



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB1940

Introduced 2/25/2005, by Sen. Richard J. Winkel, Jr.

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/15	from Ch. 120, par. 1165
230 ILCS 5/26	from Ch. 8, par. 37-26
230 ILCS 5/34.2 new	
230 ILCS 10/11	from Ch. 120, par. 2411
230 ILCS 10/13.2 new	
230 ILCS 10/18	from Ch. 120, par. 2418
230 ILCS 10/11	from Ch. 120, par. 2411

Amends the Illinois Lottery Law to ban persons under 21 years of age from purchasing lottery tickets. Amends the Illinois Horse Racing Act of 1975 to ban persons under 21 years of age from being patrons of the pari-mutuel system of wagering. Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act. Limits the loaning of cash to any person and the accepting of post-dated checks at gambling facilities. Provides that a violation is a Class C misdemeanor. Provides that a riverboat owners licensee may not conduct gambling between the hours of 3:00 A.M. and 5:00 A.M. Effective immediately.

LRB094 11491 AMC 42436 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 changing
5 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 buy
8 a lottery ticket or share. No person shall sell, distribute
9 samples of, or furnish a lottery ticket or share to any person
10 ~~minor~~ under 21 ~~18~~ years of age, buy a lottery ticket or share
11 for any person ~~minor~~ under 21 ~~18~~ years of age, or aid and abet
12 in the purchase of lottery tickets or shares by a person ~~minor~~
13 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 Board
17 or by the Department; any spouse, child, brother, sister or
18 parent residing as a member of the same household in the
19 principal place of abode of any such persons; or any person
20 ~~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. Notwithstanding
26 any provision to the contrary, a violation of this Section by a
27 person ~~minor~~ under 21 ~~18~~ years of age shall be a petty offense.

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

29 Section 10. The Illinois Horse Racing Act of 1975 is
30 amended by changing Section 26 and adding Section 34.2 as
31 follows:

1 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

2 Sec. 26. Wagering.

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

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

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

30 (c) Until January 1, 2000, the sum held by any licensee for
31 payment of outstanding pari-mutuel tickets, if unclaimed prior
32 to December 31 of the next year, shall be retained by the
33 licensee for payment of such tickets until that date. Within 10
34 days thereafter, the balance of such sum remaining unclaimed,
35 less any uncashed supplements contributed by such licensee for

1 the purpose of guaranteeing minimum distributions of any
2 pari-mutuel pool, shall be paid to the Illinois Veterans'
3 Rehabilitation Fund of the State treasury, except as provided
4 in subsection (g) of Section 27 of this Act.

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

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

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

29 (f) Notwithstanding the other provisions of this Act, an
30 organization licensee may contract with an entity in another
31 state or country to permit any legal wagering entity in another
32 state or country to accept wagers solely within such other
33 state or country on races conducted by the organization
34 licensee in this State. Beginning January 1, 2000, these wagers
35 shall not be subject to State taxation. Until January 1, 2000,
36 when the out-of-State entity conducts a pari-mutuel pool

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

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

20 (g) A host track may accept interstate simulcast wagers on
21 horse races conducted in other states or countries and shall
22 control the number of signals and types of breeds of racing in
23 its simulcast program, subject to the disapproval of the Board.
24 The Board may prohibit a simulcast program only if it finds
25 that the simulcast program is clearly adverse to the integrity
26 of racing. The host track simulcast program shall include the
27 signal of live racing of all organization licensees. All
28 non-host licensees shall carry the host track simulcast program
29 and accept wagers on all races included as part of the
30 simulcast program upon which wagering is permitted. The costs
31 and expenses of the host track and non-host licensees
32 associated with interstate simulcast wagering, other than the
33 interstate commission fee, shall be borne by the host track and
34 all non-host licensees incurring these costs. The interstate
35 commission fee shall not exceed 5% of Illinois handle on the
36 interstate simulcast race or races without prior approval of

1 the Board. The Board shall promulgate rules under which it may
2 permit interstate commission fees in excess of 5%. The
3 interstate commission fee and other fees charged by the sending
4 racetrack, including, but not limited to, satellite decoder
5 fees, shall be uniformly applied to the host track and all
6 non-host licensees.

