

1 AN ACT in relation to gambling.

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

4 Section 5. The Illinois Lottery Law is amended by  
5 changing Section 15 as follows:

6 (20 ILCS 1605/15) (from Ch. 120, par. 1165)

7 Sec. 15. No person ~~minor~~ under 21 ~~18~~ years of age shall  
8 buy a lottery ticket or share. No person shall sell,  
9 distribute samples of, or furnish a lottery ticket or share  
10 to any person ~~minor~~ under 21 ~~18~~ years of age, buy a lottery  
11 ticket or share for any person ~~minor~~ under 21 ~~18~~ years of  
12 age, or aid and abet in the purchase of lottery tickets or  
13 shares by a person ~~minor~~ under 21 ~~18~~ years of age.

14 No ticket or share shall be purchased by, and no prize  
15 shall be paid to any of the following persons: any member of  
16 the Board or any officer or other person employed by the  
17 Board or by the Department; any spouse, child, brother,  
18 sister or parent residing as a member of the same household  
19 in the principal place of abode of any such persons; or any  
20 person ~~minor~~ under 21 ~~18~~ years of age.

21 Any violation of this Section by a person other than a  
22 purchaser who is not at least 21 years of age ~~the-purchasing~~  
23 ~~minor~~ shall be a Class B misdemeanor; provided, that if any  
24 violation of this Section is a subsequent violation, the  
25 offender shall be guilty of a Class 4 felony.  
26 Notwithstanding any provision to the contrary, a violation of  
27 this Section by a person ~~minor~~ under 21 ~~18~~ years of age shall  
28 be a petty offense.

29 (Source: P.A. 90-346, eff. 8-8-97.)

30 Section 10. The Illinois Horse Racing Act of 1975 is

1 amended by changing Section 26 and adding Section 34.2 as  
2 follows:

3 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

4 Sec. 26. Wagering.

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

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

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

33 (c) Until January 1, 2000, the sum held by any licensee

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

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

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

26 (e) No licensee shall knowingly permit any minor, other  
27 than an employee of such licensee or an owner, trainer,  
28 jockey, driver, or employee thereof, to be admitted during a  
29 racing program unless accompanied by a parent or guardian, or  
30 any person who is not at least 21 years of age ~~minor~~ to be a  
31 patron of the pari-mutuel system of wagering conducted or  
32 supervised by it. The admission of any unaccompanied minor,  
33 other than an employee of the licensee or an owner, trainer,  
34 jockey, driver, or employee thereof at a race track is a

1 Class C misdemeanor.

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

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

29 (g) A host track may accept interstate simulcast wagers  
30 on horse races conducted in other states or countries and  
31 shall control the number of signals and types of breeds of  
32 racing in its simulcast program, subject to the disapproval  
33 of the Board. The Board may prohibit a simulcast program  
34 only if it finds that the simulcast program is clearly

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

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

1 non-host licensees receiving the simulcast.

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

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

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

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

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

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

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

26 (6) Notwithstanding any provision in this Act to  
27 the contrary, non-host licensees who derive their  
28 licenses from a track located in a county with a  
29 population in excess of 230,000 and that borders the  
30 Mississippi River may receive supplemental interstate  
31 simulcast races at all times subject to Board approval,  
32 which shall be withheld only upon a finding that a  
33 supplemental interstate simulcast is clearly adverse to  
34 the integrity of racing.

1           (7) Notwithstanding any provision of this Act to  
2 the contrary, after payment of all applicable State and  
3 local taxes and interstate commission fees, non-host  
4 licensees who derive their licenses from a track located  
5 in a county with a population in excess of 230,000 and  
6 that borders the Mississippi River shall retain 50% of  
7 the retention from interstate simulcast wagers and shall  
8 pay 50% to purses at the track from which the non-host  
9 licensee derives its license as follows:

10           (A) Between January 1 and the third Friday in  
11 February, inclusive, if no live thoroughbred racing  
12 is occurring in Illinois during this period, when  
13 the interstate simulcast is a standardbred race, the  
14 purse share to its standardbred purse account;

