conducted at another Illinois race track and
7 simultaneously televised to the first race track or to a
8 facility operated by an inter-track wagering licensee or
9 inter-track wagering location licensee that derives its
10 license from the organization licensee that operates the
11 first race track, those moneys shall be allocated as
12 follows:

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

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

21 (11) (A) After payment of the privilege or pari-mutuel
22 tax, any other applicable taxes, and the costs and expenses
23 in connection with the gathering, transmission, and
24 dissemination of all data necessary to the conduct of
25 inter-track wagering, the remainder of the monies retained
26 under either Section 26 or Section 26.2 of this Act by the
27 inter-track wagering licensee on inter-track wagering
28 shall be allocated with 50% to be split between the 2
29 participating licensees and 50% to purses, except that an
30 intertrack wagering licensee that derives its license from
31 a track located in a county with a population in excess of
32 230,000 and that borders the Mississippi River shall not
33 divide any remaining retention with the Illinois
34 organization licensee that provides the race or races, and
35 an intertrack wagering licensee that accepts wagers on
36 races conducted by an organization licensee that conducts a

1 race meet in a county with a population in excess of
2 230,000 and that borders the Mississippi River shall not
3 divide any remaining retention with that organization
4 licensee.

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

1 subpart (I) shall be further redistributed as provided in
2 subparagraph (B) of paragraph (5) of subsection (g) of this
3 Section 26 provided first, that the shares of those
4 amounts, which are to be redistributed to the host track or
5 to purses at the host track under subparagraph (B) of
6 paragraph (5) of subsection (g) of this Section 26 shall be
7 redistributed based on each host track's pro rata share of
8 the total inter-track wagering and simulcast wagering
9 handle at all host tracks during the calendar year in
10 question, and second, that any amounts redistributed as
11 described in part (I) to an inter-track wagering location
12 licensee that accepts wagers on races conducted by an
13 organization licensee that conducts a race meet in a county
14 with a population in excess of 230,000 and that borders the
15 Mississippi River shall be further redistributed as
16 provided in subparagraphs (D) and (E) of paragraph (7) of
17 subsection (g) of this Section 26, with the portion of that
18 further redistribution allocated to purses at that
19 organization licensee to be divided between standardbred
20 purses and thoroughbred purses based on the amounts
21 otherwise allocated to purses at that organization
22 licensee during the calendar year in question; and (iv) 8%
23 of the pari-mutuel handle on inter-track wagering wagered
24 at such location to satisfy all costs and expenses of
25 conducting its wagering. The remainder of the monies
26 retained by the inter-track wagering location licensee
27 shall be allocated 40% to the location licensee and 60% to
28 the organization licensee which provides the Illinois
29 races to the location, except that an intertrack wagering
30 location licensee that derives its license from a track
31 located in a county with a population in excess of 230,000
32 and that borders the Mississippi River shall not divide any
33 remaining retention with the organization licensee that
34 provides the race or races and an intertrack wagering
35 location licensee that accepts wagers on races conducted by
36 an organization licensee that conducts a race meet in a

1 county with a population in excess of 230,000 and that
2 borders the Mississippi River shall not divide any
3 remaining retention with the organization licensee.
4 Notwithstanding the provisions of clauses (ii) and (iv) of
5 this paragraph, in the case of the additional inter-track
6 wagering location licenses authorized under paragraph (1)
7 of this subsection (h) by this amendatory Act of 1991,
8 those licensees shall pay the following amounts as purses:
9 during the first 12 months the licensee is in operation,
10 5.25% of the pari-mutuel handle wagered at the location on
11 races; during the second 12 months, 5.25%; during the third
12 12 months, 5.75%; during the fourth 12 months, 6.25%; and
13 during the fifth 12 months and thereafter, 6.75%. The
14 following amounts shall be retained by the licensee to
15 satisfy all costs and expenses of conducting its wagering:
16 during the first 12 months the licensee is in operation,
17 8.25% of the pari-mutuel handle wagered at the location;
18 during the second 12 months, 8.25%; during the third 12
19 months, 7.75%; during the fourth 12 months, 7.25%; and
20 during the fifth 12 months and thereafter, 6.75%. For
21 additional intertrack wagering location licensees
22 authorized under this amendatory Act of 1995, purses for
23 the first 12 months the licensee is in operation shall be
24 5.75% of the pari-mutuel wagered at the location, purses
25 for the second 12 months the licensee is in operation shall
26 be 6.25%, and purses thereafter shall be 6.75%. For
27 additional intertrack location licensees authorized under
28 this amendatory Act of 1995, the licensee shall be allowed
29 to retain to satisfy all costs and expenses: 7.75% of the
30 pari-mutuel handle wagered at the location during its first
31 12 months of operation, 7.25% during its second 12 months
32 of operation, and 6.75% thereafter.

33 (C) There is hereby created the Horse Racing Tax
34 Allocation Fund which shall remain in existence until
35 December 31, 1999. Moneys remaining in the Fund after
36 December 31, 1999 shall be paid into the General Revenue

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

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

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

13 Four-sevenths to park districts or municipalities
14 that do not have a park district of 500,000 population
15 or less for museum purposes (if an inter-track wagering
16 location licensee is located in such a park district)
17 or to conservation districts for museum purposes (if an
18 inter-track wagering location licensee is located in a
19 municipality that is not included within any park
20 district but is included within a conservation
21 district and is the county seat of a county that (i) is
22 contiguous to the state of Indiana and (ii) has a 1990
23 population of 88,257 according to the United States
24 Bureau of the Census, except that if the conservation
25 district does not maintain a museum, the monies shall
26 be allocated equally between the county and the
27 municipality in which the inter-track wagering
28 location licensee is located for general purposes) or
29 to a municipal recreation board for park purposes (if
30 an inter-track wagering location licensee is located
31 in a municipality that is not included within any park
32 district and park maintenance is the function of the
33 municipal recreation board and the municipality has a
34 1990 population of 9,302 according to the United States
35 Bureau of the Census); provided that the monies are
36 distributed to each park district or conservation

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

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

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

30 Two-sevenths to the Department of Agriculture.
31 Fifty percent of this two-sevenths shall be used to
32 promote the Illinois horse racing and breeding
33 industry, and shall be distributed by the Department of
34 Agriculture upon the advice of a 9-member committee
35 appointed by the Governor consisting of the following
36 members: the Director of Agriculture, who shall serve

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

31 Four-sevenths to museums and aquariums located in
32 park districts of over 500,000 population; provided
33 that the monies are distributed in accordance with the
34 previous year's distribution of the maintenance tax
35 for such museums and aquariums as provided in Section 2
36 of the Park District Aquarium and Museum Act; and

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

10 (D) Except as provided in paragraph (11) of this
11 subsection (h), with respect to purse allocation from
12 intertrack wagering, the monies so retained shall be
13 divided as follows:

14 (i) If the inter-track wagering licensee,
15 except an intertrack wagering licensee that
16 derives its license from an organization licensee
17 located in a county with a population in excess of
18 230,000 and bounded by the Mississippi River, is
19 not conducting its own race meeting during the same
20 dates, then the entire purse allocation shall be to
21 purses at the track where the races wagered on are
22 being conducted.

23 (ii) If the inter-track wagering licensee,
24 except an intertrack wagering licensee that
25 derives its license from an organization licensee
26 located in a county with a population in excess of
27 230,000 and bounded by the Mississippi River, is
28 also conducting its own race meeting during the
29 same dates, then the purse allocation shall be as
30 follows: 50% to purses at the track where the races
31 wagered on are being conducted; 50% to purses at
32 the track where the inter-track wagering licensee
33 is accepting such wagers.

34 (iii) If the inter-track wagering is being
35 conducted by an inter-track wagering location
36 licensee, except an intertrack wagering location

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

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

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

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

28 (C) The Board, and any person or persons to whom it
29 delegates this power, may eject or exclude from any
30 licensee's facilities, any person whose conduct or
31 reputation is such that his presence on such premises
32 may, in the opinion of the Board, call into the
33 question the honesty and integrity of, or interfere
34 with the orderly conduct of such wagering; provided,
35 however, that no person shall be excluded or ejected
36 from such premises solely on the grounds of race,

1 color, creed, national origin, ancestry, or sex.

2 (D) (Blank).

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

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

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

24 (13) The Department of Agriculture may enter into
25 agreements with licensees authorizing such licensees to
26 conduct inter-track wagering on races to be held at the
27 licensed race meetings conducted by the Department of
28 Agriculture. Such agreement shall specify the races of the
29 Department of Agriculture's licensed race meeting upon
30 which the licensees will conduct wagering. In the event
31 that a licensee conducts inter-track pari-mutuel wagering
32 on races from the Illinois State Fair or DuQuoin State Fair
33 which are in addition to the licensee's previously approved
34 racing program, those races shall be considered a separate
35 racing day for the purpose of determining the daily handle
36 and computing the privilege or pari-mutuel tax on that

1 daily handle as provided in Sections 27 and 27.1. Such
2 agreements shall be approved by the Board before such
3 wagering may be conducted. In determining whether to grant
4 approval, the Board shall give due consideration to the
5 best interests of the public and of horse racing. The
6 provisions of paragraphs (1), (8), (8.1), and (8.2) of
7 subsection (h) of this Section which are not specified in
8 this paragraph (13) shall not apply to licensed race
9 meetings conducted by the Department of Agriculture at the
10 Illinois State Fair in Sangamon County or the DuQuoin State
11 Fair in Perry County, or to any wagering conducted on those
12 race meetings.

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

17 (Source: P.A. 91-40, eff. 6-25-99; 92-211, eff. 8-2-01.)

18 (230 ILCS 5/26.1) (from Ch. 8, par. 37-26.1)

19 Sec. 26.1. For all pari-mutuel wagering conducted pursuant
20 to this Act, breakage shall be at all times computed on the
21 basis of not to exceed 10¢ on the dollar. If there is a minus
22 pool, the breakage shall be computed on the basis of not to
23 exceed 5¢ on the dollar. Breakage shall be calculated only
24 after the amounts retained by licensees pursuant to Sections 26
25 and 26.2 of this Act, and all applicable surcharges, are taken
26 out of winning wagers and winnings from wagers. ~~From Beginning~~
27 January 1, 2000 until July 1, 2004, all breakage shall be
28 retained by licensees, with 50% of breakage to be used by
29 licensees for racetrack improvements at the racetrack from
30 which the wagering facility derives its license. The remaining
31 50% is to be allocated 50% to the purse account for the
32 licensee from which the wagering facility derives its license
33 and 50% to the licensee. Beginning July 1, 2004, all breakage
34 shall be retained by licensees, with 50% of breakage to be used
35 by licensees for racetrack improvements at the racetrack from

1 which the wagering facility derives its license. The remaining
2 50% is to be allocated to the purse account for the licensee
3 from which the wagering facility derives its license.

4 (Source: P.A. 91-40, eff. 6-25-99.)

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

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

23 In addition, every organization licensee, except as
24 provided in Section 27.1 of this Act, which conducts multiple
25 wagering shall pay, until January 1, 2000, as a privilege tax
26 on multiple wagers an amount equal to 1.25% of all moneys
27 wagered each day on such multiple wagers, plus an additional
28 amount equal to 3.5% of the amount wagered each day on any
29 other multiple wager which involves a single betting interest
30 on 3 or more horses. The licensee shall remit the amount of
31 such taxes to the Department of Revenue within 48 hours after
32 the close of the racing day on which it is assessed or within
33 such other time as the Board prescribes.

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

1 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
2 at the rate of 1.5% of the daily pari-mutuel handle is imposed
3 at all pari-mutuel wagering facilities, which shall be remitted
4 to the Department of Revenue within 48 hours after the close of
5 the racing day upon which it is assessed or within such other
6 time as the Board prescribes.

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

13 (c) Licensees shall at all times keep accurate books and
14 records of all monies wagered on each day of a race meeting and
15 of the taxes paid to the Department of Revenue under the
16 provisions of this Section. The Board or its duly authorized
17 representative or representatives shall at all reasonable
18 times have access to such records for the purpose of examining
19 and checking the same and ascertaining whether the proper
20 amount of taxes is being paid as provided. The Board shall
21 require verified reports and a statement of the total of all
22 monies wagered daily at each wagering facility upon which the
23 taxes are assessed and may prescribe forms upon which such
24 reports and statement shall be made.

25 (d) Any licensee failing or refusing to pay the amount of
26 any tax due under this Section shall be guilty of a business
27 offense and upon conviction shall be fined not more than \$5,000
28 in addition to the amount found due as tax under this Section.
29 Each day's violation shall constitute a separate offense. All
30 fines paid into Court by a licensee hereunder shall be
31 transmitted and paid over by the Clerk of the Court to the
32 Board.

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

36 (f) No other license fee, privilege tax, excise tax or

1 racing fee shall be assessed or collected from any such
2 licensee by units of local government except as provided in
3 paragraph 10.1 of subsection (h) and subsection (f) of Section
4 26 of this Act. However, any municipality that has a Board
5 licensed horse race meeting at a race track wholly within its
6 corporate boundaries or a township that has a Board licensed
7 horse race meeting at a race track wholly within the
8 unincorporated area of the township may charge a local
9 amusement tax not to exceed 10¢ per admission to such horse
10 race meeting by the enactment of an ordinance. However, any
11 municipality or county that has a Board licensed inter-track
12 wagering location facility wholly within its corporate
13 boundaries may each impose an admission fee not to exceed \$1.00
14 per admission to such inter-track wagering location facility,
15 so that a total of not more than \$2.00 per admission may be
16 imposed. Except as provided in subparagraph (g) of Section 27
17 of this Act, the inter-track wagering location licensee shall
18 collect any and all such fees and within 48 hours remit the
19 fees to the Board, which shall, pursuant to rule, cause the
20 fees to be distributed to the county or municipality.

21 (g) Notwithstanding any provision in this Act to the
22 contrary, if in any calendar year the total taxes and fees from
23 wagering on live racing and from inter-track wagering required
24 to be collected from licensees and distributed under this Act
25 to all State and local governmental authorities exceeds the
26 amount of such taxes and fees distributed to each State and
27 local governmental authority to which each State and local
28 governmental authority was entitled under this Act for calendar
29 year 1994, then the first \$11 million of that excess amount
30 shall be allocated at the earliest possible date for
31 distribution as purse money for the succeeding calendar year.
32 Upon reaching the 1994 level, and until the excess amount of
33 taxes and fees exceeds \$11 million, the Board shall direct all
34 licensees to cease paying the subject taxes and fees and the
35 Board shall direct all licensees to allocate any such excess
36 amount for purses as follows:

1 (i) the excess amount shall be initially divided
2 between thoroughbred and standardbred purses based on the
3 thoroughbred's and standardbred's respective percentages
4 of total Illinois live wagering in calendar year 1994;

5 (ii) each thoroughbred and standardbred organization
6 licensee issued an organization licensee in that
7 succeeding allocation year shall be allocated an amount
8 equal to the product of its percentage of total Illinois
9 live thoroughbred or standardbred wagering in calendar
10 year 1994 (the total to be determined based on the sum of
11 1994 on-track wagering for all organization licensees
12 issued organization licenses in both the allocation year
13 and the preceding year) multiplied by the total amount
14 allocated for standardbred or thoroughbred purses,
15 provided that the first \$1,500,000 of the amount allocated
16 to standardbred purses under item (i) shall be allocated to
17 the Department of Agriculture to be expended with the
18 assistance and advice of the Illinois Standardbred
19 Breeders Funds Advisory Board for the purposes listed in
20 subsection (g) of Section 31 of this Act, before the amount
21 allocated to standardbred purses under item (i) is
22 allocated to standardbred organization licensees in the
23 succeeding allocation year.

24 To the extent the excess amount of taxes and fees to be
25 collected and distributed to State and local governmental
26 authorities exceeds \$11 million, that excess amount shall be
27 collected and distributed to State and local authorities as
28 provided for under this Act.

29 (Source: P.A. 91-40, eff. 6-25-99.)

30 (230 ILCS 5/28.1)

31 Sec. 28.1. Payments.

32 (a) Beginning on January 1, 2000, moneys collected by the
33 Department of Revenue and the Racing Board pursuant to Section
34 26 or Section 27 of this Act shall be deposited into the Horse
35 Racing Fund, which is hereby created as a special fund in the

1 State Treasury.

2 (b) Appropriations, as approved by the General Assembly,
3 may be made from the Horse Racing Fund to the Board to pay the
4 salaries of the Board members, secretary, stewards, directors
5 of mutuels, veterinarians, representatives, accountants,
6 clerks, stenographers, inspectors and other employees of the
7 Board, and all expenses of the Board incident to the
8 administration of this Act, including, but not limited to, all
9 expenses and salaries incident to the taking of saliva and
10 urine samples in accordance with the rules and regulations of
11 the Board.

12 (c) Appropriations, as approved by the General Assembly,
13 shall be made from the Horse Racing Fund to the Department of
14 Agriculture for the purposes identified in paragraphs (2),
15 (2.5), (4), (4.1), (6), (7), (8), and (9) of subsection (g) of
16 Section 30, subsection (e) of Section 30.5, paragraphs (1),
17 (2), (3), (5), and (8) of subsection (g) of Section 31, and for
18 standardbred bonus programs for owners of horses that win
19 multiple stakes races that are limited to Illinois conceived
20 and foaled horses. From ~~Beginning on~~ January 1, 2000 until the
21 effective date of this amendatory Act of the 93rd General
22 Assembly, the Board shall transfer the remainder of the funds
23 generated pursuant to Sections 26 and 27 from the Horse Racing
24 Fund into the General Revenue Fund.