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

24 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
25 intertrack wagering licensee other than the host track may
26 receive supplemental interstate simulcasts only with the
27 consent of the host track, except when the Board finds that
28 the simulcast is clearly adverse to the integrity of
29 racing. Consent granted under this paragraph (2) to any
30 intertrack wagering licensee shall be deemed consent to all
31 non-host licensees. The interstate commission fee for the
32 supplemental interstate simulcast shall be paid by all
33 participating non-host licensees.

34 (3) Each licensee conducting interstate simulcast
35 wagering may retain, subject to the payment of all
36 applicable taxes and the purses, an amount not to exceed

1 17% of all money wagered. If any licensee conducts the
2 pari-mutuel system wagering on races conducted at
3 racetracks in another state or country, each such race or
4 race program shall be considered a separate racing day for
5 the purpose of determining the daily handle and computing
6 the privilege tax of that daily handle as provided in
7 subsection (a) of Section 27. Until January 1, 2000, from
8 the sums permitted to be retained pursuant to this
9 subsection, each intertrack wagering location licensee
10 shall pay 1% of the pari-mutuel handle wagered on simulcast
11 wagering to the Horse Racing Tax Allocation Fund, subject
12 to the provisions of subparagraph (B) of paragraph (11) of
13 subsection (h) of Section 26 of this Act.

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

25 (5) After the payment of the interstate commission fee
26 (except for the interstate commission fee on a supplemental
27 interstate simulcast, which shall be paid by the host track
28 and by each non-host licensee through the host-track) and
29 all applicable State and local taxes, except as provided in
30 subsection (g) of Section 27 of this Act, the remainder of
31 moneys retained from simulcast wagering pursuant to this
32 subsection (g), and Section 26.2 shall be divided as
33 follows:

34 (A) For interstate simulcast wagers made at a host
35 track, 50% to the host track and 50% to purses at the
36 host track.

1 (B) For wagers placed on interstate simulcast
2 races, supplemental simulcasts as defined in
3 subparagraphs (1) and (2), and separately pooled races
4 conducted outside of the State of Illinois made at a
5 non-host licensee, 25% to the host track, 25% to the
6 non-host licensee, and 50% to the purses at the host
7 track.

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

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

25 (A) Between January 1 and the third Friday in
26 February, inclusive, if no live thoroughbred racing is
27 occurring in Illinois during this period, when the
28 interstate simulcast is a standardbred race, the purse
29 share to its standardbred purse account;

30 (B) Between January 1 and the third Friday in
31 February, inclusive, if no live thoroughbred racing is
32 occurring in Illinois during this period, and the
33 interstate simulcast is a thoroughbred race, the purse
34 share to its interstate simulcast purse pool to be
35 distributed under paragraph (10) of this subsection
36 (g);

1 (C) Between January 1 and the third Friday in
2 February, inclusive, if live thoroughbred racing is
3 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
4 the purse share from wagers made during this time
5 period to its thoroughbred purse account and between
6 6:30 p.m. and 6:30 a.m. the purse share from wagers
7 made during this time period to its standardbred purse
8 accounts;

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

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

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

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

30 (B) Twenty percent shall be deposited into the
31 Illinois Colt Stakes Purse Distribution Fund and shall
32 be paid to purses for standardbred races for Illinois
33 conceived and foaled horses conducted at any county
34 fairgrounds. The moneys deposited into the Fund
35 pursuant to this subparagraph (B) shall be deposited
36 within 2 weeks after the day they were generated, shall

1 be in addition to and not in lieu of any other moneys
2 paid to standardbred purses under this Act, and shall
3 not be commingled with other moneys paid into that
4 Fund. The moneys deposited pursuant to this
5 subparagraph (B) shall be allocated as provided by the
6 Department of Agriculture, with the advice and
7 assistance of the Illinois Standardbred Breeders Fund
8 Advisory Board.