15           (B) Between January 1 and the third Friday in  
16 February, inclusive, if no live thoroughbred racing  
17 is occurring in Illinois during this period, and the  
18 interstate simulcast is a thoroughbred race, the  
19 purse share to its interstate simulcast purse pool  
20 to be distributed under paragraph (10) of this  
21 subsection (g);

22           (C) Between January 1 and the third Friday in  
23 February, inclusive, if live thoroughbred racing is  
24 occurring in Illinois, between 6:30 a.m. and 6:30  
25 p.m. the purse share from wagers made during this  
26 time period to its thoroughbred purse account and  
27 between 6:30 p.m. and 6:30 a.m. the purse share from  
28 wagers made during this time period to its  
29 standardbred purse accounts;

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

34           (E) Between the third Saturday in February and



1 December 31, when the interstate simulcast occurs  
2 between the hours of 6:30 p.m. and 6:30 a.m., the  
3 purse share to its standardbred purse account.

4 (7.1) Notwithstanding any other provision of this  
5 Act to the contrary, if no standardbred racing is  
6 conducted at a racetrack located in Madison County during  
7 any calendar year beginning on or after January 1, 2002,  
8 all moneys derived by that racetrack from simulcast  
9 wagering and inter-track wagering that (1) are to be used  
10 for purses and (2) are generated between the hours of  
11 6:30 p.m. and 6:30 a.m. during that calendar year shall  
12 be paid as follows:

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

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

33 (7.2) Notwithstanding any other provision of this  
34 Act to the contrary, if no thoroughbred racing is

1 conducted at a racetrack located in Madison County during  
2 any calendar year beginning on or after January 1, 2002,  
3 all moneys derived by that racetrack from simulcast  
4 wagering and inter-track wagering that (1) are to be used  
5 for purses and (2) are generated between the hours of  
6 6:30 a.m. and 6:30 p.m. during that calendar year shall  
7 be deposited as follows:

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

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

31 (7.3) If no live standardbred racing is conducted  
32 at a racetrack located in Madison County in calendar year  
33 2000 or 2001, an organization licensee who is licensed to  
34 conduct horse racing at that racetrack shall, before

1 January 1, 2002, pay all moneys derived from simulcast  
2 wagering and inter-track wagering in calendar years 2000  
3 and 2001 and paid into the licensee's standardbred purse  
4 account as follows:

5 (A) Eighty percent to that licensee's  
6 thoroughbred purse account to be used for  
7 thoroughbred purses; and

8 (B) Twenty percent to the Illinois Colt Stakes  
9 Purse Distribution Fund.

10 Failure to make the payment to the Illinois Colt  
11 Stakes Purse Distribution Fund before January 1, 2002  
12 shall result in the immediate revocation of the  
13 licensee's organization license, inter-track wagering  
14 license, and inter-track wagering location license.

15 Moneys paid into the Illinois Colt Stakes Purse  
16 Distribution Fund pursuant to this paragraph (7.3) shall  
17 be paid to purses for standardbred races for Illinois  
18 conceived and foaled horses conducted at any county  
19 fairgrounds. Moneys paid into the Illinois Colt Stakes  
20 Purse Distribution Fund pursuant to this paragraph (7.3)  
21 shall be used as determined by the Department of  
22 Agriculture, with the advice and assistance of the  
23 Illinois Standardbred Breeders Fund Advisory Board, shall  
24 be in addition to and not in lieu of any other moneys  
25 paid to standardbred purses under this Act, and shall not  
26 be commingled with any other moneys paid into that Fund.

27 (7.4) If live standardbred racing is conducted at a  
28 racetrack located in Madison County at any time in  
29 calendar year 2001 before the payment required under  
30 paragraph (7.3) has been made, the organization licensee  
31 who is licensed to conduct racing at that racetrack shall  
32 pay all moneys derived by that racetrack from simulcast  
33 wagering and inter-track wagering during calendar years  
34 2000 and 2001 that (1) are to be used for purses and (2)

1 are generated between the hours of 6:30 p.m. and 6:30  
2 a.m. during 2000 or 2001 to the standardbred purse  
3 account at that racetrack to be used for standardbred  
4 purses.