25 (d) Beginning January 1, 2000, payments to all programs in
26 existence on the effective date of this amendatory Act of 1999
27 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
28 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
29 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),
30 and (h) of Section 31 shall be made from the General Revenue
31 Fund at the funding levels determined by amounts paid under
32 this Act in calendar year 1998.

33 (e) Notwithstanding any other provision of this Act to the
34 contrary, appropriations, as approved by the General Assembly,
35 may be made from the Fair and Exposition Fund to the Department
36 of Agriculture for distribution to Illinois county fairs to

1 supplement premiums offered in junior classes.

2 (Source: P.A. 91-40, eff. 6-25-99.)

3 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

4 Sec. 30. (a) The General Assembly declares that it is the
5 policy of this State to encourage the breeding of thoroughbred
6 horses in this State and the ownership of such horses by
7 residents of this State in order to provide for: sufficient
8 numbers of high quality thoroughbred horses to participate in
9 thoroughbred racing meetings in this State, and to establish
10 and preserve the agricultural and commercial benefits of such
11 breeding and racing industries to the State of Illinois. It is
12 the intent of the General Assembly to further this policy by
13 the provisions of this Act.

14 (b) Each organization licensee conducting a thoroughbred
15 racing meeting pursuant to this Act shall provide at least two
16 races each day limited to Illinois conceived and foaled horses
17 or Illinois foaled horses or both. A minimum of 6 races shall
18 be conducted each week limited to Illinois conceived and foaled
19 or Illinois foaled horses or both. Subject to the daily
20 availability of horses, one of the 6 races scheduled per week
21 that are limited to Illinois conceived and foaled or Illinois
22 foaled horses or both shall be limited to Illinois conceived
23 and foaled or Illinois foaled maidens. No horses shall be
24 permitted to start in such races unless duly registered under
25 the rules of the Department of Agriculture.

26 (c) Conditions of races under subsection (b) shall be
27 commensurate with past performance, quality, and class of
28 Illinois conceived and foaled and Illinois foaled horses
29 available. If, however, sufficient competition cannot be had
30 among horses of that class on any day, the races may, with
31 consent of the Board, be eliminated for that day and substitute
32 races provided.

33 (d) There is hereby created a special fund of the State
34 Treasury to be known as the Illinois Thoroughbred Breeders
35 Fund.

1 Except as provided in subsection (g) of Section 27 of this
2 Act, 8.5% of all the monies received by the State as privilege
3 taxes on Thoroughbred racing meetings shall be paid into the
4 Illinois Thoroughbred Breeders Fund.

5 (e) The Illinois Thoroughbred Breeders Fund shall be
6 administered by the Department of Agriculture with the advice
7 and assistance of the Advisory Board created in subsection (f)
8 of this Section.

9 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
10 shall consist of the Director of the Department of Agriculture,
11 who shall serve as Chairman; a member of the Illinois Racing
12 Board, designated by it; 2 representatives of the organization
13 licensees conducting thoroughbred racing meetings, recommended
14 by them; 2 representatives of the Illinois Thoroughbred
15 Breeders and Owners Foundation, recommended by it; and 2
16 representatives of the Horsemen's Benevolent Protective
17 Association or any successor organization established in
18 Illinois comprised of the largest number of owners and
19 trainers, recommended by it, with one representative of the
20 Horsemen's Benevolent and Protective Association to come from
21 its Illinois Division, and one from its Chicago Division.
22 Advisory Board members shall serve for 2 years commencing
23 January 1 of each odd numbered year. If representatives of the
24 organization licensees conducting thoroughbred racing
25 meetings, the Illinois Thoroughbred Breeders and Owners
26 Foundation, and the Horsemen's Benevolent Protection
27 Association have not been recommended by January 1, of each odd
28 numbered year, the Director of the Department of Agriculture
29 shall make an appointment for the organization failing to so
30 recommend a member of the Advisory Board. Advisory Board
31 members shall receive no compensation for their services as
32 members but shall be reimbursed for all actual and necessary
33 expenses and disbursements incurred in the execution of their
34 official duties.

35 (g) Moneys ~~No monies~~ shall be expended from the Illinois
36 Thoroughbred Breeders Fund ~~except~~ as appropriated by the

1 General Assembly pursuant to this Act, the Riverboat Gambling
2 Act, or both. Monies appropriated from the Illinois
3 Thoroughbred Breeders Fund shall be expended by the Department
4 of Agriculture, with the advice and assistance of the Illinois
5 Thoroughbred Breeders Fund Advisory Board, for the following
6 purposes only:

7 (1) To provide purse supplements to owners of horses
8 participating in races limited to Illinois conceived and
9 foaled and Illinois foaled horses. Any such purse
10 supplements shall not be included in and shall be paid in
11 addition to any purses, stakes, or breeders' awards offered
12 by each organization licensee as determined by agreement
13 between such organization licensee and an organization
14 representing the horsemen. No monies from the Illinois
15 Thoroughbred Breeders Fund shall be used to provide purse
16 supplements for claiming races in which the minimum
17 claiming price is less than \$7,500.

18 (2) To provide stakes and awards to be paid to the
19 owners of the winning horses in certain races limited to
20 Illinois conceived and foaled and Illinois foaled horses
21 designated as stakes races.

22 (2.5) To provide an award to the owner or owners of an
23 Illinois conceived and foaled or Illinois foaled horse that
24 wins a maiden special weight, an allowance, overnight
25 handicap race, or claiming race with claiming price of
26 \$10,000 or more providing the race is not restricted to
27 Illinois conceived and foaled or Illinois foaled horses.
28 Awards shall also be provided to the owner or owners of
29 Illinois conceived and foaled and Illinois foaled horses
30 that place second or third in those races. To the extent
31 that additional moneys are required to pay the minimum
32 additional awards of 40% of the purse the horse earns for
33 placing first, second or third in those races for Illinois
34 foaled horses and of 60% of the purse the horse earns for
35 placing first, second or third in those races for Illinois
36 conceived and foaled horses, those moneys shall be provided

1 from the purse account at the track where earned.

2 (3) To provide stallion awards to the owner or owners
3 of any stallion that is duly registered with the Illinois
4 Thoroughbred Breeders Fund Program ~~prior to the effective~~
5 ~~date of this amendatory Act of 1995~~ whose duly registered
6 Illinois conceived and foaled offspring wins a race
7 conducted at an Illinois thoroughbred racing meeting other
8 than a claiming race. Such award shall not be paid to the
9 owner or owners of an Illinois stallion that served outside
10 this State at any time during the calendar year in which
11 such race was conducted.

12 (4) To provide \$75,000 annually for purses to be
13 distributed to county fairs that provide for the running of
14 races during each county fair exclusively for the
15 thoroughbreds conceived and foaled in Illinois. The
16 conditions of the races shall be developed by the county
17 fair association and reviewed by the Department with the
18 advice and assistance of the Illinois Thoroughbred
19 Breeders Fund Advisory Board. There shall be no wagering of
20 any kind on the running of Illinois conceived and foaled
21 races at county fairs.

22 (4.1) (Blank). ~~To provide purse money for an Illinois~~
23 ~~stallion stakes program.~~

24 (5) No less than 80% of all monies appropriated ~~to~~ from
25 the Illinois Thoroughbred Breeders Fund shall be expended
26 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
27 (5) as shown above.

28 (6) To provide for educational programs regarding the
29 thoroughbred breeding industry.

30 (7) To provide for research programs concerning the
31 health, development and care of the thoroughbred horse.

32 (8) To provide for a scholarship and training program
33 for students of equine veterinary medicine.

34 (9) To provide for dissemination of public information
35 designed to promote the breeding of thoroughbred horses in
36 Illinois.

1 (10) To provide for all expenses incurred in the
2 administration of the Illinois Thoroughbred Breeders Fund.

3 (h) (Blank). ~~Whenever the Governor finds that the amount in~~
4 ~~the Illinois Thoroughbred Breeders Fund is more than the total~~
5 ~~of the outstanding appropriations from such fund, the Governor~~
6 ~~shall notify the State Comptroller and the State Treasurer of~~
7 ~~such fact. The Comptroller and the State Treasurer, upon~~
8 ~~receipt of such notification, shall transfer such excess amount~~
9 ~~from the Illinois Thoroughbred Breeders Fund to the General~~
10 ~~Revenue Fund.~~

11 (i) A sum equal to 12 1/2% of the first prize money of
12 every purse won by an Illinois foaled or an Illinois conceived
13 and foaled horse in races not limited to Illinois foaled horses
14 or Illinois conceived and foaled horses, or both, shall be paid
15 by the organization licensee conducting the horse race meeting.
16 Such sum shall be paid from the organization licensee's share
17 of the money wagered as follows: 11 1/2% to the breeder of the
18 winning horse and 1% to the organization representing
19 thoroughbred breeders and owners whose representative serves
20 on the Illinois Thoroughbred Breeders Fund Advisory Board for
21 verifying the amounts of breeders' awards earned, assuring
22 their distribution in accordance with this Act, and servicing
23 and promoting the Illinois thoroughbred horse racing industry.
24 The organization representing thoroughbred breeders and owners
25 shall cause all expenditures of monies received under this
26 subsection (i) to be audited at least annually by a registered
27 public accountant. The organization shall file copies of each
28 annual audit with the Racing Board, the Clerk of the House of
29 Representatives and the Secretary of the Senate, and shall make
30 copies of each annual audit available to the public upon
31 request and upon payment of the reasonable cost of photocopying
32 the requested number of copies. Such payments shall not reduce
33 any award to the owner of the horse or reduce the taxes payable
34 under this Act. Upon completion of its racing meet, each
35 organization licensee shall deliver to the organization
36 representing thoroughbred breeders and owners whose

1 representative serves on the Illinois Thoroughbred Breeders
2 Fund Advisory Board a listing of all the Illinois foaled and
3 the Illinois conceived and foaled horses which won breeders'
4 awards and the amount of such breeders' awards under this
5 subsection to verify accuracy of payments and assure proper
6 distribution of breeders' awards in accordance with the
7 provisions of this Act. Such payments shall be delivered by the
8 organization licensee within 30 days of the end of each race
9 meeting.

10 (j) A sum equal to 12 1/2% of the first prize money won in
11 each race limited to Illinois foaled horses or Illinois
12 conceived and foaled horses, or both, shall be paid in the
13 following manner by the organization licensee conducting the
14 horse race meeting, from the organization licensee's share of
15 the money wagered: 11 1/2% to the breeders of the horses in
16 each such race which are the official first, second, third and
17 fourth finishers and 1% to the organization representing
18 thoroughbred breeders and owners whose representative serves
19 on the Illinois Thoroughbred Breeders Fund Advisory Board for
20 verifying the amounts of breeders' awards earned, assuring
21 their proper distribution in accordance with this Act, and
22 servicing and promoting the Illinois thoroughbred horse racing
23 industry. The organization representing thoroughbred breeders
24 and owners shall cause all expenditures of monies received
25 under this subsection (j) to be audited at least annually by a
26 registered public accountant. The organization shall file
27 copies of each annual audit with the Racing Board, the Clerk of
28 the House of Representatives and the Secretary of the Senate,
29 and shall make copies of each annual audit available to the
30 public upon request and upon payment of the reasonable cost of
31 photocopying the requested number of copies.

32 The 11 1/2% paid to the breeders in accordance with this
33 subsection shall be distributed as follows:

34 (1) 60% of such sum shall be paid to the breeder of the
35 horse which finishes in the official first position;

36 (2) 20% of such sum shall be paid to the breeder of the

1 horse which finishes in the official second position;

2 (3) 15% of such sum shall be paid to the breeder of the
3 horse which finishes in the official third position; and

4 (4) 5% of such sum shall be paid to the breeder of the
5 horse which finishes in the official fourth position.

6 Such payments shall not reduce any award to the owners of a
7 horse or reduce the taxes payable under this Act. Upon
8 completion of its racing meet, each organization licensee shall
9 deliver to the organization representing thoroughbred breeders
10 and owners whose representative serves on the Illinois
11 Thoroughbred Breeders Fund Advisory Board a listing of all the
12 Illinois foaled and the Illinois conceived and foaled horses
13 which won breeders' awards and the amount of such breeders'
14 awards in accordance with the provisions of this Act. Such
15 payments shall be delivered by the organization licensee within
16 30 days of the end of each race meeting.

17 (k) The term "breeder", as used herein, means the owner of
18 the mare at the time the foal is dropped. An "Illinois foaled
19 horse" is a foal dropped by a mare which enters this State on
20 or before December 1, in the year in which the horse is bred,
21 provided the mare remains continuously in this State until its
22 foal is born. An "Illinois foaled horse" also means a foal born
23 of a mare in the same year as the mare enters this State on or
24 before March 1, and remains in this State at least 30 days
25 after foaling, is bred back during the season of the foaling to
26 an Illinois Registered Stallion (unless a veterinarian
27 certifies that the mare should not be bred for health reasons),
28 and is not bred to a stallion standing in any other state
29 during the season of foaling. An "Illinois foaled horse" also
30 means a foal born in Illinois of a mare purchased at public
31 auction subsequent to the mare entering this State prior to
32 March 1 ~~February 1~~ of the foaling year providing the mare is
33 owned solely by one or more Illinois residents or an Illinois
34 entity that is entirely owned by one or more Illinois
35 residents.

36 (l) The Department of Agriculture shall, by rule, with the

1 advice and assistance of the Illinois Thoroughbred Breeders
2 Fund Advisory Board:

3 (1) Qualify stallions for Illinois breeding; such
4 stallions to stand for service within the State of Illinois
5 at the time of a foal's conception. Such stallion must not
6 stand for service at any place outside the State of
7 Illinois during the calendar year in which the foal is
8 conceived. The Department of Agriculture may assess and
9 collect an application fee of \$500 ~~fees~~ for the
10 registration of each Illinois-eligible stallion ~~stallions~~.
11 All fees collected are to be paid into the Illinois
12 Thoroughbred Breeders Fund and used by the Illinois
13 Thoroughbred Breeders Fund Advisory Board for stallion
14 awards.

15 (2) Provide for the registration of Illinois conceived
16 and foaled horses and Illinois foaled horses. No such horse
17 shall compete in the races limited to Illinois conceived
18 and foaled horses or Illinois foaled horses or both unless
19 registered with the Department of Agriculture. The
20 Department of Agriculture may prescribe such forms as are
21 necessary to determine the eligibility of such horses. The
22 Department of Agriculture may assess and collect
23 application fees for the registration of Illinois-eligible
24 foals. All fees collected are to be paid into the Illinois
25 Thoroughbred Breeders Fund. No person shall knowingly
26 prepare or cause preparation of an application for
27 registration of such foals containing false information.

28 (m) The Department of Agriculture, with the advice and
29 assistance of the Illinois Thoroughbred Breeders Fund Advisory
30 Board, shall provide that certain races limited to Illinois
31 conceived and foaled and Illinois foaled horses be stakes races
32 and determine the total amount of stakes and awards to be paid
33 to the owners of the winning horses in such races.

34 In determining the stakes races and the amount of awards
35 for such races, the Department of Agriculture shall consider
36 factors, including but not limited to, the amount of money

1 appropriated for the Illinois Thoroughbred Breeders Fund
2 program, organization licensees' contributions, availability
3 of stakes caliber horses as demonstrated by past performances,
4 whether the race can be coordinated into the proposed racing
5 dates within organization licensees' racing dates, opportunity
6 for colts and fillies and various age groups to race, public
7 wagering on such races, and the previous racing schedule.

8 (n) The Board and the organizational licensee shall notify
9 the Department of the conditions and minimum purses for races
10 limited to Illinois conceived and foaled and Illinois foaled
11 horses conducted for each organizational licensee conducting a
12 thoroughbred racing meeting. The Department of Agriculture
13 with the advice and assistance of the Illinois Thoroughbred
14 Breeders Fund Advisory Board may allocate monies for purse
15 supplements for such races. In determining whether to allocate
16 money and the amount, the Department of Agriculture shall
17 consider factors, including but not limited to, the amount of
18 money appropriated for the Illinois Thoroughbred Breeders Fund
19 program, the number of races that may occur, and the
20 organizational licensee's purse structure.

21 (o) (Blank). ~~In order to improve the breeding quality of~~
22 ~~thoroughbred horses in the State, the General Assembly~~
23 ~~recognizes that existing provisions of this Section to~~
24 ~~encourage such quality breeding need to be revised and~~
25 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
26 ~~Force is to be appointed by the Governor by September 1, 1999~~
27 ~~to make recommendations to the General Assembly by no later~~
28 ~~than March 1, 2000. This task force is to be composed of 2~~
29 ~~representatives from the Illinois Thoroughbred Breeders and~~
30 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
31 ~~Association, 3 from Illinois race tracks operating~~
32 ~~thoroughbred race meets for an average of at least 30 days in~~
33 ~~the past 3 years, the Director of Agriculture, the Executive~~
34 ~~Director of the Racing Board, who shall serve as Chairman.~~

35 (Source: P.A. 91-40, eff. 6-25-99.)

1 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

2 Sec. 31. (a) The General Assembly declares that it is the
3 policy of this State to encourage the breeding of standardbred
4 horses in this State and the ownership of such horses by
5 residents of this State in order to provide for: sufficient
6 numbers of high quality standardbred horses to participate in
7 harness racing meetings in this State, and to establish and
8 preserve the agricultural and commercial benefits of such
9 breeding and racing industries to the State of Illinois. It is
10 the intent of the General Assembly to further this policy by
11 the provisions of this Section of this Act.