9 (7.2) Notwithstanding any other provision of this Act
10 to the contrary, if no thoroughbred racing is conducted at
11 a racetrack located in Madison County during any calendar
12 year beginning on or after January 1, 2002, all moneys
13 derived by that racetrack from simulcast wagering and
14 inter-track wagering that (1) are to be used for purses and
15 (2) are generated between the hours of 6:30 a.m. and 6:30
16 p.m. during that calendar year shall be deposited as
17 follows:

18 (A) If the licensee that conducts horse racing at
19 that racetrack requests from the Board at least as many
20 racing dates as were conducted in calendar year 2000,
21 80% shall be deposited into its standardbred purse
22 account; and

23 (B) Twenty percent shall be deposited into the
24 Illinois Colt Stakes Purse Distribution Fund. Moneys
25 deposited into the Illinois Colt Stakes Purse
26 Distribution Fund pursuant to this subparagraph (B)
27 shall be paid to Illinois conceived and foaled
28 thoroughbred breeders' programs and to thoroughbred
29 purses for races conducted at any county fairgrounds
30 for Illinois conceived and foaled horses at the
31 discretion of the Department of Agriculture, with the
32 advice and assistance of the Illinois Thoroughbred
33 Breeders Fund Advisory Board. The moneys deposited
34 into the Illinois Colt Stakes Purse Distribution Fund
35 pursuant to this subparagraph (B) shall be deposited
36 within 2 weeks after the day they were generated, shall

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

5 (7.3) If no live standardbred racing is conducted at a
6 racetrack located in Madison County in calendar year 2000
7 or 2001, an organization licensee who is licensed to
8 conduct horse racing at that racetrack shall, before
9 January 1, 2002, pay all moneys derived from simulcast
10 wagering and inter-track wagering in calendar years 2000
11 and 2001 and paid into the licensee's standardbred purse
12 account as follows:

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

15 (B) Twenty percent to the Illinois Colt Stakes
16 Purse Distribution Fund.

17 Failure to make the payment to the Illinois Colt Stakes
18 Purse Distribution Fund before January 1, 2002 shall result
19 in the immediate revocation of the licensee's organization
20 license, inter-track wagering license, and inter-track
21 wagering location license.

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

34 (7.4) If live standardbred racing is conducted at a
35 racetrack located in Madison County at any time in calendar
36 year 2001 before the payment required under paragraph (7.3)

1 has been made, the organization licensee who is licensed to
2 conduct racing at that racetrack shall pay all moneys
3 derived by that racetrack from simulcast wagering and
4 inter-track wagering during calendar years 2000 and 2001
5 that (1) are to be used for purses and (2) are generated
6 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
7 2001 to the standardbred purse account at that racetrack to
8 be used for standardbred purses.

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

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

31 (9) (Blank).

32 (10) (Blank).

33 (11) (Blank).

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

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

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

17 (1) Any person licensed to conduct a race meeting (i)
18 at a track where 60 or more days of racing were conducted
19 during the immediately preceding calendar year or where
20 over the 5 immediately preceding calendar years an average
21 of 30 or more days of racing were conducted annually may be
22 issued an inter-track wagering license; (ii) at a track
23 located in a county that is bounded by the Mississippi
24 River, which has a population of less than 150,000
25 according to the 1990 decennial census, and an average of
26 at least 60 days of racing per year between 1985 and 1993
27 may be issued an inter-track wagering license; or (iii) at
28 a track located in Madison County that conducted at least
29 100 days of live racing during the immediately preceding
30 calendar year may be issued an inter-track wagering
31 license, unless a lesser schedule of live racing is the
32 result of (A) weather, unsafe track conditions, or other
33 acts of God; (B) an agreement between the organization
34 licensee and the associations representing the largest
35 number of owners, trainers, jockeys, or standardbred
36 drivers who race horses at that organization licensee's