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

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

29 (9) (Blank).

30 (10) (Blank).

31 (11) (Blank).

32 (12) The Board shall have authority to compel all  
33 host tracks to receive the simulcast of any or all races  
34 conducted at the Springfield or DuQuoin State fairgrounds

1 and include all such races as part of their simulcast  
2 programs.

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

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

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

21 (1) Any person licensed to conduct a race meeting  
22 (i) at a track where 60 or more days of racing were  
23 conducted during the immediately preceding calendar year  
24 or where over the 5 immediately preceding calendar years  
25 an average of 30 or more days of racing were conducted  
26 annually may be issued an inter-track wagering license;  
27 (ii) at a track located in a county that is bounded by  
28 the Mississippi River, which has a population of less  
29 than 150,000 according to the 1990 decennial census, and  
30 an average of at least 60 days of racing per year between  
31 1985 and 1993 may be issued an inter-track wagering  
32 license; or (iii) at a track located in Madison County  
33 that conducted at least 100 days of live racing during  
34 the immediately preceding calendar year may be issued an

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

1 the Board at a meeting to be held on such date as may be  
2 fixed by the Board.

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

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

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

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

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

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



1           (8.1) Inter-track wagering location licensees who  
2 derive their licenses from a particular organization  
3 licensee shall conduct inter-track wagering and simulcast  
4 wagering only at locations which are either within 90  
5 miles of that race track where the particular  
6 organization licensee is licensed to conduct racing, or  
7 within 135 miles of that race track where the particular  
8 organization licensee is licensed to conduct racing in  
9 the case of race tracks in counties of less than 400,000  
10 that were operating on or before June 1, 1986. However,  
11 inter-track wagering and simulcast wagering shall not be  
12 conducted by those licensees at any location within 5  
13 miles of any race track at which a horse race meeting has  
14 been licensed in the current year, unless the person  
15 having operating control of such race track has given its  
16 written consent to such inter-track wagering location  
17 licensees, which consent must be filed with the Board at  
18 or prior to the time application is made.

19           (8.2) Inter-track wagering or simulcast wagering  
20 shall not be conducted by an inter-track wagering  
21 location licensee at any location within 500 feet of an  
22 existing church or existing school, nor within 500 feet  
23 of the residences of more than 50 registered voters  
24 without receiving written permission from a majority of  
25 the registered voters at such residences. Such written  
26 permission statements shall be filed with the Board. The  
27 distance of 500 feet shall be measured to the nearest  
28 part of any building used for worship services, education  
29 programs, residential purposes, or conducting inter-track  
30 wagering by an inter-track wagering location licensee,  
31 and not to property boundaries. However, inter-track  
32 wagering or simulcast wagering may be conducted at a site  
33 within 500 feet of a church, school or residences of 50  
34 or more registered voters if such church, school or

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

20 (9) (Blank).

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

31 (10.1) Except as provided in subsection (g) of  
32 Section 27 of this Act, inter-track wagering location  
33 licensees shall pay 1% of the pari-mutuel handle at each  
34 location to the municipality in which such location is

1 situated and 1% of the pari-mutuel handle at each  
2 location to the county in which such location is  
3 situated. In the event that an inter-track wagering  
4 location licensee is situated in an unincorporated area  
5 of a county, such licensee shall pay 2% of the  
6 pari-mutuel handle from such location to such county.