12 (b) Each organization licensee conducting a harness racing
13 meeting pursuant to this Act shall provide for at least two
14 races each race program limited to Illinois conceived and
15 foaled horses. A minimum of 6 races shall be conducted each
16 week limited to Illinois conceived and foaled horses. No horses
17 shall be permitted to start in such races unless duly
18 registered under the rules of the Department of Agriculture.

19 (b-5) Each organization licensee conducting a harness
20 racing meeting pursuant to this Act shall provide stakes races
21 and early closer races for Illinois conceived and foaled horses
22 so the total purses distributed for such races shall be no less
23 than 17% of the total purses distributed at the meeting.

24 (b-10) Each organization licensee conducting a harness
25 racing meeting pursuant to this Act shall provide an owner
26 award to be paid from the purse account equal to 25% of the
27 amount earned by Illinois conceived and foaled horses in races
28 that are not restricted to Illinois conceived and foaled
29 horses.

30 (c) Conditions of races under subsection (b) shall be
31 commensurate with past performance, quality and class of
32 Illinois conceived and foaled horses available. If, however,
33 sufficient competition cannot be had among horses of that class
34 on any day, the races may, with consent of the Board, be
35 eliminated for that day and substitute races provided.

36 (d) There is hereby created a special fund of the State

1 Treasury to be known as the Illinois Standardbred Breeders
2 Fund.

3 During the calendar year 1981, and each year thereafter,
4 except as provided in subsection (g) of Section 27 of this Act,
5 eight and one-half per cent of all the monies received by the
6 State as privilege taxes on harness racing meetings shall be
7 paid into the Illinois Standardbred Breeders Fund.

8 (e) The Illinois Standardbred Breeders Fund shall be
9 administered by the Department of Agriculture with the
10 assistance and advice of the Advisory Board created in
11 subsection (f) of this Section.

12 (f) The Illinois Standardbred Breeders Fund Advisory Board
13 is hereby created. The Advisory Board shall consist of the
14 Director of the Department of Agriculture, who shall serve as
15 Chairman; the Superintendent of the Illinois State Fair; a
16 member of the Illinois Racing Board, designated by it; a
17 representative of the Illinois Standardbred Owners and
18 Breeders Association, recommended by it; a representative of
19 the Illinois Association of Agricultural Fairs, recommended by
20 it, such representative to be from a fair at which Illinois
21 conceived and foaled racing is conducted; a representative of
22 the organization licensees conducting harness racing meetings,
23 recommended by them and a representative of the Illinois
24 Harness Horsemen's Association, recommended by it. Advisory
25 Board members shall serve for 2 years commencing January 1, of
26 each odd numbered year. If representatives of the Illinois
27 Standardbred Owners and Breeders Associations, the Illinois
28 Association of Agricultural Fairs, the Illinois Harness
29 Horsemen's Association, and the organization licensees
30 conducting harness racing meetings have not been recommended by
31 January 1, of each odd numbered year, the Director of the
32 Department of Agriculture shall make an appointment for the
33 organization failing to so recommend a member of the Advisory
34 Board. Advisory Board members shall receive no compensation for
35 their services as members but shall be reimbursed for all
36 actual and necessary expenses and disbursements incurred in the

1 execution of their official duties.

2 (g) No monies shall be expended from the Illinois
3 Standardbred Breeders Fund except as appropriated by the
4 General Assembly. Monies appropriated from the Illinois
5 Standardbred Breeders Fund shall be expended by the Department
6 of Agriculture, with the assistance and advice of the Illinois
7 Standardbred Breeders Fund Advisory Board for the following
8 purposes only:

9 1. To provide purses for races limited to Illinois
10 conceived and foaled horses at the State Fair and the
11 DuQuoin State Fair.

12 2. To provide purses for races limited to Illinois
13 conceived and foaled horses at county fairs.

14 3. To provide purse supplements for races limited to
15 Illinois conceived and foaled horses conducted by
16 associations conducting harness racing meetings.

17 4. No less than 75% of all monies in the Illinois
18 Standardbred Breeders Fund shall be expended for purses in
19 1, 2 and 3 as shown above.

20 5. In the discretion of the Department of Agriculture
21 to provide awards to harness breeders of Illinois conceived
22 and foaled horses which win races conducted by organization
23 licensees conducting harness racing meetings. A breeder is
24 the owner of a mare at the time of conception. No more than
25 10% of all monies appropriated from the Illinois
26 Standardbred Breeders Fund shall be expended for such
27 harness breeders awards. No more than 25% of the amount
28 expended for harness breeders awards shall be expended for
29 expenses incurred in the administration of such harness
30 breeders awards.

31 6. To pay for the improvement of racing facilities
32 located at the State Fair and County fairs.

33 7. To pay the expenses incurred in the administration
34 of the Illinois Standardbred Breeders Fund.

35 8. To promote the sport of harness racing, including
36 grants up to a maximum of \$7,500 per fair per year for the

1 cost of a totalizer system to be used for conducting
2 pari-mutuel wagering during the advertised dates of a
3 county fair.

4 (h) Whenever the Governor finds that the amount in the
5 Illinois Standardbred Breeders Fund is more than the total of
6 the outstanding appropriations from such fund, the Governor
7 shall notify the State Comptroller and the State Treasurer of
8 such fact. The Comptroller and the State Treasurer, upon
9 receipt of such notification, shall transfer such excess amount
10 from the Illinois Standardbred Breeders Fund to the General
11 Revenue Fund.

12 (i) A sum equal to 12 1/2% of the first prize money of
13 every purse won by an Illinois conceived and foaled horse shall
14 be paid by the organization licensee conducting the horse race
15 meeting to the breeder of such winning horse from the
16 organization licensee's account ~~share of the money wagered.~~
17 Such payment shall not reduce any award to the owner of the
18 horse or reduce the taxes payable under this Act. Such payment
19 shall be delivered by the organization licensee at the end of
20 each month ~~race meeting.~~

21 (j) The Department of Agriculture shall, by rule, with the
22 assistance and advice of the Illinois Standardbred Breeders
23 Fund Advisory Board:

24 1. Qualify stallions for Illinois Standardbred Breeders
25 Fund breeding; such stallion shall be owned by a resident of
26 the State of Illinois or by an Illinois corporation all of
27 whose shareholders, directors, officers and incorporators are
28 residents of the State of Illinois. Such stallion shall stand
29 for service at and within the State of Illinois at the time of
30 a foal's conception, and such stallion must not stand for
31 service at any place, ~~nor may semen from such stallion be~~
32 ~~transported,~~ outside the State of Illinois during that calendar
33 year in which the foal is conceived and that the owner of the
34 stallion was for the 12 months prior, a resident of Illinois.
35 The articles of agreement of any partnership, joint venture,
36 limited partnership, syndicate, association or corporation and

1 any bylaws and stock certificates must contain a restriction
2 that provides that the ownership or transfer of interest by any
3 one of the persons a party to the agreement can only be made to
4 a person who qualifies as an Illinois resident. Foals conceived
5 outside the State of Illinois from shipped semen from a
6 stallion qualified for breeders' awards under this Section are
7 not eligible to participate in the Illinois conceived and
8 foaled program.

9 2. Provide for the registration of Illinois conceived and
10 foaled horses and no such horse shall compete in the races
11 limited to Illinois conceived and foaled horses unless
12 registered with the Department of Agriculture. The Department
13 of Agriculture may prescribe such forms as may be necessary to
14 determine the eligibility of such horses. No person shall
15 knowingly prepare or cause preparation of an application for
16 registration of such foals containing false information. A mare
17 (dam) must be in the state at least 30 days prior to foaling or
18 remain in the State at least 30 days at the time of foaling.
19 Beginning with the 1996 breeding season and for foals of 1997
20 and thereafter, a foal conceived in the State of Illinois by
21 transported fresh semen may be eligible for Illinois conceived
22 and foaled registration provided all breeding and foaling
23 requirements are met. The stallion must be qualified for
24 Illinois Standardbred Breeders Fund breeding at the time of
25 conception and the mare must be inseminated within the State of
26 Illinois. The foal must be dropped in Illinois and properly
27 registered with the Department of Agriculture in accordance
28 with this Act.

29 3. Provide that at least a 5 day racing program shall be
30 conducted at the State Fair each year, which program shall
31 include at least the following races limited to Illinois
32 conceived and foaled horses: (a) a two year old Trot and Pace,
33 and Filly Division of each; (b) a three year old Trot and Pace,
34 and Filly Division of each; (c) an aged Trot and Pace, and Mare
35 Division of each.

36 4. Provide for the payment of nominating, sustaining and

1 starting fees for races promoting the sport of harness racing
2 and for the races to be conducted at the State Fair as provided
3 in subsection (j) 3 of this Section provided that the
4 nominating, sustaining and starting payment required from an
5 entrant shall not exceed 2% of the purse of such race. All
6 nominating, sustaining and starting payments shall be held for
7 the benefit of entrants and shall be paid out as part of the
8 respective purses for such races. Nominating, sustaining and
9 starting fees shall be held in trust accounts for the purposes
10 as set forth in this Act and in accordance with Section 205-15
11 of the Department of Agriculture Law (20 ILCS 205/205-15).

12 5. Provide for the registration with the Department of
13 Agriculture of Colt Associations or county fairs desiring to
14 sponsor races at county fairs.

15 (k) The Department of Agriculture, with the advice and
16 assistance of the Illinois Standardbred Breeders Fund Advisory
17 Board, may allocate monies for purse supplements for such
18 races. In determining whether to allocate money and the amount,
19 the Department of Agriculture shall consider factors,
20 including but not limited to, the amount of money appropriated
21 for the Illinois Standardbred Breeders Fund program, the number
22 of races that may occur, and an organizational licensee's purse
23 structure. The organizational licensee shall notify the
24 Department of Agriculture of the conditions and minimum purses
25 for races limited to Illinois conceived and foaled horses to be
26 conducted by each organizational licensee conducting a harness
27 racing meeting for which purse supplements have been
28 negotiated.

29 (l) All races held at county fairs and the State Fair which
30 receive funds from the Illinois Standardbred Breeders Fund
31 shall be conducted in accordance with the rules of the United
32 States Trotting Association unless otherwise modified by the
33 Department of Agriculture.

34 (m) At all standardbred race meetings held or conducted
35 under authority of a license granted by the Board, and at all
36 standardbred races held at county fairs which are approved by

1 the Department of Agriculture or at the Illinois or DuQuoin
2 State Fairs, no one shall jog, train, warm up or drive a
3 standardbred horse unless he or she is wearing a protective
4 safety helmet, with the chin strap fastened and in place, which
5 meets the standards and requirements as set forth in the 1984
6 Standard for Protective Headgear for Use in Harness Racing and
7 Other Equestrian Sports published by the Snell Memorial
8 Foundation, or any standards and requirements for headgear the
9 Illinois Racing Board may approve. Any other standards and
10 requirements so approved by the Board shall equal or exceed
11 those published by the Snell Memorial Foundation. Any
12 equestrian helmet bearing the Snell label shall be deemed to
13 have met those standards and requirements.

14 (Source: P.A. 91-239, eff. 1-1-00.)

15 (230 ILCS 5/34.2 new)

16 Sec. 34.2. Racetrack consolidation.

17 (a) Findings. The General Assembly finds that encouraging
18 organization licensees to consolidate will be beneficial to the
19 horse racing industry. The General Assembly declares it to be
20 the public policy of this State to enhance the viability of the
21 horse racing industry by encouraging organization licensees to
22 consolidate and not be penalized or lose any rights, benefits,
23 or powers by reason of such consolidation.

24 (b) Consolidation. Notwithstanding any provision of this
25 Act to the contrary, if 2 or more former or existing
26 organization licensees consolidate into a single organization
27 licensee or otherwise form a joint venture, corporation,
28 limited liability company, or similar consolidated enterprise
29 (consolidated organization licensee) whereby the consolidated
30 organization licensee makes application or joint application,
31 as the case may be, as a single organization licensee, or such
32 existing licensees, after consolidation, make separate
33 applications in the names of such pre-existing licensees, the
34 newly consolidated organization licensee or each such separate
35 pre-existing licensee shall thereafter retain and be entitled

1 to all of the rights, benefits, powers, and obligations under
2 this Act that would have otherwise accrued to each such
3 individual pre-consolidation organization licensee but for
4 such consolidation, regardless of whether all or a portion of
5 the facilities of a pre-consolidation licensee are sold,
6 transferred, or otherwise cease to be utilized by the newly
7 consolidated organization licensee or either of the
8 pre-existing licensees. Such multiple rights, benefits, and
9 powers shall include, but not be limited to:

10 (1) the authority to make application for and receive,
11 within the discretion of the Board, racing dates, including
12 host track days, in the same manner as the individual
13 pre-consolidation organization licensees and the
14 racetracks from which the organization licensees derive
15 their licenses;

16 (2) the right to retain the existing inter-track
17 wagering licenses and inter-track wagering location
18 licenses of the individual pre-consolidation organization
19 licensees and the racetracks from which the organization
20 licensees derive their licenses, and the authority to make
21 application for future inter-track wagering licenses and
22 inter-track wagering location licenses in the same manner
23 as each individual pre-consolidation organization licensee
24 and the racetracks from which each pre-consolidation
25 organization licensee derives its license, had or has in
26 its own right; and

27 (3) all existing and future rights, benefits, and
28 powers that the individual pre-consolidation organization
29 licensees and the racetracks from which the organization
30 licensees derive their licenses would have had or received
31 but for the consolidation.

32 The newly consolidated organization licensee shall be
33 subject to such taxation and fees as other similarly situated
34 organization licensees.

1 Sec. 36. (a) Whoever administers or conspires to administer
2 to any horse a hypnotic, narcotic, stimulant, depressant or any
3 chemical substance which may affect the speed of a horse at any
4 time in any race where the purse or any part of the purse is
5 made of money authorized by any Section of this Act, except
6 those chemical substances permitted by ruling of the Board,
7 internally, externally or by hypodermic method in a race or
8 prior thereto, or whoever knowingly enters a horse in any race
9 within a period of 24 hours after any hypnotic, narcotic,
10 stimulant, depressant or any other chemical substance which may
11 affect the speed of a horse at any time, except those chemical
12 substances permitted by ruling of the Board, has been
13 administered to such horse either internally or externally or
14 by hypodermic method for the purpose of increasing or retarding
15 the speed of such horse shall be guilty of a Class 4 felony.
16 The Board shall suspend or revoke such violator's license.

17 (b) The term "hypnotic" as used in this Section includes
18 all barbituric acid preparations and derivatives.

19 (c) The term "narcotic" as used in this Section includes
20 opium and all its alkaloids, salts, preparations and
21 derivatives, cocaine and all its salts, preparations and
22 derivatives and substitutes.

23 (d) The provisions of this Section 36 and the treatment
24 authorized herein apply to horses entered in and competing in
25 race meetings as defined in Section 3.47 of this Act and to
26 horses entered in and competing at any county fair.

27 (Source: P.A. 79-1185.)

28 (230 ILCS 5/42) (from Ch. 8, par. 37-42)

29 Sec. 42. (a) Except as to the distribution of monies
30 provided for by Sections 28, 29, 30, and 31 and the treating of
31 horses as provided in Section 36, nothing whatsoever in this
32 Act shall be held or taken to apply to county fairs and State
33 Fairs or to agricultural and livestock exhibitions where the
34 pari-mutuel system of wagering upon the result of horses is not
35 permitted or conducted.

1 (b) Nothing herein shall be construed to permit the
2 pari-mutuel method of wagering upon any race track unless such
3 race track is licensed under this Act. It is hereby declared to
4 be unlawful for any person to permit, conduct or supervise upon
5 any race track ground the pari-mutuel method of wagering except
6 in accordance with the provisions of this Act.

7 (c) Whoever violates subsection (b) of this Section is
8 guilty of a Class 4 felony.

9 (Source: P.A. 89-16, eff. 5-30-95.)

10 (230 ILCS 5/56 new)

11 Sec. 56. Electronic gaming.

12 (a) An organization licensee may apply to the Illinois
13 Gaming Board for an electronic gaming license. An electronic
14 gaming license shall authorize its holder to conduct gambling
15 at slot machines on the grounds of the licensee's race track.
16 Each license shall specify the number of slot machines that its
17 holder may operate. An electronic gaming licensee may not
18 permit persons under 21 years of age to be present in its
19 electronic gaming facility, but the licensee may accept wagers
20 on live racing and inter-track wagers at its electronic gaming
21 facility.

22 (b) The adjusted gross receipts received by an electronic
23 gaming licensee from electronic gaming remaining after the
24 payment of taxes under Section 13 of the Riverboat Gambling Act
25 shall be distributed as follows:

26 82.5% shall be retained by the licensee;

27 15% shall be paid to purse equity accounts;

28 1.75% shall be paid to the Illinois Thoroughbred
29 Breeders Fund, and the Illinois Standardbred Breeders
30 Fund, divided pro rata based on the proportion of live
31 thoroughbred racing and live standardbred racing conducted
32 at that licensee's race track;

33 0.25% shall be paid to the Illinois Quarter Horse
34 Breeders Fund;

35 0.125% shall be paid to the University of Illinois for

1 equine research;

2 0.125% shall be paid to the Racing Industry Charitable
3 Foundation;

4 0.25% shall be paid to the licensee's live racing and
5 horse ownership promotional account.

6 Of the moneys paid to purse equity accounts by an
7 electronic gaming licensee, 58% shall be paid to the licensee's
8 thoroughbred purse equity account and 42% shall be paid to the
9 licensee's standardbred purse equity account.