1 racing meeting; or (C) a finding by the Board of
2 extraordinary circumstances and that it was in the best
3 interest of the public and the sport to conduct fewer than
4 100 days of live racing. Any such person having operating
5 control of the racing facility may also receive up to 6
6 inter-track wagering location licenses. In no event shall
7 more than 6 inter-track wagering locations be established
8 for each eligible race track, except that an eligible race
9 track located in a county that has a population of more
10 than 230,000 and that is bounded by the Mississippi River
11 may establish up to 7 inter-track wagering locations. An
12 application for said license shall be filed with the Board
13 prior to such dates as may be fixed by the Board. With an
14 application for an inter-track wagering location license
15 there shall be delivered to the Board a certified check or
16 bank draft payable to the order of the Board for an amount
17 equal to \$500. The application shall be on forms prescribed
18 and furnished by the Board. The application shall comply
19 with all other rules, regulations and conditions imposed by
20 the Board in connection therewith.

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

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

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

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

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

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

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

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

25 (8.1) Inter-track wagering location licensees who
26 derive their licenses from a particular organization
27 licensee shall conduct inter-track wagering and simulcast
28 wagering only at locations which are either within 90 miles
29 of that race track where the particular organization
30 licensee is licensed to conduct racing, or within 135 miles
31 of that race track where the particular organization
32 licensee is licensed to conduct racing in the case of race
33 tracks in counties of less than 400,000 that were operating
34 on or before June 1, 1986. However, inter-track wagering
35 and simulcast wagering shall not be conducted by those
36 licensees at any location within 5 miles of any race track

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

7 (8.2) Inter-track wagering or simulcast wagering shall
8 not be conducted by an inter-track wagering location
9 licensee at any location within 500 feet of an existing
10 church or existing school, nor within 500 feet of the
11 residences of more than 50 registered voters without
12 receiving written permission from a majority of the
13 registered voters at such residences. Such written
14 permission statements shall be filed with the Board. The
15 distance of 500 feet shall be measured to the nearest part
16 of any building used for worship services, education
17 programs, residential purposes, or conducting inter-track
18 wagering by an inter-track wagering location licensee, and
19 not to property boundaries. However, inter-track wagering
20 or simulcast wagering may be conducted at a site within 500
21 feet of a church, school or residences of 50 or more
22 registered voters if such church, school or residences have
23 been erected or established, or such voters have been
24 registered, after the Board issues the original
25 inter-track wagering location license at the site in
26 question. Inter-track wagering location licensees may
27 conduct inter-track wagering and simulcast wagering only
28 in areas that are zoned for commercial or manufacturing
29 purposes or in areas for which a special use has been
30 approved by the local zoning authority. However, no license
31 to conduct inter-track wagering and simulcast wagering
32 shall be granted by the Board with respect to any
33 inter-track wagering location within the jurisdiction of
34 any local zoning authority which has, by ordinance or by
35 resolution, prohibited the establishment of an inter-track
36 wagering location within its jurisdiction. However,

1 inter-track wagering and simulcast wagering may be
2 conducted at a site if such ordinance or resolution is
3 enacted after the Board licenses the original inter-track
4 wagering location licensee for the site in question.

5 (9) (Blank).

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

16 (10.1) Except as provided in subsection (g) of Section
17 27 of this Act, inter-track wagering location licensees
18 shall pay 1% of the pari-mutuel handle at each location to
19 the municipality in which such location is situated and 1%
20 of the pari-mutuel handle at each location to the county in
21 which such location is situated. In the event that an
22 inter-track wagering location licensee is situated in an
23 unincorporated area of a county, such licensee shall pay 2%
24 of the pari-mutuel handle from such location to such
25 county.