7 (10.2) Notwithstanding any other provision of this  
8 Act, with respect to intertrack wagering at a race track  
9 located in a county that has a population of more than  
10 230,000 and that is bounded by the Mississippi River  
11 ("the first race track"), or at a facility operated by an  
12 inter-track wagering licensee or inter-track wagering  
13 location licensee that derives its license from the  
14 organization licensee that operates the first race track,  
15 on races conducted at the first race track or on races  
16 conducted at another Illinois race track and  
17 simultaneously televised to the first race track or to a  
18 facility operated by an inter-track wagering licensee or  
19 inter-track wagering location licensee that derives its  
20 license from the organization licensee that operates the  
21 first race track, those moneys shall be allocated as  
22 follows:

23 (A) That portion of all moneys wagered on  
24 standardbred racing that is required under this Act  
25 to be paid to purses shall be paid to purses for  
26 standardbred races.

27 (B) That portion of all moneys wagered on  
28 thoroughbred racing that is required under this Act  
29 to be paid to purses shall be paid to purses for  
30 thoroughbred races.

31 (11) (A) After payment of the privilege or  
32 pari-mutuel tax, any other applicable taxes, and the  
33 costs and expenses in connection with the gathering,  
34 transmission, and dissemination of all data necessary to

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

17 (B) From the sums permitted to be retained pursuant  
18 to this Act each inter-track wagering location licensee  
19 shall pay (i) the privilege or pari-mutuel tax to the  
20 State; (ii) 4.75% of the pari-mutuel handle on intertrack  
21 wagering at such location on races as purses, except that  
22 an intertrack wagering location licensee that derives its  
23 license from a track located in a county with a  
24 population in excess of 230,000 and that borders the  
25 Mississippi River shall retain all purse moneys for its  
26 own purse account consistent with distribution set forth  
27 in this subsection (h), and intertrack wagering location  
28 licensees that accept wagers on races conducted by an  
29 organization licensee located in a county with a  
30 population in excess of 230,000 and that borders the  
31 Mississippi River shall distribute all purse moneys to  
32 purses at the operating host track; (iii) until January  
33 1, 2000, except as provided in subsection (g) of Section  
34 27 of this Act, 1% of the pari-mutuel handle wagered on

1 inter-track wagering and simulcast wagering at each  
2 inter-track wagering location licensee facility to the  
3 Horse Racing Tax Allocation Fund, provided that, to the  
4 extent the total amount collected and distributed to the  
5 Horse Racing Tax Allocation Fund under this subsection  
6 (h) during any calendar year exceeds the amount collected  
7 and distributed to the Horse Racing Tax Allocation Fund  
8 during calendar year 1994, that excess amount shall be  
9 redistributed (I) to all inter-track wagering location  
10 licensees, based on each licensee's pro-rata share of the  
11 total handle from inter-track wagering and simulcast  
12 wagering for all inter-track wagering location licensees  
13 during the calendar year in which this provision is  
14 applicable; then (II) the amounts redistributed to each  
15 inter-track wagering location licensee as described in  
16 subpart (I) shall be further redistributed as provided in  
17 subparagraph (B) of paragraph (5) of subsection (g) of  
18 this Section 26 provided first, that the shares of those  
19 amounts, which are to be redistributed to the host track  
20 or to purses at the host track under subparagraph (B) of  
21 paragraph (5) of subsection (g) of this Section 26 shall  
22 be redistributed based on each host track's pro rata  
23 share of the total inter-track wagering and simulcast  
24 wagering handle at all host tracks during the calendar  
25 year in question, and second, that any amounts  
26 redistributed as described in part (I) to an inter-track  
27 wagering location licensee that accepts wagers on races  
28 conducted by an organization licensee that conducts a  
29 race meet in a county with a population in excess of  
30 230,000 and that borders the Mississippi River shall be  
31 further redistributed as provided in subparagraphs (D)  
32 and (E) of paragraph (7) of subsection (g) of this  
33 Section 26, with the portion of that further  
34 redistribution allocated to purses at that organization