10 Section 80. The Riverboat Gambling Act is amended by
11 changing Sections 3, 4, 5, 7, 8, 9, 11, 11.1, 12, 13, 14, 18,
12 19, and 20 and adding Sections 7.6 and 13.2 as follows:

13 (230 ILCS 10/3) (from Ch. 120, par. 2403)

14 Sec. 3. ~~Riverboat~~ Gambling Authorized.

15 (a) Riverboat gambling operations and electronic gaming
16 operations ~~and the system of wagering incorporated therein~~, as
17 defined in this Act, are hereby authorized to the extent that
18 they are carried out in accordance with the provisions of this
19 Act.

20 (b) This Act does not apply to the pari-mutuel system of
21 wagering used or intended to be used in connection with the
22 horse-race meetings as authorized under the Illinois Horse
23 Racing Act of 1975, lottery games authorized under the Illinois
24 Lottery Law, bingo authorized under the Bingo License and Tax
25 Act, charitable games authorized under the Charitable Games Act
26 or pull tabs and jar games conducted under the Illinois Pull
27 Tabs and Jar Games Act. This Act does apply to electronic
28 gaming authorized under the Illinois Horse Racing Act of 1975
29 to the extent provided in that Act and in this Act.

30 (c) Riverboat gambling conducted pursuant to this Act may
31 be authorized upon any water within the State of Illinois or
32 any water other than Lake Michigan which constitutes a boundary
33 of the State of Illinois. A licensee may conduct riverboat
34 gambling authorized under this Act regardless of whether it

1 conducts excursion cruises. A licensee may permit the
2 continuous ingress and egress of passengers for the purpose of
3 gambling.

4 (d) Gambling that is conducted in accordance with this Act
5 using slot machines shall be authorized at electronic gaming
6 facilities as provided in this Act.

7 (Source: P.A. 91-40, eff. 6-25-99.)

8 (230 ILCS 10/4) (from Ch. 120, par. 2404)

9 Sec. 4. Definitions. As used in this Act:

10 ~~(a)~~ "Board" means the Illinois Gaming Board.

11 ~~(b)~~ "Occupational license" means a license issued by the
12 Board to a person or entity to perform an occupation which the
13 Board has identified as requiring a license to engage in
14 riverboat gambling in Illinois.

15 ~~(c)~~ "Gambling game" includes, but is not limited to,
16 baccarat, twenty-one, poker, craps, slot machine, video game of
17 chance, roulette wheel, klondike table, punchboard, faro
18 layout, keno layout, numbers ticket, push card, jar ticket, or
19 pull tab which is authorized by the Board as a wagering device
20 under this Act.

21 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
22 permanently moored barge, or permanently moored barges that are
23 permanently fixed together to operate as one vessel, on which
24 lawful gambling is authorized and licensed as provided in this
25 Act.

26 ~~(e)~~ "Managers license" means a license issued by the Board
27 to a person or entity to manage gambling operations conducted
28 by the State pursuant to Section 7.2.

29 ~~(f)~~ "Dock" means the location where a riverboat moors for
30 the purpose of embarking passengers for and disembarking
31 passengers from the riverboat.

32 ~~(g)~~ "Gross receipts" means the total amount of money
33 exchanged for the purchase of chips, tokens or electronic cards
34 by riverboat patrons or electronic gaming operation patrons.

35 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less

1 winnings paid to wagerers.

2 ~~(i)~~ "Cheat" means to alter the selection of criteria which
3 determine the result of a gambling game or the amount or
4 frequency of payment in a gambling game.

5 ~~(j)~~ "Department" means the Department of Revenue.

6 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
7 gambling games authorized under this Act on ~~upon~~ a riverboat or
8 authorized under this Act and the Illinois Horse Racing Act of
9 1975 at an electronic gaming facility..

10 ~~(l)~~ "License bid" means the lump sum amount of money that
11 an applicant bids and agrees to pay the State in return for an
12 owners license that is re-issued on or after July 1, 2003.

13 ~~(m)~~ The terms "minority person" and "female" shall have the
14 same meaning as defined in Section 2 of the Business Enterprise
15 for Minorities, Females, and Persons with Disabilities Act.

16 "Owners license" means a license to conduct riverboat
17 gambling operations, but does not include an electronic gaming
18 license.

19 "Licensed owner" means a person who holds an owners
20 license.

21 "Electronic gaming license" means a license issued by the
22 Board under Section 7.6 of this Act authorizing electronic
23 gaming at an electronic gaming facility.

24 "Electronic gaming" means the conduct of gambling using
25 slot machines at a race track licensed under the Illinois Horse
26 Racing Act of 1975 pursuant to the Illinois Horse Racing Act of
27 1975 and this Act.

28 "Electronic gaming facility" means the area where the Board
29 has authorized electronic gaming at a race track of an
30 organization licensee under the Illinois Horse Racing Act of
31 1975 that holds an electronic gaming license.

32 "Organization licensee" means an entity authorized by the
33 Illinois Racing Board to conduct pari-mutuel wagering in
34 accordance with the Illinois Horse Racing Act of 1975.

35 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03.)

1 (230 ILCS 10/5) (from Ch. 120, par. 2405)

2 Sec. 5. Gaming Board.

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

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

24 (3) The terms of office of the Board members shall be 3
25 years, except that the terms of office of the initial Board
26 members appointed pursuant to this Act will commence from the
27 effective date of this Act and run as follows: one for a term
28 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
29 a term ending July 1, 1993. Upon the expiration of the
30 foregoing terms, the successors of such members shall serve a
31 term for 3 years and until their successors are appointed and
32 qualified for like terms. Vacancies in the Board shall be
33 filled for the unexpired term in like manner as original
34 appointments. Each member of the Board shall be eligible for
35 reappointment at the discretion of the Governor with the advice
36 and consent of the Senate.

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

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

19 (6) Any member of the Board may be removed by the Governor
20 for neglect of duty, misfeasance, malfeasance, or nonfeasance
21 in office.

22 (7) Before entering upon the discharge of the duties of his
23 office, each member of the Board shall take an oath that he
24 will faithfully execute the duties of his office according to
25 the laws of the State and the rules and regulations adopted
26 therewith and shall give bond to the State of Illinois,
27 approved by the Governor, in the sum of \$25,000. Every such
28 bond, when duly executed and approved, shall be recorded in the
29 office of the Secretary of State. Whenever the Governor
30 determines that the bond of any member of the Board has become
31 or is likely to become invalid or insufficient, he shall
32 require such member forthwith to renew his bond, which is to be
33 approved by the Governor. Any member of the Board who fails to
34 take oath and give bond within 30 days from the date of his
35 appointment, or who fails to renew his bond within 30 days
36 after it is demanded by the Governor, shall be guilty of

1 neglect of duty and may be removed by the Governor. The cost of
2 any bond given by any member of the Board under this Section
3 shall be taken to be a part of the necessary expenses of the
4 Board.

5 (8) Upon the request of the Board, the Department shall
6 employ such personnel as may be necessary to carry out the
7 functions of the Board. No person shall be employed to serve
8 the Board who is, or whose spouse, parent or child is, an
9 official of, or has a financial interest in or financial
10 relation with, any operator engaged in gambling operations
11 within this State or any organization engaged in conducting
12 horse racing within this State. Any employee violating these
13 prohibitions shall be subject to termination of employment.

14 (9) An Administrator shall perform any and all duties that
15 the Board shall assign him. The salary of the Administrator
16 shall be determined by the Board and approved by the Director
17 of the Department and, in addition, he shall be reimbursed for
18 all actual and necessary expenses incurred by him in discharge
19 of his official duties. The Administrator shall keep records of
20 all proceedings of the Board and shall preserve all records,
21 books, documents and other papers belonging to the Board or
22 entrusted to its care. The Administrator shall devote his full
23 time to the duties of the office and shall not hold any other
24 office or employment.

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

28 (1) To decide promptly and in reasonable order all
29 license applications. Any party aggrieved by an action of
30 the Board denying, suspending, revoking, restricting or
31 refusing to renew a license may request a hearing before
32 the Board. A request for a hearing must be made to the
33 Board in writing within 5 days after service of notice of
34 the action of the Board. Notice of the action of the Board
35 shall be served either by personal delivery or by certified
36 mail, postage prepaid, to the aggrieved party. Notice

1 served by certified mail shall be deemed complete on the
2 business day following the date of such mailing. The Board
3 shall conduct all requested hearings promptly and in
4 reasonable order;

5 (2) To conduct all hearings pertaining to civil
6 violations of this Act or rules and regulations promulgated
7 hereunder;

8 (3) To promulgate such rules and regulations as in its
9 judgment may be necessary to protect or enhance the
10 credibility and integrity of gambling operations
11 authorized by this Act and the regulatory process
12 hereunder;

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

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

24 (6) To be present through its inspectors and agents any
25 time gambling operations are conducted on any riverboat or
26 at any electronic gaming facility for the purpose of
27 certifying the revenue thereof, receiving complaints from
28 the public, and conducting such other investigations into
29 the conduct of the gambling games and the maintenance of
30 the equipment as from time to time the Board may deem
31 necessary and proper;

32 (7) To review and rule upon any complaint by a licensee
33 regarding any investigative procedures of the State which
34 are unnecessarily disruptive of gambling operations. The
35 need to inspect and investigate shall be presumed at all
36 times. The disruption of a licensee's operations shall be

1 proved by clear and convincing evidence, and establish
2 that: (A) the procedures had no reasonable law enforcement
3 purposes, and (B) the procedures were so disruptive as to
4 unreasonably inhibit gambling operations;

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

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

32 (10) To file a written annual report with the Governor
33 on or before March 1 each year and such additional reports
34 as the Governor may request. The annual report shall
35 include a statement of receipts and disbursements by the
36 Board, actions taken by the Board, and any additional

1 information and recommendations which the Board may deem
2 valuable or which the Governor may request;

3 (11) (Blank); ~~and~~

4 (12) To assume responsibility for the administration
5 and enforcement of the Bingo License and Tax Act, the
6 Charitable Games Act, and the Pull Tabs and Jar Games Act
7 if such responsibility is delegated to it by the Director
8 of Revenue; ~~and~~

9 (13) To assume responsibility for the administration
10 and enforcement of operations at electronic gaming
11 facilities pursuant to this Act and the Illinois Horse
12 Racing Act of 1975.

13 (c) The Board shall have jurisdiction over and shall
14 supervise all gambling operations governed by this Act. The
15 Board shall have all powers necessary and proper to fully and
16 effectively execute the provisions of this Act, including, but
17 not limited to, the following:

18 (1) To investigate applicants and determine the
19 eligibility of applicants for licenses and to select among
20 competing applicants the applicants which best serve the
21 interests of the citizens of Illinois.

22 (2) To have jurisdiction and supervision over all
23 ~~riverboat~~ gambling operations authorized under this Act ~~in~~
24 ~~this State~~ and all persons in places ~~on riverboats~~ where
25 gambling operations are conducted.

26 (3) To promulgate rules and regulations for the purpose
27 of administering the provisions of this Act and to
28 prescribe rules, regulations and conditions under which
29 all ~~riverboat~~ gambling operations subject to this Act ~~in~~
30 ~~the State~~ shall be conducted. Such rules and regulations
31 are to provide for the prevention of practices detrimental
32 to the public interest and for the best interests of
33 ~~riverboat~~ gambling, including rules and regulations
34 regarding the inspection of electronic gaming facilities
35 and ~~such~~ riverboats and the review of any permits or
36 licenses necessary to operate a riverboat under any laws or

1 regulations applicable to riverboats, and to impose
2 penalties for violations thereof.

3 (4) To enter the office, riverboats, electronic gaming
4 facilities, and other facilities, or other places of
5 business of a licensee, where evidence of the compliance or
6 noncompliance with the provisions of this Act is likely to
7 be found.

8 (5) To investigate alleged violations of this Act or
9 the rules of the Board and to take appropriate disciplinary
10 action against a licensee or a holder of an occupational
11 license for a violation, or institute appropriate legal
12 action for enforcement, or both.

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

16 (7) To adopt appropriate standards for all electronic
17 gaming facilities, riverboats, and other facilities
18 authorized under this Act.

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

31 (9) To conduct hearings, issue subpoenas for the
32 attendance of witnesses and subpoenas duces tecum for the
33 production of books, records and other pertinent documents
34 in accordance with the Illinois Administrative Procedure
35 Act, and to administer oaths and affirmations to the
36 witnesses, when, in the judgment of the Board, it is

1 necessary to administer or enforce this Act or the Board
2 rules.

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

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

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

32 (13) To require all licensees of gambling operations to
33 utilize a cashless wagering system whereby all players'
34 money is converted to tokens, electronic cards, or chips
35 which shall be used only for wagering in the gambling
36 establishment.

1 (14) (Blank).

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

13 (16) To hire employees to gather information, conduct
14 investigations and carry out any other tasks contemplated
15 under this Act.

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

18 (18) To authorize a licensee to sell or serve alcoholic
19 liquors, wine or beer as defined in the Liquor Control Act
20 of 1934 on board a riverboat and to have exclusive
21 authority to establish the hours for sale and consumption
22 of alcoholic liquor on board a riverboat, notwithstanding
23 any provision of the Liquor Control Act of 1934 or any
24 local ordinance, and regardless of whether the riverboat
25 makes excursions. The establishment of the hours for sale
26 and consumption of alcoholic liquor on board a riverboat is
27 an exclusive power and function of the State. A home rule
28 unit may not establish the hours for sale and consumption
29 of alcoholic liquor on board a riverboat. This subdivision
30 (18) ~~amendatory Act of 1991~~ is a denial and limitation of
31 home rule powers and functions under subsection (h) of
32 Section 6 of Article VII of the Illinois Constitution.

33 (19) After consultation with the U.S. Army Corps of
34 Engineers, to establish binding emergency orders upon the
35 concurrence of a majority of the members of the Board
36 regarding the navigability of water, relative to

1 excursions, in the event of extreme weather conditions,
2 acts of God or other extreme circumstances.

3 (20) To delegate the execution of any of its powers
4 under this Act for the purpose of administering and
5 enforcing this Act and its rules and regulations hereunder.

6 (21) To make rules concerning the conduct of
7 electronic gaming.

8 (22) ~~(21)~~ To take any other action as may be reasonable
9 or appropriate to enforce this Act and rules and
10 regulations hereunder.

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

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

25 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00; 91-883,
26 eff. 1-1-01.)

27 (230 ILCS 10/7) (from Ch. 120, par. 2407)

28 Sec. 7. Owners licenses.

29 (a) The Board shall issue owners licenses to persons, firms
30 or corporations which apply for such licenses upon payment to
31 the Board of the non-refundable license fee set by the Board,
32 upon payment of a \$25,000 license fee for the first year of
33 operation and a \$5,000 license fee for each succeeding year and
34 upon a determination by the Board that the applicant is
35 eligible for an owners license pursuant to this Act and the

1 rules of the Board. A person, firm or corporation is ineligible
2 to receive an owners license if:

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

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

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

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

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

14 (6) the firm or corporation employs a person defined in
15 (1), (2), (3) or (4) who participates in the management or
16 operation of gambling operations authorized under this
17 Act;

18 (7) (blank); or

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

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

24 (1) the character, reputation, experience and
25 financial integrity of the applicants and of any other or
26 separate person that either:

27 (A) controls, directly or indirectly, such
28 applicant, or

29 (B) is controlled, directly or indirectly, by such
30 applicant or by a person which controls, directly or
31 indirectly, such applicant;

32 (2) the facilities or proposed facilities for the
33 conduct of riverboat gambling;

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

36 (4) the extent to which the ownership of the applicant

1 reflects the diversity of the State by including minority
2 persons and females and the good faith affirmative action
3 plan of each applicant to recruit, train and upgrade
4 minority persons and females in all employment
5 classifications;

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

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

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

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

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

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

19 (e) The Board may issue up to 10 licenses authorizing the
20 holders of such licenses to own riverboats. In the application
21 for an owners license, the applicant shall state the dock at
22 which the riverboat is based and the water on which the
23 riverboat will be located. The Board shall issue 5 licenses to
24 become effective not earlier than January 1, 1991. Three of
25 such licenses shall authorize riverboat gambling on the
26 Mississippi River, ~~or, with approval by the municipality in~~
27 ~~which the riverboat is docked on the effective date of this~~
28 ~~amendatory Act of the 93rd Assembly,~~ in a municipality that (1)
29 borders on the Mississippi River or is within 5 miles of the
30 city limits of a municipality that borders on the Mississippi
31 River and (2), on the effective date of this amendatory Act of
32 the 93rd General Assembly, has a riverboat conducting riverboat
33 gambling operations pursuant to a license issued under this
34 Act, ~~+~~ one of which shall authorize riverboat gambling from a
35 home dock in the city of East St. Louis. One other license
36 shall authorize riverboat gambling on the Illinois River south

1 of Marshall County. The Board shall issue one additional
2 license to become effective not earlier than March 1, 1992,
3 which shall authorize riverboat gambling on the Des Plaines
4 River in Will County. The Board may issue 4 additional licenses
5 to become effective not earlier than March 1, 1992. In
6 determining the water upon which riverboats will operate, the
7 Board shall consider the economic benefit which riverboat
8 gambling confers on the State, and shall seek to assure that
9 all regions of the State share in the economic benefits of
10 riverboat gambling.

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

24 In addition to any other revocation powers granted to the
25 Board under this Act, the Board may revoke the owners license
26 of a licensee which fails to begin conducting gambling within
27 15 months of receipt of the Board's approval of the application
28 if the Board determines that license revocation is in the best
29 interests of the State.