26 (10.2) Notwithstanding any other provision of this
27 Act, with respect to intertrack wagering at a race track
28 located in a county that has a population of more than
29 230,000 and that is bounded by the Mississippi River ("the
30 first race track"), or at a facility operated by an
31 inter-track wagering licensee or inter-track wagering
32 location licensee that derives its license from the
33 organization licensee that operates the first race track,
34 on races conducted at the first race track or on races
35 conducted at another Illinois race track and
36 simultaneously televised to the first race track or to a

1 facility operated by an inter-track wagering licensee or
2 inter-track wagering location licensee that derives its
3 license from the organization licensee that operates the
4 first race track, those moneys shall be allocated as
5 follows:

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

10 (B) That portion of all moneys wagered on
11 thoroughbred racing that is required under this Act to
12 be paid to purses shall be paid to purses for
13 thoroughbred races.

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

34 (B) From the sums permitted to be retained pursuant to
35 this Act each inter-track wagering location licensee shall
36 pay (i) the privilege or pari-mutuel tax to the State; (ii)

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

1 the total inter-track wagering and simulcast wagering
2 handle at all host tracks during the calendar year in
3 question, and second, that any amounts redistributed as
4 described in part (I) to an inter-track wagering location
5 licensee that accepts wagers on races conducted by an
6 organization licensee that conducts a race meet in a county
7 with a population in excess of 230,000 and that borders the
8 Mississippi River shall be further redistributed as
9 provided in subparagraphs (D) and (E) of paragraph (7) of
10 subsection (g) of this Section 26, with the portion of that
11 further redistribution allocated to purses at that
12 organization licensee to be divided between standardbred
13 purses and thoroughbred purses based on the amounts
14 otherwise allocated to purses at that organization
15 licensee during the calendar year in question; and (iv) 8%
16 of the pari-mutuel handle on inter-track wagering wagered
17 at such location to satisfy all costs and expenses of
18 conducting its wagering. The remainder of the monies
19 retained by the inter-track wagering location licensee
20 shall be allocated 40% to the location licensee and 60% to
21 the organization licensee which provides the Illinois
22 races to the location, except that an intertrack wagering
23 location licensee that derives its license from a track
24 located in a county with a population in excess of 230,000
25 and that borders the Mississippi River shall not divide any
26 remaining retention with the organization licensee that
27 provides the race or races and an intertrack wagering
28 location licensee that accepts wagers on races conducted by
29 an organization licensee that conducts a race meet in a
30 county with a population in excess of 230,000 and that
31 borders the Mississippi River shall not divide any
32 remaining retention with the organization licensee.
33 Notwithstanding the provisions of clauses (ii) and (iv) of
34 this paragraph, in the case of the additional inter-track
35 wagering location licenses authorized under paragraph (1)
36 of this subsection (h) by this amendatory Act of 1991,

1 those licensees shall pay the following amounts as purses:
2 during the first 12 months the licensee is in operation,
3 5.25% of the pari-mutuel handle wagered at the location on
4 races; during the second 12 months, 5.25%; during the third
5 12 months, 5.75%; during the fourth 12 months, 6.25%; and
6 during the fifth 12 months and thereafter, 6.75%. The
7 following amounts shall be retained by the licensee to
8 satisfy all costs and expenses of conducting its wagering:
9 during the first 12 months the licensee is in operation,
10 8.25% of the pari-mutuel handle wagered at the location;
11 during the second 12 months, 8.25%; during the third 12
12 months, 7.75%; during the fourth 12 months, 7.25%; and
13 during the fifth 12 months and thereafter, 6.75%. For
14 additional intertrack wagering location licensees
15 authorized under this amendatory Act of 1995, purses for
16 the first 12 months the licensee is in operation shall be
17 5.75% of the pari-mutuel wagered at the location, purses
18 for the second 12 months the licensee is in operation shall
19 be 6.25%, and purses thereafter shall be 6.75%. For
20 additional intertrack location licensees authorized under
21 this amendatory Act of 1995, the licensee shall be allowed
22 to retain to satisfy all costs and expenses: 7.75% of the
23 pari-mutuel handle wagered at the location during its first
24 12 months of operation, 7.25% during its second 12 months
25 of operation, and 6.75% thereafter.