1 licensee to be divided between standardbred purses and  
2 thoroughbred purses based on the amounts otherwise  
3 allocated to purses at that organization licensee during  
4 the calendar year in question; and (iv) 8% of the  
5 pari-mutuel handle on inter-track wagering wagered at  
6 such location to satisfy all costs and expenses of  
7 conducting its wagering. The remainder of the monies  
8 retained by the inter-track wagering location licensee  
9 shall be allocated 40% to the location licensee and 60%  
10 to the organization licensee which provides the Illinois  
11 races to the location, except that an intertrack wagering  
12 location licensee that derives its license from a track  
13 located in a county with a population in excess of  
14 230,000 and that borders the Mississippi River shall not  
15 divide any remaining retention with the organization  
16 licensee that provides the race or races and an  
17 intertrack wagering location licensee that accepts wagers  
18 on races conducted by an organization licensee that  
19 conducts a race meet in a county with a population in  
20 excess of 230,000 and that borders the Mississippi River  
21 shall not divide any remaining retention with the  
22 organization licensee. Notwithstanding the provisions of  
23 clauses (ii) and (iv) of this paragraph, in the case of  
24 the additional inter-track wagering location licenses  
25 authorized under paragraph (1) of this subsection (h) by  
26 this amendatory Act of 1991, those licensees shall pay  
27 the following amounts as purses: during the first 12  
28 months the licensee is in operation, 5.25% of the  
29 pari-mutuel handle wagered at the location on races;  
30 during the second 12 months, 5.25%; during the third 12  
31 months, 5.75%; during the fourth 12 months, 6.25%; and  
32 during the fifth 12 months and thereafter, 6.75%. The  
33 following amounts shall be retained by the licensee to  
34 satisfy all costs and expenses of conducting its

1           wagering: during the first 12 months the licensee is in  
2           operation, 8.25% of the pari-mutuel handle wagered at the  
3           location; during the second 12 months, 8.25%; during the  
4           third 12 months, 7.75%; during the fourth 12 months,  
5           7.25%; and during the fifth 12 months and thereafter,  
6           6.75%. For additional intertrack wagering location  
7           licensees authorized under this amendatory Act of 1995,  
8           purses for the first 12 months the licensee is in  
9           operation shall be 5.75% of the pari-mutuel wagered at  
10          the location, purses for the second 12 months the  
11          licensee is in operation shall be 6.25%, and purses  
12          thereafter shall be 6.75%. For additional intertrack  
13          location licensees authorized under this amendatory Act  
14          of 1995, the licensee shall be allowed to retain to  
15          satisfy all costs and expenses: 7.75% of the pari-mutuel  
16          handle wagered at the location during its first 12 months  
17          of operation, 7.25% during its second 12 months of  
18          operation, and 6.75% thereafter.

19           (C) There is hereby created the Horse Racing Tax  
20          Allocation Fund which shall remain in existence until  
21          December 31, 1999. Moneys remaining in the Fund after  
22          December 31, 1999 shall be paid into the General Revenue  
23          Fund. Until January 1, 2000, all monies paid into the  
24          Horse Racing Tax Allocation Fund pursuant to this  
25          paragraph (11) by inter-track wagering location licensees  
26          located in park districts of 500,000 population or less,  
27          or in a municipality that is not included within any park  
28          district but is included within a conservation district  
29          and is the county seat of a county that (i) is contiguous  
30          to the state of Indiana and (ii) has a 1990 population of  
31          88,257 according to the United States Bureau of the  
32          Census, and operating on May 1, 1994 shall be allocated  
33          by appropriation as follows:

34                   Two-sevenths to the Department of Agriculture.

1 Fifty percent of this two-sevenths shall be used to  
2 promote the Illinois horse racing and breeding  
3 industry, and shall be distributed by the Department  
4 of Agriculture upon the advice of a 9-member  
5 committee appointed by the Governor consisting of  
6 the following members: the Director of Agriculture,  
7 who shall serve as chairman; 2 representatives of  
8 organization licensees conducting thoroughbred race  
9 meetings in this State, recommended by those  
10 licensees; 2 representatives of organization  
11 licensees conducting standardbred race meetings in  
12 this State, recommended by those licensees; a  
13 representative of the Illinois Thoroughbred Breeders  
14 and Owners Foundation, recommended by that  
15 Foundation; a representative of the Illinois  
16 Standardbred Owners and Breeders Association,  
17 recommended by that Association; a representative of  
18 the Horsemen's Benevolent and Protective Association  
19 or any successor organization thereto established in  
20 Illinois comprised of the largest number of owners  
21 and trainers, recommended by that Association or  
22 that successor organization; and a representative of  
23 the Illinois Harness Horsemen's Association,  
24 recommended by that Association. Committee members  
25 shall serve for terms of 2 years, commencing January  
26 1 of each even-numbered year. If a representative  
27 of any of the above-named entities has not been  
28 recommended by January 1 of any even-numbered year,  
29 the Governor shall appoint a committee member to  
30 fill that position. Committee members shall receive  
31 no compensation for their services as members but  
32 shall be reimbursed for all actual and necessary  
33 expenses and disbursements incurred in the  
34 performance of their official duties. The remaining



1 50% of this two-sevenths shall be distributed to  
2 county fairs for premiums and rehabilitation as set  
3 forth in the Agricultural Fair Act;

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

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

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

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

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

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

32 Four-sevenths to museums and aquariums located  
33 in park districts of over 500,000 population;  
34 provided that the monies are distributed in

1           accordance with the previous year's distribution of  
2           the maintenance tax for such museums and aquariums  
3           as provided in Section 2 of the Park District  
4           Aquarium and Museum Act; and

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

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

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

28                 (ii) If the inter-track wagering  
29                 licensee, except an intertrack wagering  
30                 licensee that derives its license from an  
31                 organization licensee located in a county with  
32                 a population in excess of 230,000 and bounded  
33                 by the Mississippi River, is also conducting  
34                 its own race meeting during the same dates,

1           then the purse allocation shall be as follows:  
2           50% to purses at the track where the races  
3           wagered on are being conducted; 50% to purses  
4           at the track where the inter-track wagering  
5           licensee is accepting such wagers.

6           (iii) If the inter-track wagering is  
7           being conducted by an inter-track wagering  
8           location licensee, except an intertrack  
9           wagering location licensee that derives its  
10          license from an organization licensee located  
11          in a county with a population in excess of  
12          230,000 and bounded by the Mississippi River,  
13          the entire purse allocation for Illinois races  
14          shall be to purses at the track where the race  
15          meeting being wagered on is being held.

16          (12) The Board shall have all powers necessary and  
17          proper to fully supervise and control the conduct of  
18          inter-track wagering and simulcast wagering by  
19          inter-track wagering licensees and inter-track wagering  
20          location licensees, including, but not limited to the  
21          following:

22                (A) The Board is vested with power to  
23                promulgate reasonable rules and regulations for the  
24                purpose of administering the conduct of this  
25                wagering and to prescribe reasonable rules,  
26                regulations and conditions under which such wagering  
27                shall be held and conducted. Such rules and  
28                regulations are to provide for the prevention of  
29                practices detrimental to the public interest and for  
30                the best interests of said wagering and to impose  
31                penalties for violations thereof.

32                (B) The Board, and any person or persons to  
33                whom it delegates this power, is vested with the  
34                power to enter the facilities of any licensee to

1 determine whether there has been compliance with the  
2 provisions of this Act and the rules and regulations  
3 relating to the conduct of such wagering.

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

15 (D) (Blank).

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

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

29 (G) The Board is vested with the power to  
30 impose civil penalties of up to \$5,000 against  
31 individuals and up to \$10,000 against licensees for  
32 each violation of any provision of this Act relating  
33 to the conduct of this wagering, any rules adopted  
34 by the Board, any order of the Board or any other

1           action which in the Board's discretion, is a  
2           detriment or impediment to such wagering.