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

36 (g) Upon the termination, expiration, or revocation of each

1 of the first 10 licenses, which shall be issued for a 3 year
2 period, all licenses are renewable annually upon payment of the
3 fee and a determination by the Board that the licensee
4 continues to meet all of the requirements of this Act and the
5 Board's rules. However, for licenses renewed on or after May 1,
6 1998, renewal shall be for a period of 4 years, unless the
7 Board sets a shorter period.

8 (h) An owners license shall entitle the licensee to own up
9 to 2 riverboats and operate up to 2,000 gaming positions. In
10 addition to the 2,000 gaming positions authorized by a
11 licensee's owners license, a licensee may operate gaming
12 positions that it acquires pursuant to the competitive bidding
13 process established under this subsection (h). A licensee may
14 operate both of its riverboats concurrently, provided that the
15 total number of gaming positions on both riverboats does not
16 exceed 2,000 plus the number of gaming positions it receives
17 under the competitive bidding process. For each 4-year license
18 period, a licensee shall certify to the Board the total number
19 of gaming positions it will use during the license period. If a
20 licensee certifies that it will use a given number of gaming
21 positions during its license period and, in the Board's
22 determination, fails to use some or all of those gaming
23 positions, then the unused gaming positions shall become the
24 property of the Board. If a licensee certifies that it will use
25 fewer than 2,000 gaming positions, then the authorized but
26 unused gaming positions shall become the property of the Board.
27 The Board shall establish, by rule, a method for licensees to
28 competitively bid for the right to use gaming positions that
29 become the property of the Board under this subsection (h). A
30 licensee may not bid for additional gaming positions under this
31 subsection (h) unless it uses all 2,000 gaming positions
32 authorized by its license.

33 An owners licensee that is authorized to admit in excess of
34 1,200 participants under this subsection (h) may conduct
35 riverboat gambling operations from a temporary facility
36 pending the construction of a permanent facility or the

1 remodeling of an existing facility to accommodate those
2 additional participants for up to 12 months after receiving the
3 authority to admit additional participants. The number of
4 participants who may be present at such a temporary facility at
5 one time may not exceed the number of participants the licensee
6 is authorized to admit in excess of 1,200. The Board shall make
7 rules concerning the conduct of gambling from temporary
8 facilities. A licensee shall limit the number of gambling
9 participants to 1,200 for any such owners license. A licensee
10 may operate both of its riverboats concurrently, provided that
11 the total number of gambling participants on both riverboats
12 does not exceed 1,200. Riverboats licensed to operate on the
13 Mississippi River and the Illinois River south of Marshall
14 County shall have an authorized capacity of at least 500
15 persons. Any other riverboat licensed under this Act shall have
16 an authorized capacity of at least 400 persons.

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

26 (j) The Board may issue or re-issue a license authorizing a
27 riverboat to dock in a municipality or approve a relocation
28 under Section 11.2 only if, prior to the issuance or
29 re-issuance of the license or approval, the governing body of
30 the municipality in which the riverboat will dock has by a
31 majority vote approved the docking of riverboats in the
32 municipality. The Board may issue or re-issue a license
33 authorizing a riverboat to dock in areas of a county outside
34 any municipality or approve a relocation under Section 11.2
35 only if, prior to the issuance or re-issuance of the license or
36 approval, the governing body of the county has by a majority

1 vote approved of the docking of riverboats within such areas.

2 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
3 93-453, eff. 8-7-03; revised 9-12-03.)

4 (230 ILCS 10/7.6 new)

5 Sec. 7.6. Electronic gaming.

6 (a) The General Assembly finds that the horse racing and
7 riverboat gambling industries share many similarities and
8 collectively comprise the bulk of the State's gaming industry.
9 One feature in common to both industries is that each is highly
10 regulated by the State of Illinois.

11 The General Assembly further finds, however, that despite
12 their shared features each industry is distinct from the other
13 in that horse racing is and continues to be intimately tied to
14 Illinois' agricultural economy and is, at its core, a spectator
15 sport. This distinction requires the General Assembly to
16 utilize different methods to regulate and promote the horse
17 racing industry throughout the State.

18 The General Assembly finds that in order to promote live
19 horse racing as a spectator sport in Illinois and the
20 agricultural economy of this State, it is necessary to allow
21 electronic gaming at Illinois race tracks given the success of
22 other states in increasing live racing purse accounts and
23 improving the quality of horses participating in horse race
24 meetings.

25 The General Assembly finds, however, that even though the
26 authority to conduct electronic gaming is a uniform means to
27 improve live horse racing in this State, electronic gaming must
28 be regulated and implemented differently in southern Illinois
29 versus the Chicago area. The General Assembly finds that
30 Fairmount Park is the only race track operating on a year round
31 basis in southern Illinois that offers live racing and for that
32 matter only conducts live thoroughbred racing. The General
33 Assembly finds that the current state of affairs deprives
34 spectators and standardbred horsemen residing in southern
35 Illinois of the opportunity to participate in live standardbred

1 racing in a manner similar to spectators, thoroughbred
2 horsemen, and standardbred horsemen residing in the Chicago
3 area. The General Assembly declares that southern Illinois
4 spectators and standardbred horsemen are entitled to have a
5 similar opportunity to participate in live standardbred racing
6 as spectators in the Chicago area. The General Assembly
7 declares that in order to remove the disparity between southern
8 Illinois and the Chicago area, it is necessary for the State to
9 regulate Fairmount Park differently from horse race tracks
10 found in the Chicago area and tie Fairmount Park's
11 authorization to conduct electronic gaming to a commitment to
12 conduct at least 100 days of standardbred racing as set forth
13 in subsection (d) of this Section.

14 (b) The Illinois Gaming Board shall award one electronic
15 gaming license to become effective on or after July 1, 2004 to
16 each organization licensee under the Illinois Horse Racing Act
17 of 1975, subject to application and eligibility requirements of
18 this Section. An electronic gaming license shall authorize its
19 holder to conduct electronic gaming at its race track at the
20 following times:

21 (1) on days when it conducts live racing at the track
22 where its electronic gaming facility is located from the
23 time the first race of the day at that track begins until
24 the end of the final race of the day at that race track;
25 and

26 (2) on days when it conducts simulcast wagering on
27 races run in the United States from the time it first
28 receives the simulcast signal until one hour after it stops
29 receiving the simulcast signal. A license to conduct
30 limited gaming and any renewal of a limited owners license
31 shall authorize limited gaming for a period of 4 years.

32 (c) To be eligible to conduct electronic gaming, an
33 organization licensee must (i) obtain an electronic gaming
34 license, (ii) hold an organization license under the Illinois
35 Horse Racing Act of 1975, (iii) hold an inter-track wagering
36 license, (iv) pay a fee of \$25,000 (\$12,500 in the case of

1 Fairmount Race Track and Balmoral Race Track) for each person
2 it is authorized to admit before beginning to conduct
3 electronic gambling and an additional fee of \$25,000 (\$12,500
4 in the case of Fairmount Race Track and Balmoral Race Track)
5 for each person it is authorized to admit no later than 12
6 months after the date it first conducts electronic gaming, (v)
7 apply for at least the same number of days of thoroughbred
8 racing or standardbred racing or both, as the case may be, as
9 it was awarded in calendar year 2003, and (vi) meet all other
10 requirements of this Act that apply to owners licensees.

11 With respect to the live racing requirement described in
12 this subsection, an organization licensee must conduct the same
13 number of days of thoroughbred or standardbred racing or both,
14 as the case may be, as it was awarded by the Racing Board,
15 unless a lesser schedule of live racing is the result of (A)
16 weather or unsafe track conditions due to acts of God or (B) a
17 strike between the organization licensee and the associations
18 representing the largest number of owners, trainers, jockeys,
19 or standardbred drivers who race horse at that organization
20 licensee's racing meeting.

21 (d) In addition to the other eligibility requirements of
22 subsection (c), an organization licensee that holds an
23 electronic gaming license authorizing it to conduct electronic
24 gaming at Fairmount Park must apply for and conduct at least
25 100 days of standardbred racing in calendar year 2005 and
26 thereafter, unless a lesser schedule of live racing is the
27 result of (A) weather or unsafe track conditions due to acts of
28 God or (B) a strike between the organization licensee and the
29 associations representing the largest number of owners,
30 trainers, jockeys, or standardbred drivers who race horses at
31 that organization licensee's racing meeting.

32 (e) The Board may approve electronic gaming licenses
33 authorizing the conduct of electronic gaming by eligible
34 organization licensees.

35 (f) In calendar year 2004, the Board may approve up to
36 3,200 aggregate gambling participants statewide as provided in

1 this Section. The authority to admit participants under this
2 Section in calendar year 2004 shall be allocated as follows:

3 (1) The organization licensee operating at Arlington
4 Park Race Course may admit up to 1,000 gaming participants
5 at a time;

6 (2) The organization licensees operating at Hawthorne
7 Race Course, including the organization licensee formerly
8 operating at Sportsman's Park, may collectively admit up to
9 900 gaming participants at a time;

10 (3) The organization licensee operating at Balmoral
11 Park may admit up to 300 gaming participants at a time;

12 (4) The organization licensee operating at Maywood
13 Park may admit up to 700 gaming participants at a time; and

14 (5) The organization licensee operating at Fairmount
15 Park may admit up to 300 gaming participants at a time.

16 (g) For each calendar year after 2004 in which an
17 electronic gaming licensee requests a number of racing days
18 under its organization license that is less than 90% of the
19 number of days of live racing it was awarded in 2004, the
20 electronic gaming licensee may not conduct electronic gaming.

21 (h) Upon renewal of an electronic gaming license, if an
22 electronic gaming licensee had a higher average daily live
23 handle in the term of its previous electronic gaming license
24 than in 2003, then the number of participants that the
25 electronic gaming licensee may admit after its license is
26 renewed shall be increased by a percentage equal to the
27 percentage increase in average daily live handle during that
28 previous license term over calendar year 2003, but in no event
29 by more than 10%. If an electronic gaming license is authorized
30 to admit additional participants under this subsection (b), it
31 must pay the fee imposed under item (iv) of subsection (c) for
32 each additional participant.

33 (i) An electronic gaming licensee may conduct electronic
34 gaming at a temporary facility pending the construction of a
35 permanent facility or the remodeling of an existing facility to
36 accommodate electronic gaming participants for up to 12 months

1 after receiving an electronic gaming license. The Board shall
2 make rules concerning the conduct of electronic gaming from
3 temporary facilities.

4 (230 ILCS 10/8) (from Ch. 120, par. 2408)

5 Sec. 8. Suppliers licenses.

6 (a) The Board may issue a suppliers license to such
7 persons, firms or corporations which apply therefor upon the
8 payment of a non-refundable application fee set by the Board,
9 upon a determination by the Board that the applicant is
10 eligible for a suppliers license and upon payment of a \$5,000
11 annual license fee.

12 (b) The holder of a suppliers license is authorized to sell
13 or lease, and to contract to sell or lease, gambling equipment
14 and supplies to any owners licensee involved in the ownership
15 or management of riverboat gambling operations and to any
16 electronic gaming licensee involved in the ownership or
17 management of an electronic gaming facility.

18 (c) Riverboat gambling and electronic gaming supplies and
19 equipment may not be distributed unless supplies and equipment
20 conform to standards adopted by rules of the Board.

21 (d) A person, firm or corporation is ineligible to receive
22 a suppliers license if:

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

25 (2) the person has been convicted of any violation of
26 Article 28 of the Criminal Code of 1961, or substantially
27 similar laws of any other jurisdiction;

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

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

31 (5) the firm or corporation is one in which a person
32 defined in (1), (2), (3) or (4), is an officer, director or
33 managerial employee;

34 (6) the firm or corporation employs a person who
35 participates in the management or operation of riverboat

1 gambling or in the management or operation of electronic
2 gaming authorized under this Act;

3 (7) the license of the person, firm or corporation
4 issued under this Act, or a license to own or operate
5 gambling facilities in any other jurisdiction, has been
6 revoked.

7 (e) Any person that supplies any equipment, devices, or
8 supplies to a licensed riverboat gambling operation or
9 electronic gaming operation must first obtain a suppliers
10 license. A supplier shall furnish to the Board a list of all
11 equipment, devices and supplies offered for sale or lease in
12 connection with gambling games authorized under this Act. A
13 supplier shall keep books and records for the furnishing of
14 equipment, devices and supplies to riverboat gambling and
15 electronic gaming operations separate and distinct from any
16 other business that the supplier might operate. A supplier
17 shall file a quarterly return with the Board listing all sales
18 and leases. A supplier shall permanently affix its name to all
19 its equipment, devices, and supplies for riverboat gambling and
20 electronic gaming operations. Any supplier's equipment,
21 devices or supplies which are used by any person in an
22 unauthorized riverboat gambling or electronic gaming operation
23 shall be forfeited to the State. A holder of an owners license
24 or an electronic gaming license ~~licensed owner~~ may own its own
25 equipment, devices and supplies. Each holder of an owners
26 license or an electronic gaming license under the Act shall
27 file an annual report listing its inventories of gambling
28 equipment, devices and supplies.

29 (f) Any person who knowingly makes a false statement on an
30 application is guilty of a Class A misdemeanor.

31 (g) Any gambling equipment, devices and supplies provided
32 by any licensed supplier may either be repaired on the
33 riverboat or electronic gaming facility or removed from the
34 riverboat or electronic gaming facility to a ~~an on-shore~~
35 facility owned by the holder of an owners license or electronic
36 gaming license for repair.

1 (Source: P.A. 86-1029; 87-826.)

2 (230 ILCS 10/9) (from Ch. 120, par. 2409)

3 Sec. 9. Occupational licenses.

4 (a) The Board may issue an occupational license to an
5 applicant upon the payment of a non-refundable fee set by the
6 Board, upon a determination by the Board that the applicant is
7 eligible for an occupational license and upon payment of an
8 annual license fee in an amount to be established. To be
9 eligible for an occupational license, an applicant must:

10 (1) be at least 21 years of age if the applicant will
11 perform any function involved in gaming by patrons. Any
12 applicant seeking an occupational license for a non-gaming
13 function shall be at least 18 years of age;

14 (2) not have been convicted of a felony offense, a
15 violation of Article 28 of the Criminal Code of 1961, or a
16 similar statute of any other jurisdiction, or a crime
17 involving dishonesty or moral turpitude;

18 (3) have demonstrated a level of skill or knowledge
19 which the Board determines to be necessary in order to
20 operate gambling aboard a riverboat or at an electronic
21 gaming facility; and

22 (4) have met standards for the holding of an
23 occupational license as adopted by rules of the Board. Such
24 rules shall provide that any person or entity seeking an
25 occupational license to manage gambling operations
26 hereunder shall be subject to background inquiries and
27 further requirements similar to those required of
28 applicants for an owners license. Furthermore, such rules
29 shall provide that each such entity shall be permitted to
30 manage gambling operations for only one licensed owner or
31 an electronic gaming licensee.

32 (b) Each application for an occupational license shall be
33 on forms prescribed by the Board and shall contain all
34 information required by the Board. The applicant shall set
35 forth in the application: whether he has been issued prior

1 gambling related licenses; whether he has been licensed in any
2 other state under any other name, and, if so, such name and his
3 age; and whether or not a permit or license issued to him in
4 any other state has been suspended, restricted or revoked, and,
5 if so, for what period of time.

6 (c) Each applicant shall submit with his application, on
7 forms provided by the Board, 2 sets of his fingerprints. The
8 Board shall charge each applicant a fee set by the Department
9 of State Police to defray the costs associated with the search
10 and classification of fingerprints obtained by the Board with
11 respect to the applicant's application. These fees shall be
12 paid into the State Police Services Fund.

13 (d) The Board may in its discretion refuse an occupational
14 license to any person: (1) who is unqualified to perform the
15 duties required of such applicant; (2) who fails to disclose or
16 states falsely any information called for in the application;
17 (3) who has been found guilty of a violation of this Act or
18 whose prior gambling related license or application therefor
19 has been suspended, restricted, revoked or denied for just
20 cause in any other state; or (4) for any other just cause.

21 (e) The Board may suspend, revoke or restrict any
22 occupational licensee: (1) for violation of any provision of
23 this Act; (2) for violation of any of the rules and regulations
24 of the Board; (3) for any cause which, if known to the Board,
25 would have disqualified the applicant from receiving such
26 license; or (4) for default in the payment of any obligation or
27 debt due to the State of Illinois; or (5) for any other just
28 cause.

29 (f) A person who knowingly makes a false statement on an
30 application is guilty of a Class A misdemeanor.

31 (g) Any license issued pursuant to this Section shall be
32 valid for a period of one year from the date of issuance.

33 (h) Nothing in this Act shall be interpreted to prohibit a
34 licensed owner or electronic gaming licensee from entering into
35 an agreement with a school approved under the Private Business
36 and Vocational Schools Act for the training of any occupational

1 licensee. Any training offered by such a school shall be in
2 accordance with a written agreement between the licensed owner
3 or electronic gaming licensee and the school.

4 (i) Any training provided for occupational licensees may be
5 conducted either at the site of the gambling facility ~~on the~~
6 ~~riverboat~~ or at a school with which a licensed owner or
7 electronic gaming licensee has entered into an agreement
8 pursuant to subsection (h).

9 (Source: P.A. 86-1029; 87-826.)