26 (C) There is hereby created the Horse Racing Tax
27 Allocation Fund which shall remain in existence until
28 December 31, 1999. Moneys remaining in the Fund after
29 December 31, 1999 shall be paid into the General Revenue
30 Fund. Until January 1, 2000, all monies paid into the Horse
31 Racing Tax Allocation Fund pursuant to this paragraph (11)
32 by inter-track wagering location licensees located in park
33 districts of 500,000 population or less, or in a
34 municipality that is not included within any park district
35 but is included within a conservation district and is the
36 county seat of a county that (i) is contiguous to the state

1 of Indiana and (ii) has a 1990 population of 88,257
2 according to the United States Bureau of the Census, and
3 operating on May 1, 1994 shall be allocated by
4 appropriation as follows:

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

1 disbursements incurred in the performance of their
2 official duties. The remaining 50% of this
3 two-sevenths shall be distributed to county fairs for
4 premiums and rehabilitation as set forth in the
5 Agricultural Fair Act;

6 Four-sevenths to park districts or municipalities
7 that do not have a park district of 500,000 population
8 or less for museum purposes (if an inter-track wagering
9 location licensee is located in such a park district)
10 or to conservation districts for museum purposes (if an
11 inter-track wagering location licensee is located in a
12 municipality that is not included within any park
13 district but is included within a conservation
14 district and is the county seat of a county that (i) is
15 contiguous to the state of Indiana and (ii) has a 1990
16 population of 88,257 according to the United States
17 Bureau of the Census, except that if the conservation
18 district does not maintain a museum, the monies shall
19 be allocated equally between the county and the
20 municipality in which the inter-track wagering
21 location licensee is located for general purposes) or
22 to a municipal recreation board for park purposes (if
23 an inter-track wagering location licensee is located
24 in a municipality that is not included within any park
25 district and park maintenance is the function of the
26 municipal recreation board and the municipality has a
27 1990 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 location
33 licensee within the park district or conservation
34 district or municipality for the Fund. Monies that were
35 paid into the Horse Racing Tax Allocation Fund before
36 the effective date of this amendatory Act of 1991 by an

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

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

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

23 Two-sevenths to the Department of Agriculture.
24 Fifty percent of this two-sevenths shall be used to
25 promote the Illinois horse racing and breeding
26 industry, and shall be distributed by the Department of
27 Agriculture upon the advice of a 9-member committee
28 appointed by the Governor consisting of the following
29 members: the Director of Agriculture, who shall serve
30 as chairman; 2 representatives of organization
31 licensees conducting thoroughbred race meetings in
32 this State, recommended by those licensees; 2
33 representatives of organization licensees conducting
34 standardbred race meetings in this State, recommended
35 by those licensees; a representative of the Illinois
36 Thoroughbred Breeders and Owners Foundation,

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

24 Four-sevenths to museums and aquariums located in
25 park districts of over 500,000 population; provided
26 that the monies are distributed in accordance with the
27 previous year's distribution of the maintenance tax
28 for such museums and aquariums as provided in Section 2
29 of the Park District Aquarium and Museum Act; and

30 One-seventh to the Agricultural Premium Fund to be
31 used for distribution to agricultural home economics
32 extension councils in accordance with "An Act in
33 relation to additional support and finances for the
34 Agricultural and Home Economic Extension Councils in
35 the several counties of this State and making an
36 appropriation therefor", approved July 24, 1967. This

1 subparagraph (C) shall be inoperative and of no force
2 and effect on and after January 1, 2000.

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

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

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

27 (iii) If the inter-track wagering is being
28 conducted by an inter-track wagering location
29 licensee, except an intertrack wagering location
30 licensee that derives its license from an
31 organization licensee located in a county with a
32 population in excess of 230,000 and bounded by the
33 Mississippi River, the entire purse allocation for
34 Illinois races shall be to purses at the track
35 where the race meeting being wagered on is being
36 held.