3           (13) The Department of Agriculture may enter into  
4           agreements with licensees authorizing such licensees to  
5           conduct inter-track wagering on races to be held at the  
6           licensed race meetings conducted by the Department of  
7           Agriculture. Such agreement shall specify the races of  
8           the Department of Agriculture's licensed race meeting  
9           upon which the licensees will conduct wagering. In the  
10          event that a licensee conducts inter-track pari-mutuel  
11          wagering on races from the Illinois State Fair or DuQuoin  
12          State Fair which are in addition to the licensee's  
13          previously approved racing program, those races shall be  
14          considered a separate racing day for the purpose of  
15          determining the daily handle and computing the privilege  
16          or pari-mutuel tax on that daily handle as provided in  
17          Sections 27 and 27.1. Such agreements shall be approved  
18          by the Board before such wagering may be conducted. In  
19          determining whether to grant approval, the Board shall  
20          give due consideration to the best interests of the  
21          public and of horse racing. The provisions of paragraphs  
22          (1), (8), (8.1), and (8.2) of subsection (h) of this  
23          Section which are not specified in this paragraph (13)  
24          shall not apply to licensed race meetings conducted by  
25          the Department of Agriculture at the Illinois State Fair  
26          in Sangamon County or the DuQuoin State Fair in Perry  
27          County, or to any wagering conducted on those race  
28          meetings.

29          (i) Notwithstanding the other provisions of this Act,  
30          the conduct of wagering at wagering facilities is authorized  
31          on all days, except as limited by subsection (b) of Section  
32          19 of this Act.

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

1 (230 ILCS 5/34.2 new)

2 Sec. 34.2. Limitation on automated teller machines, cash  
3 loans, and post-dated checks.

4 (a) An organization licensee shall not engage in or  
5 authorize any of the following at its race track or on the  
6 grounds of any of its inter-track wagering facilities:

7 (1) the loaning of cash to any person; or

8 (2) the accepting of a post-dated check.

9 (b) The prohibition in paragraph (1) of subsection (a)  
10 against loaning cash shall not prohibit an organization  
11 licensee from authorizing a person to establish a line of  
12 credit with the organization licensee.

13 (c) A violation of this Section is a Class C  
14 misdemeanor.

15 Section 15. The Riverboat Gambling Act is amended by  
16 changing Sections 11 and 18 and adding Section 13.2 as  
17 follows:

18 (230 ILCS 10/11) (from Ch. 120, par. 2411)

19 Sec. 11. Conduct of gambling. Gambling may be conducted  
20 by licensed owners aboard riverboats, subject to the  
21 following standards:

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

27 (1.1) A license may not conduct gambling between  
28 the hours of 3:00 A.M. and 5:00 A.M.

29 (2) (Blank).

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

32 (4) Agents of the Board and the Department of State



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

6 (5) Employees of the Board shall have the right to  
7 be present on the riverboat or on adjacent facilities  
8 under the control of the licensee.

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

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

16 (8) Wagers may be received only from a person  
17 present on a licensed riverboat. No person present on a  
18 licensed riverboat shall place or attempt to place a  
19 wager on behalf of another person who is not present on  
20 the riverboat.

21 (9) Wagering shall not be conducted with money or  
22 other negotiable currency.

23 (10) A person under age 21 shall not be permitted  
24 on an area of a riverboat where gambling is being  
25 conducted, except for a person at least 18 years of age  
26 who is an employee of the riverboat gambling operation.  
27 No employee under age 21 shall perform any function  
28 involved in gambling by the patrons. No person under age  
29 21 shall be permitted to make a wager under this Act.

30 (11) Gambling excursion cruises are permitted only  
31 when the waterway for which the riverboat is licensed is  
32 navigable, as determined by the Board in consultation  
33 with the U.S. Army Corps of Engineers. This paragraph  
34 (11) does not limit the ability of a licensee to conduct

1 gambling authorized under this Act when gambling  
2 excursion cruises are not permitted.

3 (12) All tokens, chips or electronic cards used to  
4 make wagers must be purchased from a licensed owner  
5 either aboard a riverboat or at an onshore facility which  
6 has been approved by the Board and which is located where  
7 the riverboat docks. The tokens, chips or electronic  
8 cards may be purchased by means of an agreement under  
9 which the owner extends credit to the patron. Such  
10 tokens, chips or electronic cards may be used while  
11 aboard the riverboat only for the purpose of making  
12 wagers on gambling games.