10 (230 ILCS 10/11) (from Ch. 120, par. 2411)

11 Sec. 11. Conduct of gambling. Gambling may be conducted by
12 licensed owners or licensed managers on behalf of the State
13 aboard riverboats. Notwithstanding any provision in subsection
14 (c) of Section 3 to the contrary, if authorized by the Board by
15 rule, an owners licensee may move up to 15% of its slot
16 machines from its riverboats to its home dock facility and use
17 those slot machines to conduct gambling, provided that the slot
18 machines are located in an area that is accessible only to
19 persons who are at least 21 years of age and provided that the
20 admission tax imposed under Section 12 has been paid for all
21 persons who use those slot machines. Gambling may be conducted
22 by electronic gaming licensees at limited gaming facilities.
23 Gambling authorized under this Section shall be, subject to the
24 following standards:

25 (1) A licensee may conduct riverboat gambling
26 authorized under this Act regardless of whether it conducts
27 excursion cruises. A licensee may permit the continuous
28 ingress and egress of passengers for the purpose of
29 gambling.

30 (2) (Blank).

31 (3) Minimum and maximum wagers on games shall be set by
32 the licensee.

33 (4) Agents of the Board and the Department of State
34 Police may board and inspect any riverboat or enter and
35 inspect any portion of an electronic gaming facility where

1 electronic gaming is conducted at any time for the purpose
2 of determining whether this Act is being complied with.
3 Every riverboat, if under way and being hailed by a law
4 enforcement officer or agent of the Board, must stop
5 immediately and lay to.

6 (5) Employees of the Board shall have the right to be
7 present on the riverboat or on adjacent facilities under
8 the control of the licensee and at the electronic gaming
9 facility under the control of the electronic gaming
10 licensee.

11 (6) Gambling equipment and supplies customarily used
12 in conducting riverboat gambling or electronic gaming must
13 be purchased or leased only from suppliers licensed for
14 such purpose under this Act.

15 (7) Persons licensed under this Act shall permit no
16 form of wagering on gambling games except as permitted by
17 this Act.

18 (8) Wagers may be received only from a person present
19 on a licensed riverboat or at an electronic gaming
20 facility. No person present on a licensed riverboat or at
21 an electronic gaming facility shall place or attempt to
22 place a wager on behalf of another person who is not
23 present on the riverboat or at the electronic gaming
24 facility.

25 (9) Wagering, including electronic gaming, shall not
26 be conducted with money or other negotiable currency.

27 (10) A person under age 21 shall not be permitted on an
28 area of a riverboat where gambling is being conducted or at
29 an electronic gaming facility where gambling is being
30 conducted, except for a person at least 18 years of age who
31 is an employee of the riverboat gambling operation or
32 electronic gaming operation. No employee under age 21 shall
33 perform any function involved in gambling by the patrons.
34 No person under age 21 shall be permitted to make a wager
35 under this Act.

36 (11) Gambling excursion cruises are permitted only

1 when the waterway for which the riverboat is licensed is
2 navigable, as determined by the Board in consultation with
3 the U.S. Army Corps of Engineers. This paragraph (11) does
4 not limit the ability of a licensee to conduct gambling
5 authorized under this Act when gambling excursion cruises
6 are not permitted.

7 (12) All tokens, chips or electronic cards used to make
8 wagers must be purchased (i) from a licensed owner or
9 manager, in the case of a riverboat, either aboard the a
10 riverboat or at an onshore facility which has been approved
11 by the Board and which is located where the riverboat docks
12 or (ii) from an electronic gaming licensee at the
13 electronic gaming facility. The tokens, chips or
14 electronic cards may be purchased by means of an agreement
15 under which the owner or manager extends credit to the
16 patron. Such tokens, chips or electronic cards may be used
17 while aboard the riverboat or at the electronic gaming
18 facility only for the purpose of making wagers on gambling
19 games.

20 (13) Notwithstanding any other Section of this Act, in
21 addition to the other licenses authorized under this Act,
22 the Board may issue special event licenses allowing persons
23 who are not otherwise licensed to conduct riverboat
24 gambling to conduct such gambling on a specified date or
25 series of dates. Riverboat gambling under such a license
26 may take place on a riverboat not normally used for
27 riverboat gambling. The Board shall establish standards,
28 fees and fines for, and limitations upon, such licenses,
29 which may differ from the standards, fees, fines and
30 limitations otherwise applicable under this Act. All such
31 fees shall be deposited into the State Gaming Fund. All
32 such fines shall be deposited into the Education Assistance
33 Fund, created by Public Act 86-0018, of the State of
34 Illinois.

35 (14) In addition to the above, gambling must be
36 conducted in accordance with all rules adopted by the

1 Board.

2 (Source: P.A. 93-28, eff. 6-20-03.)

3 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

4 Sec. 11.1. Collection of amounts owing under credit
5 agreements. Notwithstanding any applicable statutory provision
6 to the contrary, a licensed owner or electronic gaming licensee
7 or manager who extends credit to a ~~riverboat~~ gambling patron
8 pursuant to Section 11 (a) (12) of this Act is expressly
9 authorized to institute a cause of action to collect any
10 amounts due and owing under the extension of credit, as well as
11 the owner's or manager's costs, expenses and reasonable
12 attorney's fees incurred in collection.

13 (Source: P.A. 93-28, eff. 6-20-03.)

14 (230 ILCS 10/12) (from Ch. 120, par. 2412)

15 Sec. 12. Admission tax; fees.

16 (a) A tax is hereby imposed upon admissions to riverboats
17 operated by licensed owners authorized pursuant to this Act.
18 Until July 1, 2002, the rate is \$2 per person admitted. From
19 July 1, 2002 ~~and~~ until July 1, 2003, the rate is \$3 per person
20 admitted. From Beginning July 1, 2003 until the effective date
21 of this amendatory Act of the 93rd General Assembly, for a
22 licensee that admitted 1,000,000 persons or fewer in the
23 previous calendar year, the rate is \$3 per person admitted; for
24 a licensee that admitted more than 1,000,000 but no more than
25 2,300,000 persons in the previous calendar year, the rate is \$4
26 per person admitted; and for a licensee that admitted more than
27 2,300,000 persons in the previous calendar year, the rate is \$5
28 per person admitted. Beginning on the effective date of this
29 amendatory Act of the 93rd General Assembly, the rate is \$2 per
30 person for the first 1,500,000 persons admitted by a licensee
31 per year and \$3 per person for all persons admitted by that
32 licensee in excess of 1,500,00 per year. ~~Beginning July 1,~~
33 ~~2003, for a licensee that admitted 2,300,000 persons or fewer~~
34 ~~in the previous calendar year, the rate is \$4 per person~~

1 ~~admitted and for a licensee that admitted more than 2,300,000~~
2 ~~persons in the previous calendar year, the rate is \$5 per~~
3 ~~person admitted.~~ This admission tax is imposed upon the
4 licensed owner conducting gambling.

5 (1) The admission tax shall be paid for each admission,
6 except that a person who exits a riverboat gambling
7 facility and reenters that riverboat gambling facility
8 within a reasonable time, as determined by the Board by
9 rule, shall be subject only to the initial admission tax.

10 (2) (Blank).

11 (3) The riverboat licensee may issue tax-free passes to
12 actual and necessary officials and employees of the
13 licensee or other persons actually working on the
14 riverboat.

15 (4) The number and issuance of tax-free passes is
16 subject to the rules of the Board, and a list of all
17 persons to whom the tax-free passes are issued shall be
18 filed with the Board.

19 (a-5) A fee is hereby imposed upon admissions operated by
20 licensed managers on behalf of the State pursuant to Section
21 7.3 at the rates provided in this subsection (a-5). For a
22 licensee that admitted 1,000,000 persons or fewer in the
23 previous calendar year, the rate is \$3 per person admitted; for
24 a licensee that admitted more than 1,000,000 but no more than
25 2,300,000 persons in the previous calendar year, the rate is \$4
26 per person admitted; and for a licensee that admitted more than
27 2,300,000 persons in the previous calendar year, the rate is \$5
28 per person admitted.

29 (1) The admission fee shall be paid for each admission.

30 (2) (Blank).

31 (3) The licensed manager may issue fee-free passes to
32 actual and necessary officials and employees of the manager
33 or other persons actually working on the riverboat.

34 (4) The number and issuance of fee-free passes is
35 subject to the rules of the Board, and a list of all
36 persons to whom the fee-free passes are issued shall be

1 filed with the Board.

2 (b) From the tax imposed under subsection (a) and the fee
3 imposed under subsection (a-5), a municipality shall receive
4 from the State \$1 for each person embarking on a riverboat
5 docked within the municipality, and a county shall receive \$1
6 for each person embarking on a riverboat docked within the
7 county but outside the boundaries of any municipality. The
8 municipality's or county's share shall be collected by the
9 Board on behalf of the State and remitted quarterly by the
10 State, subject to appropriation, to the treasurer of the unit
11 of local government for deposit in the general fund.

12 (c) The licensed owner shall pay the entire admission tax
13 to the Board and the licensed manager shall pay the entire
14 admission fee to the Board. Such payments shall be made daily.
15 Accompanying each payment shall be a return on forms provided
16 by the Board which shall include other information regarding
17 admissions as the Board may require. Failure to submit either
18 the payment or the return within the specified time may result
19 in suspension or revocation of the owners or managers license.

20 (d) The Board shall administer and collect the admission
21 tax imposed by this Section, to the extent practicable, in a
22 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
23 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
24 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
25 Penalty and Interest Act.

26 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,
27 eff. 6-20-03; revised 8-1-03.)

28 (230 ILCS 10/13) (from Ch. 120, par. 2413)

29 Sec. 13. Wagering tax; rate; distribution.

30 (a) Until January 1, 1998, a tax is imposed on the adjusted
31 gross receipts received from gambling games authorized under
32 this Act at the rate of 20%.

33 (a-1) From January 1, 1998 until July 1, 2002, a privilege
34 tax is imposed on persons engaged in the business of conducting
35 riverboat gambling operations, based on the adjusted gross

1 receipts received by a licensed owner from gambling games
2 authorized under this Act at the following rates:

3 15% of annual adjusted gross receipts up to and
4 including \$25,000,000;

5 20% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000;

7 25% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 30% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 35% of annual adjusted gross receipts in excess of
12 \$100,000,000.

13 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
14 is imposed on persons engaged in the business of conducting
15 riverboat gambling operations, other than licensed managers
16 conducting riverboat gambling operations on behalf of the
17 State, based on the adjusted gross receipts received by a
18 licensed owner from gambling games authorized under this Act at
19 the following rates:

20 15% of annual adjusted gross receipts up to and
21 including \$25,000,000;

22 22.5% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$50,000,000;

24 27.5% of annual adjusted gross receipts in excess of
25 \$50,000,000 but not exceeding \$75,000,000;

26 32.5% of annual adjusted gross receipts in excess of
27 \$75,000,000 but not exceeding \$100,000,000;

28 37.5% of annual adjusted gross receipts in excess of
29 \$100,000,000 but not exceeding \$150,000,000;

30 45% of annual adjusted gross receipts in excess of
31 \$150,000,000 but not exceeding \$200,000,000;

32 50% of annual adjusted gross receipts in excess of
33 \$200,000,000.

34 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
35 persons engaged in the business of conducting riverboat
36 gambling operations, other than licensed managers conducting

1 riverboat gambling operations on behalf of the State, based on
2 the adjusted gross receipts received by a licensed owner from
3 gambling games authorized under this Act at the following
4 rates:

5 15% of annual adjusted gross receipts up to and
6 including \$25,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$37,500,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$37,500,000 but not exceeding \$50,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$100,000,000 but not exceeding \$250,000,000;

17 70% of annual adjusted gross receipts in excess of
18 \$250,000,000.

19 An amount equal to the amount of wagering taxes collected
20 under this subsection (a-3) that are in addition to the amount
21 of wagering taxes that would have been collected if the
22 wagering tax rates under subsection (a-2) were in effect shall
23 be paid into the Common School Fund.

24 The privilege tax imposed under this subsection (a-3) shall
25 no longer be imposed beginning on the earlier of (i) July 1,
26 2005; (ii) the first date after June 20, 2003 ~~the effective~~
27 ~~date of this amendatory Act of the 93rd General Assembly~~ that
28 riverboat gambling operations are conducted pursuant to a
29 dormant license; or (iii) the first day that riverboat gambling
30 operations are conducted under the authority of an owners
31 license that is in addition to the 10 owners licenses initially
32 authorized under this Act. For the purposes of this subsection
33 (a-3), the term "dormant license" means an owners license that
34 is authorized by this Act under which no riverboat gambling
35 operations are being conducted on June 20, 2003 ~~the effective~~
36 ~~date of this amendatory Act of the 93rd General Assembly~~.

1 (a-4) Beginning on the first day on which the tax imposed
2 under subsection (a-3) is no longer imposed, a privilege tax is
3 imposed on persons engaged in the business of conducting
4 riverboat gambling operations, other than licensed managers
5 conducting riverboat gambling operations on behalf of the
6 State, based on the adjusted gross receipts received by a
7 licensed owner from gambling games authorized under this Act at
8 the following rates:

9 15% of annual adjusted gross receipts up to and
10 including \$25,000,000;

11 20% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$50,000,000;

13 25% of annual adjusted gross receipts in excess of
14 \$50,000,000 but not exceeding \$75,000,000;

15 30% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$100,000,000;

17 35% of annual adjusted gross receipts in excess of
18 \$100,000,000 but not exceeding \$400,000,000;

19 40% of annual adjusted gross receipts in excess of
20 \$400,000,000 but not exceeding \$450,000,000;

21 45% of annual adjusted gross receipts in excess of
22 \$450,000,000 but not exceeding \$500,000,000;

23 50% of annual adjusted gross receipts in excess of
24 \$500,000,000.

25 ~~15% of annual adjusted gross receipts up to and~~
26 ~~including \$25,000,000;~~

27 ~~22.5% of annual adjusted gross receipts in excess of~~
28 ~~\$25,000,000 but not exceeding \$50,000,000;~~

29 ~~27.5% of annual adjusted gross receipts in excess of~~
30 ~~\$50,000,000 but not exceeding \$75,000,000;~~

31 ~~32.5% of annual adjusted gross receipts in excess of~~
32 ~~\$75,000,000 but not exceeding \$100,000,000;~~

33 ~~37.5% of annual adjusted gross receipts in excess of~~
34 ~~\$100,000,000 but not exceeding \$150,000,000;~~

35 ~~45% of annual adjusted gross receipts in excess of~~
36 ~~\$150,000,000 but not exceeding \$200,000,000;~~

1 ~~50% of annual adjusted gross receipts in excess of~~
2 ~~\$200,000,000.~~

3 (a-8) Riverboat gambling operations conducted by a
4 licensed manager on behalf of the State are not subject to the
5 tax imposed under this Section.

6 (a-10) The taxes imposed by this Section shall be paid by
7 the licensed owner or electronic gaming licensee to the Board
8 not later than 3:00 o'clock p.m. of the day after the day when
9 the wagers were made.

10 (b) Until January 1, 1998, 25% of the tax revenue deposited
11 in the State Gaming Fund under this Section shall be paid,
12 subject to appropriation by the General Assembly, to the unit
13 of local government which is designated as the home dock of the
14 riverboat. Except as otherwise provided in this subsection (b),
15 beginning January 1, 1998, from the tax revenue from riverboat
16 gambling deposited in the State Gaming Fund under this Section,
17 an amount equal to 5% of adjusted gross receipts generated by a
18 riverboat shall be paid monthly, subject to appropriation by
19 the General Assembly, to the unit of local government that is
20 designated as the home dock of the riverboat.

21 For calendar year 2004 and each year thereafter, if the
22 adjusted gross receipts of a riverboat from riverboat gambling
23 are greater than they were in calendar year 2002, the amount
24 paid to the unit of local government under this subsection (b)
25 shall not exceed that amount paid in calendar year 2002. In the
26 case of an owners licensee that first begins conducting
27 riverboat gambling operations on or after the effective date of
28 this amendatory Act of the 93rd General Assembly, the term
29 "calendar year 2002" as used in this subsection (b) means the
30 owners licensee's first full year of conducting riverboat
31 gambling operations.

32 (b-5) Beginning on the effective date of this amendatory
33 Act of the 93rd General Assembly, after the payments required
34 under subsection (b) have been made, from the tax revenue from
35 electronic gaming deposited into the State Gaming Fund under
36 this Section, an amount equal to 1% of the adjusted gross

1 receipts generated by each electronic gaming licensee shall be
2 paid monthly, subject to appropriation, to the municipality in
3 which the electronic gaming facility is located. If an
4 electronic gaming facility is not located within a
5 municipality, then an amount equal to 1% of the adjusted gross
6 receipts generated by the electronic gaming licensee shall be
7 paid monthly, subject to appropriation, to the county in which
8 the electronic gaming facility is located.

9 (b-10) Beginning on the effective date of this amendatory
10 Act of the 93rd General Assembly, after the payments required
11 under subsections (b) and (b-5) have been made, from the tax
12 revenue from electronic gaming deposited into the State Gaming
13 Fund under this Section, an amount equal to 1% of the adjusted
14 gross receipts generated by an electronic gaming licensee, but
15 in no event more than \$25,000,000 in any year, shall be paid
16 monthly, subject to appropriation, into the Intercity
17 Development Fund.

18 (b-15) Beginning on the effective date of this amendatory
19 Act of the 93rd General Assembly, after the payments required
20 under subsections (b), (b-5), and (b-10) have been made, the
21 first \$5,000,000 of tax revenue derived from electronic gaming
22 shall be paid to the Department of Human Services to be used
23 for compulsive gambling programs.