1 (12) The Board shall have all powers necessary and
2 proper to fully supervise and control the conduct of
3 inter-track wagering and simulcast wagering by inter-track
4 wagering licensees and inter-track wagering location
5 licensees, including, but not limited to the following:

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

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

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

31 (D) (Blank).

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

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

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

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

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

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

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

11 (230 ILCS 5/34.2 new)

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

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

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

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

19 (b) The prohibition in paragraph (1) of subsection (a)
20 against loaning cash shall not prohibit an organization
21 licensee from authorizing a person to establish a line of
22 credit with the organization licensee.

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

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

26 (230 ILCS 10/11) (from Ch. 120, par. 2411)

27 Sec. 11. Conduct of gambling. Gambling may be conducted by
28 licensed owners or licensed managers on behalf of the State
29 aboard riverboats, subject to the following standards:

30 (1) A licensee may conduct riverboat gambling
31 authorized under this Act regardless of whether it conducts
32 excursion cruises. A licensee may permit the continuous
33 ingress and egress of passengers for the purpose of

1 gambling.

2 (1.1) A license may not conduct gambling between the
3 hours of 3:00 A.M. and 5:00 A.M.

4 (2) (Blank).

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

7 (4) Agents of the Board and the Department of State
8 Police may board and inspect any riverboat at any time for
9 the purpose of determining whether this Act is being
10 complied with. Every riverboat, if under way and being
11 hailed by a law enforcement officer or agent of the Board,
12 must stop immediately and lay to.

13 (5) Employees of the Board shall have the right to be
14 present on the riverboat or on adjacent facilities under
15 the control of the licensee.

16 (6) Gambling equipment and supplies customarily used
17 in conducting riverboat gambling must be purchased or
18 leased only from suppliers licensed for such purpose under
19 this Act.

20 (7) Persons licensed under this Act shall permit no
21 form of wagering on gambling games except as permitted by
22 this Act.

23 (8) Wagers may be received only from a person present
24 on a licensed riverboat. No person present on a licensed
25 riverboat shall place or attempt to place a wager on behalf
26 of another person who is not present on the riverboat.

27 (9) Wagering shall not be conducted with money or other
28 negotiable currency.

29 (10) A person under age 21 shall not be permitted on an
30 area of a riverboat where gambling is being conducted,
31 except for a person at least 18 years of age who is an
32 employee of the riverboat gambling operation. No employee
33 under age 21 shall perform any function involved in
34 gambling by the patrons. No person under age 21 shall be
35 permitted to make a wager 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 from a licensed owner or manager
9 either aboard a riverboat or at an onshore facility which
10 has been approved by the Board and which is located where
11 the riverboat docks. The tokens, chips or electronic cards
12 may be purchased by means of an agreement under which the
13 owner or manager extends credit to the patron. Such tokens,
14 chips or electronic cards may be used while aboard the
15 riverboat only for the purpose of making wagers on gambling
16 games.

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

32 (14) In addition to the above, gambling must be
33 conducted in accordance with all rules adopted by the
34 Board.

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

1 (230 ILCS 10/13.2 new)

2 Sec. 13.2. Limitation on automated teller machines, cash
3 loans, and post-dated checks.

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

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

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

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

12 (230 ILCS 10/18) (from Ch. 120, par. 2418)

13 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

24 (2) violating paragraph (12) of subsection (a) of
25 Section 11 of this Act.

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

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

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

35 (1) Offers, promises, or gives anything of value or

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

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

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

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

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

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

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

29 (4) Cheats at a gambling game.

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

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

36 (7) Places a bet after acquiring knowledge, not

1 available to all players, of the outcome of the gambling
2 game which is subject of the bet or to aid a person in
3 acquiring the knowledge for the purpose of placing a bet
4 contingent on that outcome.

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

11 (9) Uses counterfeit chips or tokens in a gambling
12 game.

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

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

25 An action to prosecute any crime occurring on a riverboat
26 shall be tried in the county of the dock at which the riverboat
27 is based.

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

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.