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

28 (14) In addition to the above, gambling must be  
29 conducted in accordance with all rules adopted by the  
30 Board.

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

32 (230 ILCS 10/13.2 new)

33 Sec. 13.2. Limitation on automated teller machines, cash

1 loans, and post-dated checks.

2 (a) An owners licensee shall not engage in or authorize  
3 any of the following on board its riverboat or on its dock:

4 (1) the loaning of cash to any person; or

5 (2) the accepting of a post-dated check.

6 (b) The prohibition in paragraph (1) of subsection (a)  
7 against loaning cash shall not prohibit an owners licensee  
8 from authorizing a person to establish a line of credit with  
9 the owners licensee.

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

11 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

22 (2) violating paragraph (12) of subsection (a) of  
23 Section 11 of this Act.

24 (b-1) A person is guilty of a Class C misdemeanor for  
25 violating Section 13.2 of this Act.

26 (c) A person wagering or accepting a wager at any  
27 location outside the riverboat is subject to the penalties in  
28 paragraphs (1) or (2) of subsection (a) of Section 28-1 of  
29 the Criminal Code of 1961.

30 (d) A person commits a Class 4 felony and, in addition,  
31 shall be barred for life from riverboats under the  
32 jurisdiction of the Board, if the person does any of the  
33 following:

1           (1) Offers, promises, or gives anything of value or  
2 benefit to a person who is connected with a riverboat  
3 owner including, but not limited to, an officer or  
4 employee of a licensed owner or holder of an occupational  
5 license pursuant to an agreement or arrangement or with  
6 the intent that the promise or thing of value or benefit  
7 will influence the actions of the person to whom the  
8 offer, promise, or gift was made in order to affect or  
9 attempt to affect the outcome of a gambling game, or to  
10 influence official action of a member of the Board.

11           (2) Solicits or knowingly accepts or receives a  
12 promise of anything of value or benefit while the person  
13 is connected with a riverboat including, but not limited  
14 to, an officer or employee of a licensed owner, or holder  
15 of an occupational license, pursuant to an understanding  
16 or arrangement or with the intent that the promise or  
17 thing of value or benefit will influence the actions of  
18 the person to affect or attempt to affect the outcome of  
19 a gambling game, or to influence official action of a  
20 member of the Board.

21           (3) Uses or possesses with the intent to use a  
22 device to assist:

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

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

25                   (iii) In analyzing the probability of the  
26 occurrence of an event relating to the gambling  
27 game.

28                   (iv) In analyzing the strategy for playing or  
29 betting to be used in the game except as permitted  
30 by the Board.

31           (4) Cheats at a gambling game.

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

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

5           (7) Places a bet after acquiring knowledge, not  
6 available to all players, of the outcome of the gambling  
7 game which is subject of the bet or to aid a person in  
8 acquiring the knowledge for the purpose of placing a bet  
9 contingent on that outcome.

10          (8) Claims, collects, or takes, or attempts to  
11 claim, collect, or take, money or anything of value in or  
12 from the gambling games, with intent to defraud, without  
13 having made a wager contingent on winning a gambling  
14 game, or claims, collects, or takes an amount of money or  
15 thing of value of greater value than the amount won.

16          (9) Uses counterfeit chips or tokens in a gambling  
17 game.

18          (10) Possesses any key or device designed for the  
19 purpose of opening, entering, or affecting the operation  
20 of a gambling game, drop box, or an electronic or  
21 mechanical device connected with the gambling game or for  
22 removing coins, tokens, chips or other contents of a  
23 gambling game. This paragraph (10) does not apply to a  
24 gambling licensee or employee of a gambling licensee  
25 acting in furtherance of the employee's employment.

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

30          An action to prosecute any crime occurring on a riverboat  
31 shall be tried in the county of the dock at which the  
32 riverboat is based.

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

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