24 (b-20) From the tax revenue deposited in the State Gaming
25 Fund pursuant to riverboat gambling operations conducted by a
26 licensed manager on behalf of the State, an amount equal to 5%
27 of adjusted gross receipts generated pursuant to those
28 riverboat gambling operations shall be paid monthly, subject to
29 appropriation by the General Assembly, to the unit of local
30 government that is designated as the home dock of the riverboat
31 upon which those riverboat gambling operations are conducted.

32 (c) Appropriations, as approved by the General Assembly,
33 may be made from the State Gaming Fund to the Department of
34 Revenue and the Department of State Police for the
35 administration and enforcement of this Act, or to the
36 Department of Human Services for the administration of programs

1 to treat problem gambling.

2 (c-5) (Blank). ~~After the payments required under~~
3 ~~subsections (b) and (c) have been made, an amount equal to 15%~~
4 ~~of the adjusted gross receipts of (1) an owners licensee that~~
5 ~~relocates pursuant to Section 11.2, (2) an owners license~~
6 ~~conducting riverboat gambling operations pursuant to an owners~~
7 ~~license that is initially issued after June 25, 1999, or (3)~~
8 ~~the first riverboat gambling operations conducted by a licensed~~
9 ~~manager on behalf of the State under Section 7.2, whichever~~
10 ~~comes first, shall be paid from the State Gaming Fund into the~~
11 ~~Horse Racing Equity Fund.~~

12 (c-10) (Blank). ~~Each year the General Assembly shall~~
13 ~~appropriate from the General Revenue Fund to the Education~~
14 ~~Assistance Fund an amount equal to the amount paid into the~~
15 ~~Horse Racing Equity Fund pursuant to subsection (c-5) in the~~
16 ~~prior calendar year.~~

17 (c-15) After the payments required under subsections (b),
18 (b-5), (b-10), (b-15), and (c), ~~and (c-5)~~ have been made, an
19 amount equal to 2% of the adjusted gross receipts of (1) an
20 owners licensee that relocates pursuant to Section 11.2, (2) an
21 owners licensee conducting riverboat gambling operations
22 pursuant to an owners license that is initially issued after
23 June 25, 1999, or (3) the first riverboat gambling operations
24 conducted by a licensed manager on behalf of the State under
25 Section 7.2, whichever comes first, shall be paid, subject to
26 appropriation from the General Assembly, from the State Gaming
27 Fund to each home rule county with a population of over
28 3,000,000 inhabitants for the purpose of enhancing the county's
29 criminal justice system.

30 (c-20) Each year the General Assembly shall appropriate
31 from the General Revenue Fund to the Education Assistance Fund
32 an amount equal to the amount paid to each home rule county
33 with a population of over 3,000,000 inhabitants pursuant to
34 subsection (c-15) in the prior calendar year.

35 (c-25) After the payments required under subsections (b),
36 (b-5), (b-10), (b-15), (c), ~~(c-5)~~ and (c-15) have been made, an

1 amount equal to 2% of the adjusted gross receipts of (1) an
2 owners licensee ~~license~~ that relocates pursuant to Section
3 11.2, (2) an owners licensee ~~license~~ conducting riverboat
4 gambling operations pursuant to an owners license that is
5 initially issued after June 25, 1999, or (3) the first
6 riverboat gambling operations conducted by a licensed manager
7 on behalf of the State under Section 7.2, whichever comes
8 first, shall be paid from the State Gaming Fund to Chicago
9 State University.

10 (d) From time to time, the Board shall transfer the
11 remainder of the funds generated by this Act into the Education
12 Assistance Fund, created by Public Act 86-0018, of the State of
13 Illinois.

14 (e) Nothing in this Act shall prohibit the unit of local
15 government designated as the home dock of the riverboat from
16 entering into agreements with other units of local government
17 in this State or in other states to share its portion of the
18 tax revenue.

19 (f) To the extent practicable, the Board shall administer
20 and collect the wagering taxes imposed by this Section in a
21 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
22 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
23 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
24 Penalty and Interest Act.

25 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,
26 eff. 6-20-03; revised 10-3-03.)

27 (230 ILCS 10/13.2 new)

28 Sec. 13.2. Licensee assessment. All owners licensees
29 licensed to conduct riverboat gambling operations on the
30 effective date of this amendatory Act of the 93rd General
31 Assembly shall be required to pay an aggregate amount of
32 \$130,000,000 to the Gaming Board by July 1, 2004. The Board
33 shall deposit all moneys received under this Section into the
34 State Gaming Fund. Each owners licensee shall pay a pro rata
35 share based on its adjusted gross receipts from calendar year

1 2002 as determined by the Board.

2 (230 ILCS 10/14) (from Ch. 120, par. 2414)

3 Sec. 14. Licensees - Records - Reports - Supervision.

4 (a) ~~A~~ Licensed owners and electronic gaming licensees ~~owner~~
5 shall keep their ~~his~~ books and records so as to clearly show
6 the following:

7 (1) The amount received daily from admission fees.

8 (2) The total amount of gross receipts.

9 (3) The total amount of the adjusted gross receipts.

10 (b) ~~The~~ Licensed owners and electronic gaming licensees
11 ~~owner~~ shall furnish to the Board reports and information as the
12 Board may require with respect to its activities on forms
13 designed and supplied for such purpose by the Board.

14 (c) The books and records kept by a licensed owner or
15 electronic gaming licensee as provided by this Section are
16 public records and the examination, publication, and
17 dissemination of the books and records are governed by the
18 provisions of The Freedom of Information Act.

19 (Source: P.A. 86-1029.)

20 (230 ILCS 10/18) (from Ch. 120, par. 2418)

21 Sec. 18. Prohibited Activities - Penalty.

22 (a) A person is guilty of a Class A misdemeanor for doing
23 any of the following:

24 (1) Conducting gambling where wagering is used or to be
25 used without a license issued by the Board.

26 (2) Conducting gambling where wagering is permitted
27 other than in the manner specified by Section 11.

28 (b) A person is guilty of a Class B misdemeanor for doing
29 any of the following:

30 (1) permitting a person under 21 years to make a wager;

31 or

32 (2) violating paragraph (12) of subsection (a) of
33 Section 11 of this Act.

34 (c) A person wagering or accepting a wager at any location

1 outside the riverboat or electronic gaming facility in
2 violation of paragraph ~~is subject to the penalties in~~
3 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
4 Criminal Code of 1961 is subject to the penalties provided in
5 that Section.

6 (d) A person commits a Class 4 felony and, in addition,
7 shall be barred for life from gambling operations ~~riverboats~~
8 under the jurisdiction of the Board, if the person does any of
9 the following:

10 (1) Offers, promises, or gives anything of value or
11 benefit to a person who is connected with a riverboat owner
12 or electronic gaming licensee including, but not limited
13 to, an officer or employee of a licensed owner or
14 electronic gaming licensee or holder of an occupational
15 license pursuant to an agreement or arrangement or with the
16 intent that the promise or thing of value or benefit will
17 influence the actions of the person to whom the offer,
18 promise, or gift was made in order to affect or attempt to
19 affect the outcome of a gambling game, or to influence
20 official action of a member of the Board.

21 (2) Solicits or knowingly accepts or receives a promise
22 of anything of value or benefit while the person is
23 connected with a riverboat or electronic gaming facility,
24 including, but not limited to, an officer or employee of a
25 licensed owner or electronic gaming licensee, or the holder
26 of an occupational license, pursuant to an understanding or
27 arrangement or with the intent that the promise or thing of
28 value or benefit will influence the actions of the person
29 to affect or attempt to affect the outcome of a gambling
30 game, or to influence official action of a member of the
31 Board.

32 (3) Uses or possesses with the intent to use a device
33 to assist:

34 (i) In projecting the outcome of the game.

35 (ii) In keeping track of the cards played.

36 (iii) In analyzing the probability of the

1 occurrence of an event relating to the gambling game.

2 (iv) In analyzing the strategy for playing or
3 betting to be used in the game except as permitted by
4 the Board.

5 (4) Cheats at a gambling game.

6 (5) Manufactures, sells, or distributes any cards,
7 chips, dice, game or device which is intended to be used to
8 violate any provision of this Act.

9 (6) Alters or misrepresents the outcome of a gambling
10 game on which wagers have been made after the outcome is
11 made sure but before it is revealed to the players.

12 (7) Places a bet after acquiring knowledge, not
13 available to all players, of the outcome of the gambling
14 game which is subject of the bet or to aid a person in
15 acquiring the knowledge for the purpose of placing a bet
16 contingent on that outcome.

17 (8) Claims, collects, or takes, or attempts to claim,
18 collect, or take, money or anything of value in or from the
19 gambling games, with intent to defraud, without having made
20 a wager contingent on winning a gambling game, or claims,
21 collects, or takes an amount of money or thing of value of
22 greater value than the amount won.

23 (9) Uses counterfeit chips or tokens in a gambling
24 game.

25 (10) Possesses any key or device designed for the
26 purpose of opening, entering, or affecting the operation of
27 a gambling game, drop box, or an electronic or mechanical
28 device connected with the gambling game or for removing
29 coins, tokens, chips or other contents of a gambling game.
30 This paragraph (10) does not apply to a gambling licensee
31 or employee of a gambling licensee acting in furtherance of
32 the employee's employment.

33 (e) The possession of more than one of the devices
34 described in subsection (d), paragraphs (3), (5) or (10)
35 permits a rebuttable presumption that the possessor intended to
36 use the devices for cheating.

1 An action to prosecute any crime occurring on a riverboat
2 shall be tried in the county of the dock at which the riverboat
3 is based.

4 (Source: P.A. 91-40, eff. 6-25-99.)

5 (230 ILCS 10/19) (from Ch. 120, par. 2419)

6 Sec. 19. Forfeiture of property. (a) Except as provided in
7 subsection (b), any riverboat or electronic gaming facility
8 used for the conduct of gambling games in violation of this Act
9 shall be considered a gambling place in violation of Section
10 28-3 of the Criminal Code of 1961, as now or hereafter amended.
11 Every gambling device found on a riverboat or at an electronic
12 gaming facility operating gambling games in violation of this
13 Act and every slot machine found at an electronic gaming
14 facility operating gambling games in violation of this Act
15 shall be subject to seizure, confiscation and destruction as
16 provided in Section 28-5 of the Criminal Code of 1961, as now
17 or hereafter amended.

18 (b) It is not a violation of this Act for a riverboat or
19 other watercraft which is licensed for gaming by a contiguous
20 state to dock on the shores of this State if the municipality
21 having jurisdiction of the shores, or the county in the case of
22 unincorporated areas, has granted permission for docking and no
23 gaming is conducted on the riverboat or other watercraft while
24 it is docked on the shores of this State. No gambling device
25 shall be subject to seizure, confiscation or destruction if the
26 gambling device is located on a riverboat or other watercraft
27 which is licensed for gaming by a contiguous state and which is
28 docked on the shores of this State if the municipality having
29 jurisdiction of the shores, or the county in the case of
30 unincorporated areas, has granted permission for docking and no
31 gaming is conducted on the riverboat or other watercraft while
32 it is docked on the shores of this State.

33 (Source: P.A. 86-1029.)

34 (230 ILCS 10/20) (from Ch. 120, par. 2420)

1 Sec. 20. Prohibited activities - civil penalties. Any
2 person who conducts a gambling operation without first
3 obtaining a license to do so, or who continues to conduct such
4 games after revocation of his license, or any licensee who
5 conducts or allows to be conducted any unauthorized gambling
6 games on a riverboat or at an electronic gaming facility where
7 it is authorized to conduct its ~~riverboat~~ gambling operation,
8 in addition to other penalties provided, shall be subject to a
9 civil penalty equal to the amount of gross receipts derived
10 from wagering on the gambling games, whether unauthorized or
11 authorized, conducted on that day as well as confiscation and
12 forfeiture of all gambling game equipment used in the conduct
13 of unauthorized gambling games.

14 (Source: P.A. 86-1029.)

15 Section 85. The Illinois Pull Tabs and Jar Games Act is
16 amended by changing Sections 1.1, 4, and 5 as follows:

17 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

18 Sec. 1.1. Definitions. As used in this Act:

19 "Pull tabs" and "jar games" means a game using
20 single-folded or banded tickets or a card, the face of which is
21 initially covered or otherwise hidden from view in order to
22 conceal a number, symbol or set of symbols, some of which are
23 winners. Players with winning tickets receive a prize stated on
24 a promotional display or "flare". Pull tabs also means a game
25 in which prizes are won by pulling a tab from a board thereby
26 revealing a number which corresponds to the number for a given
27 prize.

28 Except in the case of bingo event games, each winning pull
29 tab or slip shall be predetermined. The right to participate in
30 such games shall not cost more than \$2. Except for prizes
31 awarded as part of a progressive game, no single prize shall
32 exceed \$500. There shall be no more than 6,000 tickets in a
33 game.

34 "Pull tabs and jar games", as used in this Act, does not

1 include the following: numbers, policy, bolita or similar
2 games, dice, slot machines, bookmaking and wagering pools with
3 respect to a sporting event, or that game commonly known as
4 punch boards, or any other game or activity not expressly
5 defined in this Section.

6 "Organization" means a corporation, agency, partnership,
7 association, firm or other entity consisting of 2 or more
8 persons joined by a common interest or purpose.

9 "Non-profit organization" means an organization or
10 institution organized and conducted on a not-for-profit basis
11 with no personal profit inuring to anyone as a result of the
12 operation.

13 "Charitable organization" means an organization or
14 institution organized and operated to benefit an indefinite
15 number of the public.

16 "Educational organization" means an organization or
17 institution organized and operated to provide systematic
18 instruction in useful branches of learning by methods common to
19 schools and institutions of learning which compare favorably in
20 their scope and intensity with the course of study presented in
21 tax-supported schools.

22 "Religious organization" means any church, congregation,
23 society, or organization founded for the purpose of religious
24 worship.

25 "Fraternal organization" means an organization of persons,
26 including but not limited to ethnic organizations, having a
27 common interest, organized and operated exclusively to promote
28 the welfare of its members and to benefit the general public on
29 a continuing and consistent basis.

30 "Veterans' organization" means an organization comprised
31 of members of which substantially all are individuals who are
32 veterans or spouses, widows, or widowers of veterans, the
33 primary purpose of which is to promote the welfare of its
34 members and to provide assistance to the general public in such
35 a way as to confer a public benefit.

36 "Labor organization" means an organization composed of

1 labor unions or workers organized with the objective of
2 betterment of the conditions of those engaged in such pursuit
3 and the development of a higher degree of efficiency in their
4 respective occupations.

5 "Youth athletic organization" means an organization having
6 as its exclusive purpose the promotion and provision of
7 athletic activities for youth aged 18 and under.

8 "Senior citizens organization" means an organization or
9 association comprised of members of which substantially all are
10 individuals who are senior citizens, as defined in the Illinois
11 Act on the Aging, the primary purpose of which is to promote
12 the welfare of its members.

13 "Progressive game" means a pull tab game that has a portion
14 of its predetermined prize payout designated to a progressive
15 jackpot that, if not won, is carried forward and added to the
16 jackpot of subsequent games until won.

17 "Bingo event game" means a pull tab game played with pull
18 tab tickets where the winner has not been designated in advance
19 by the manufacturer, but is determined by chance.

20 (Source: P.A. 90-536, eff. 1-1-98.)

21 (230 ILCS 20/4) (from Ch. 120, par. 1054)

22 Sec. 4. The conducting of pull tabs and jar games is
23 subject to the following restrictions:

24 (1) The entire net proceeds of any pull tabs or jar games,
25 except as otherwise approved in this Act, must be exclusively
26 devoted to the lawful purposes of the organization permitted to
27 conduct such drawings.

28 (2) No person except a bona fide member or employee of the
29 sponsoring organization may participate in the management or
30 operation of such pull tabs or jar games; however, nothing
31 herein shall conflict with pull tabs and jar games conducted
32 under the provisions of the Charitable Games Act.

33 (3) No person may receive any remuneration or profit for
34 participating in the management or operation of such pull tabs
35 or jar games; however, nothing herein shall conflict with pull

1 tabs and jar games conducted under the provisions of the
2 Charitable Games Act.

3 (4) The price paid for a single chance or right to
4 participate in a game licensed under this Act shall not exceed
5 \$2. ~~The aggregate value of all prizes or merchandise awarded in
6 any single day of pull tabs and jar games shall not exceed
7 \$5,000, except that in adjoining counties having 200,000 to
8 275,000 inhabitants each, and in counties which are adjacent to
9 either of such adjoining counties and are adjacent to total of
10 not more than 2 counties in this State, the value of all prizes
11 or merchandise awarded may not exceed \$5,000 in a single day.~~

12 (5) No person under the age of 18 years shall play or
13 participate in games under this Act. A person under the age of
14 18 years may be within the area where pull tabs and jar games
15 are being conducted only when accompanied by his parent or
16 guardian.

17 (6) Pull tabs and jar games shall be conducted only on
18 premises owned or occupied by licensed organizations and used
19 by its members for general activities, or on premises owned or
20 rented for conducting the game of bingo, or as permitted in
21 subsection (4) of Section 3.

22 (Source: P.A. 90-536, eff. 1-1-98; 90-808, eff. 12-1-98.)

23 (230 ILCS 20/5) (from Ch. 120, par. 1055)

24 Sec. 5. There shall be paid to the Department of Revenue 5%
25 of the gross proceeds of any pull tabs and jar games conducted
26 under this Act. Such payments shall be made 4 times per year,
27 between the first and the 20th day of April, July, October and
28 January. Payment must be made by money order or certified
29 check. Accompanying each payment shall be a report, on forms
30 provided by the Department of Revenue, listing the number of
31 drawings conducted, the gross income derived therefrom and such
32 other information as the Department of Revenue may require.
33 Failure to submit either the payment or the report within the
34 specified time shall result in automatic revocation of the
35 license. All payments made to the Department of Revenue under

1 this Act shall be deposited as follows:

2 (a) 50% shall be deposited in the Common School Fund; and

3 (b) 50% shall be deposited in the Illinois Gaming Law
4 Enforcement Fund. Of the monies deposited in the Illinois
5 Gaming Law Enforcement Fund under this Section, the General
6 Assembly shall appropriate two-thirds to the Department of
7 Revenue, Department of State Police and the Office of the
8 Attorney General for State law enforcement purposes, and
9 one-third shall be appropriated to the Department of Revenue
10 for the purpose of distribution in the form of grants to
11 counties or municipalities for law enforcement purposes. The
12 amounts of grants to counties or municipalities shall bear the
13 same ratio as the number of licenses issued in counties or
14 municipalities bears to the total number of licenses issued in
15 the State. In computing the number of licenses issued in a
16 county, licenses issued for locations within a municipality's
17 boundaries shall be excluded.

18 The Department of Revenue shall license suppliers and
19 manufacturers of pull tabs and jar games at an annual fee of
20 \$5,000. Suppliers and manufacturers shall meet the
21 requirements and qualifications established by rule by the
22 Department. Licensed manufacturers shall sell pull tabs and jar
23 games only to licensed suppliers. Licensed suppliers shall buy
24 pull tabs and jar games only from licensed manufacturers and
25 shall sell pull tabs and jar games only to licensed
26 organizations. Licensed organizations shall buy pull tabs and
27 jar games only from licensed suppliers.

28 The Department of Revenue shall adopt by rule minimum
29 quality production standards for pull tabs and jar games. In
30 determining such standards, the Department shall consider the
31 standards adopted by the National Association of Gambling
32 Regulatory Agencies and the National Association of
33 Fundraising Ticket Manufacturers. ~~Such standards shall include~~
34 ~~the name of the supplier which shall appear in plain view to~~
35 ~~the casual observer on the face side of each pull tab ticket~~
36 ~~and on each jar game ticket.~~ The pull tab ticket shall contain

1 the name of the game, the selling price of the ticket, the
2 amount of the prize and the serial number of the ticket. The
3 back side of a pull tab ticket shall contain a series of
4 perforated tabs ~~marked "open here"~~. The logo of the
5 manufacturer shall be clearly visible on each jar game ticket.

6 The Department of Revenue shall adopt rules necessary to
7 provide for the proper accounting and control of activities
8 under this Act, to ensure that the proper taxes are paid, that
9 the proceeds from the activities under this Act are used
10 lawfully, and to prevent illegal activity associated with the
11 use of pull tabs and jar games.

12 The provisions of Section 2a of the Retailers' Occupation
13 Tax Act pertaining to the furnishing of a bond or other
14 security are incorporated by reference into this Act and are
15 applicable to licensees under this Act as a precondition of
16 obtaining a license under this Act. The provisions of Sections
17 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,
18 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and
19 Section 3-7 of the Uniform Penalty and Interest Act, which are
20 not inconsistent with this Act shall apply, as far as
21 practicable, to the subject matter of this Act to the same
22 extent as if such provisions were included in this Act. For the
23 purposes of this Act, references in such incorporated Sections
24 of the Retailers' Occupation Tax Act to retailers, sellers or
25 persons engaged in the business of selling tangible personal
26 property means persons engaged in conducting pull tabs and jar
27 games and references in such incorporated Sections of the
28 Retailers' Occupation Tax Act to sales of tangible personal
29 property mean the conducting of pull tabs and jar games and the
30 making of charges for participating in such drawings.

31 (Source: P.A. 87-205; 87-895.)

32 Section 90. The Criminal Code of 1961 is amended by
33 changing Sections 28-1, 28-5, and 28-7 as follows:

34 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

1 Sec. 28-1. Gambling.

2 (a) A person commits gambling when he:

3 (1) Plays a game of chance or skill for money or other
4 thing of value, unless excepted in subsection (b) of this
5 Section; or

6 (2) Makes a wager upon the result of any game, contest,
7 or any political nomination, appointment or election; or

8 (3) Operates, keeps, owns, uses, purchases, exhibits,
9 rents, sells, bargains for the sale or lease of,
10 manufactures or distributes any gambling device; or

11 (4) Contracts to have or give himself or another the
12 option to buy or sell, or contracts to buy or sell, at a
13 future time, any grain or other commodity whatsoever, or
14 any stock or security of any company, where it is at the
15 time of making such contract intended by both parties
16 thereto that the contract to buy or sell, or the option,
17 whenever exercised, or the contract resulting therefrom,
18 shall be settled, not by the receipt or delivery of such
19 property, but by the payment only of differences in prices
20 thereof; however, the issuance, purchase, sale, exercise,
21 endorsement or guarantee, by or through a person registered
22 with the Secretary of State pursuant to Section 8 of the
23 Illinois Securities Law of 1953, or by or through a person
24 exempt from such registration under said Section 8, of a
25 put, call, or other option to buy or sell securities which
26 have been registered with the Secretary of State or which
27 are exempt from such registration under Section 3 of the
28 Illinois Securities Law of 1953 is not gambling within the
29 meaning of this paragraph (4); or

30 (5) Knowingly owns or possesses any book, instrument or
31 apparatus by means of which bets or wagers have been, or
32 are, recorded or registered, or knowingly possesses any
33 money which he has received in the course of a bet or
34 wager; or

35 (6) Sells pools upon the result of any game or contest
36 of skill or chance, political nomination, appointment or

1 election; or

2 (7) Sets up or promotes any lottery or sells, offers to
3 sell or transfers any ticket or share for any lottery; or

4 (8) Sets up or promotes any policy game or sells,
5 offers to sell or knowingly possesses or transfers any
6 policy ticket, slip, record, document or other similar
7 device; or

8 (9) Knowingly drafts, prints or publishes any lottery
9 ticket or share, or any policy ticket, slip, record,
10 document or similar device, except for such activity
11 related to lotteries, bingo games and raffles authorized by
12 and conducted in accordance with the laws of Illinois or
13 any other state or foreign government; or

14 (10) Knowingly advertises any lottery or policy game,
15 except for such activity related to lotteries, bingo games
16 and raffles authorized by and conducted in accordance with
17 the laws of Illinois or any other state; or

18 (11) Knowingly transmits information as to wagers,
19 betting odds, or changes in betting odds by telephone,
20 telegraph, radio, semaphore or similar means; or knowingly
21 installs or maintains equipment for the transmission or
22 receipt of such information; except that nothing in this
23 subdivision (11) prohibits transmission or receipt of such
24 information for use in news reporting of sporting events or
25 contests; or

26 (12) Knowingly establishes, maintains, or operates an
27 Internet site that permits a person to play a game of
28 chance or skill for money or other thing of value by means
29 of the Internet or to make a wager upon the result of any
30 game, contest, political nomination, appointment, or
31 election by means of the Internet.

32 (b) Participants in any of the following activities shall
33 not be convicted of gambling therefor:

34 (1) Agreements to compensate for loss caused by the
35 happening of chance including without limitation contracts
36 of indemnity or guaranty and life or health or accident

1 insurance;

2 (2) Offers of prizes, award or compensation to the
3 actual contestants in any bona fide contest for the
4 determination of skill, speed, strength or endurance or to
5 the owners of animals or vehicles entered in such contest;

6 (3) Pari-mutuel betting as authorized by the law of
7 this State;

8 (4) Manufacture of gambling devices, including the
9 acquisition of essential parts therefor and the assembly
10 thereof, for transportation in interstate or foreign
11 commerce to any place outside this State when such
12 transportation is not prohibited by any applicable Federal
13 law;

14 (5) The game commonly known as "bingo", when conducted
15 in accordance with the Bingo License and Tax Act;

16 (6) Lotteries when conducted by the State of Illinois
17 in accordance with the Illinois Lottery Law;

18 (7) Possession of an antique slot machine that is
19 neither used nor intended to be used in the operation or
20 promotion of any unlawful gambling activity or enterprise.
21 For the purpose of this subparagraph (b)(7), an antique
22 slot machine is one manufactured 25 years ago or earlier;

23 (8) Raffles when conducted in accordance with the
24 Raffles Act;

25 (9) Charitable games when conducted in accordance with
26 the Charitable Games Act;

27 (10) Pull tabs and jar games when conducted under the
28 Illinois Pull Tabs and Jar Games Act; or

29 (11) Gambling games ~~conducted on riverboats~~ when
30 authorized by the Riverboat Gambling Act.

31 (c) Sentence.

32 Gambling under subsection (a)(1) or (a)(2) of this Section
33 is a Class A misdemeanor. Gambling under any of subsections
34 (a)(3) through (a)(11) of this Section is a Class A
35 misdemeanor. A second or subsequent conviction under any of
36 subsections (a)(3) through (a)(11), is a Class 4 felony.

1 Gambling under subsection (a)(12) of this Section is a Class A
2 misdemeanor. A second or subsequent conviction under
3 subsection (a)(12) is a Class 4 felony.

4 (d) Circumstantial evidence.

5 In prosecutions under subsection (a)(1) through (a)(12) of
6 this Section circumstantial evidence shall have the same
7 validity and weight as in any criminal prosecution.

8 (Source: P.A. 91-257, eff. 1-1-00.)

9 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

10 Sec. 28-5. Seizure of gambling devices and gambling funds.

11 (a) Every device designed for gambling which is incapable
12 of lawful use or every device used unlawfully for gambling
13 shall be considered a "gambling device", and shall be subject
14 to seizure, confiscation and destruction by the Department of
15 State Police or by any municipal, or other local authority,
16 within whose jurisdiction the same may be found. As used in
17 this Section, a "gambling device" includes any slot machine,
18 and includes any machine or device constructed for the
19 reception of money or other thing of value and so constructed
20 as to return, or to cause someone to return, on chance to the
21 player thereof money, property or a right to receive money or
22 property. With the exception of any device designed for
23 gambling which is incapable of lawful use, no gambling device
24 shall be forfeited or destroyed unless an individual with a
25 property interest in said device knows of the unlawful use of
26 the device.

27 (b) Every gambling device shall be seized and forfeited to
28 the county wherein such seizure occurs. Any money or other
29 thing of value integrally related to acts of gambling shall be
30 seized and forfeited to the county wherein such seizure occurs.

31 (c) If, within 60 days after any seizure pursuant to
32 subparagraph (b) of this Section, a person having any property
33 interest in the seized property is charged with an offense, the
34 court which renders judgment upon such charge shall, within 30
35 days after such judgment, conduct a forfeiture hearing to

1 determine whether such property was a gambling device at the
2 time of seizure. Such hearing shall be commenced by a written
3 petition by the State, including material allegations of fact,
4 the name and address of every person determined by the State to
5 have any property interest in the seized property, a
6 representation that written notice of the date, time and place
7 of such hearing has been mailed to every such person by
8 certified mail at least 10 days before such date, and a request
9 for forfeiture. Every such person may appear as a party and
10 present evidence at such hearing. The quantum of proof required
11 shall be a preponderance of the evidence, and the burden of
12 proof shall be on the State. If the court determines that the
13 seized property was a gambling device at the time of seizure,
14 an order of forfeiture and disposition of the seized property
15 shall be entered: a gambling device shall be received by the
16 State's Attorney, who shall effect its destruction, except that
17 valuable parts thereof may be liquidated and the resultant
18 money shall be deposited in the general fund of the county
19 wherein such seizure occurred; money and other things of value
20 shall be received by the State's Attorney and, upon
21 liquidation, shall be deposited in the general fund of the
22 county wherein such seizure occurred. However, in the event
23 that a defendant raises the defense that the seized slot
24 machine is an antique slot machine described in subparagraph
25 (b) (7) of Section 28-1 of this Code and therefore he is exempt
26 from the charge of a gambling activity participant, the seized
27 antique slot machine shall not be destroyed or otherwise
28 altered until a final determination is made by the Court as to
29 whether it is such an antique slot machine. Upon a final
30 determination by the Court of this question in favor of the
31 defendant, such slot machine shall be immediately returned to
32 the defendant. Such order of forfeiture and disposition shall,
33 for the purposes of appeal, be a final order and judgment in a
34 civil proceeding.

35 (d) If a seizure pursuant to subparagraph (b) of this
36 Section is not followed by a charge pursuant to subparagraph

1 (c) of this Section, or if the prosecution of such charge is
2 permanently terminated or indefinitely discontinued without
3 any judgment of conviction or acquittal (1) the State's
4 Attorney shall commence an in rem proceeding for the forfeiture
5 and destruction of a gambling device, or for the forfeiture and
6 deposit in the general fund of the county of any seized money
7 or other things of value, or both, in the circuit court and (2)
8 any person having any property interest in such seized gambling
9 device, money or other thing of value may commence separate
10 civil proceedings in the manner provided by law.

11 (e) Any gambling device displayed for sale to a riverboat
12 gambling operation or used to train occupational licensees of a
13 riverboat gambling operation as authorized under the Riverboat
14 Gambling Act is exempt from seizure under this Section.

15 (f) Any gambling equipment, devices and supplies provided
16 by a licensed supplier in accordance with the Riverboat
17 Gambling Act which are removed from a ~~the~~ riverboat or
18 electronic gaming facility for repair are exempt from seizure
19 under this Section.

20 (Source: P.A. 87-826.)

21 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

22 Sec. 28-7. Gambling contracts void.

23 (a) All promises, notes, bills, bonds, covenants,
24 contracts, agreements, judgments, mortgages, or other
25 securities or conveyances made, given, granted, drawn, or
26 entered into, or executed by any person whatsoever, where the
27 whole or any part of the consideration thereof is for any money
28 or thing of value, won or obtained in violation of any Section
29 of this Article are null and void.

30 (b) Any obligation void under this Section may be set aside
31 and vacated by any court of competent jurisdiction, upon a
32 complaint filed for that purpose, by the person so granting,
33 giving, entering into, or executing the same, or by his
34 executors or administrators, or by any creditor, heir, legatee,
35 purchaser or other person interested therein; or if a judgment,

1 the same may be set aside on motion of any person stated above,
2 on due notice thereof given.

3 (c) No assignment of any obligation void under this Section
4 may in any manner affect the defense of the person giving,
5 granting, drawing, entering into or executing such obligation,
6 or the remedies of any person interested therein.

7 (d) This Section shall not prevent a licensed owner of a
8 riverboat gambling operation or an electronic gaming licensee
9 under the Riverboat Gambling Act and the Illinois Horse Racing
10 Act of 1975 from instituting a cause of action to collect any
11 amount due and owing under an extension of credit to a
12 ~~riverboat~~ gambling patron as authorized under Section 11.1 of
13 the Riverboat Gambling Act.

14 (Source: P.A. 87-826.)

15 (230 ILCS 5/32.1 rep.)

16 (230 ILCS 5/54 rep.)

17 Section 93. The Illinois Horse Racing Act of 1975 is
18 amended by repealing Sections 32.1 and 54.

19 Section 100. "An Act in relation to gambling, amending
20 named Acts", approved June 25, 1999, Public Act 91-40, is
21 amended by changing Section 30 as follows:

22 (P.A. 91-40, Sec. 30)

23 Sec. 30. Severability. If any provision of this Act (Public
24 Act 91-40) or the application thereof to any person or
25 circumstance is held invalid, that invalidity does not affect
26 the other provisions or applications of the Act which can be
27 given effect without the invalid application or provision, and
28 to this end the provisions of this Act are severable. This
29 severability applies without regard to whether the action
30 challenging the validity was brought before the effective date
31 of this amendatory Act of the 93rd General Assembly.

32 ~~Inseverability. The provisions of this Act are mutually~~
33 ~~dependent and inseverable. If any provision is held invalid~~

1 ~~other than as applied to a particular person or circumstance,~~
2 ~~then this entire Act is invalid.~~

3 (Source: P.A. 91-40, eff. 6-25-99.)

4 Section 105. The State Finance Act is amended by adding
5 Section 5.625 as follows:

6 (30 ILCS 105/5.625 new)

7 Sec. 5.625. The Intercity Development Fund.

8 Section 999. Effective date. This Act takes effect upon
9 becoming law.

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6 230 ILCS 5/3.24 new

7 230 ILCS 5/3.25 new

8 230 ILCS 5/3.26 new

9 230 ILCS 5/3.27 new

10 230 ILCS 5/9 from Ch. 8, par. 37-9

11 230 ILCS 5/20 from Ch. 8, par. 37-20

12 230 ILCS 5/25 from Ch. 8, par. 37-25

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

14 230 ILCS 5/26.1 from Ch. 8, par. 37-26.1

15 230 ILCS 5/27 from Ch. 8, par. 37-27

16 230 ILCS 5/28.1

17 230 ILCS 5/30 from Ch. 8, par. 37-30

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19 230 ILCS 5/34.2 new

20 230 ILCS 5/36 from Ch. 8, par. 37-36

21 230 ILCS 5/42 from Ch. 8, par. 37-42

22 230 ILCS 5/56 new

23 230 ILCS 10/3 from Ch. 120, par. 2403

24 230 ILCS 10/4 from Ch. 120, par. 2404

25 230 ILCS 10/5 from Ch. 120, par. 2405

26 230 ILCS 10/7 from Ch. 120, par. 2407

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