



Rep. Lou Lang

Filed: 4/25/2007

09500HB0480ham002

LRB095 07388 AMC 35473 a

1 AMENDMENT TO HOUSE BILL 480

2 AMENDMENT NO. _____. Amend House Bill 480 by replacing
3 everything after the enacting clause with the following:

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

6 Section 5. Findings and purpose.

7 (a) The General Assembly finds that:

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

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

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

16 (4) Successful redevelopment plans are based on policy

1 that is responsive to the existing composition and
2 character of the economically distressed community and
3 that allows and compels the community to participate in the
4 redevelopment planning process.

5 (5) A successful redevelopment initiative creates and
6 maintains a capable and adaptable workforce, has access to
7 capital, has a sound fiscal base, has adequate
8 infrastructure, has well-managed natural resources, and
9 has an attractive quality of life.

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

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

14 "Community" means a municipality, a county with respect to
15 the unincorporated areas of a county, and any combination of
16 municipalities and counties acting jointly.

17 "Department" means the Department of Commerce and Economic
18 Opportunity.

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

23 Section 15. Certification; Board of Economic Advisors.

24 (a) In order to receive the assistance as provided in this

1 Act, a community shall first, by ordinance passed by its
2 corporate authorities, request that the Department certify
3 that it is an economically distressed community. The community
4 must submit a certified copy of the ordinance to the
5 Department. After review of the ordinance, if the Department
6 determines that the community meets the requirements for
7 certification, the Department shall certify the community as an
8 economically distressed community.

9 (b) A community that is certified by the Department as an
10 economically distressed community may appoint a Board of
11 Economic Advisors to create and implement a revitalization plan
12 for the community. The Board shall consist of 12 members of the
13 community, appointed by the mayor or the presiding officer of
14 the county or jointly by the presiding officers of each
15 municipality and county that have joined to form a community
16 for the purposes of this Act. The Board members shall be
17 appointed from the 12 sectors vital to community redevelopment
18 as follows:

19 (1) A member representing households and families.

20 (2) A member representing religious organizations.

21 (3) A member representing educational institutions.

22 (4) A member representing daycare centers, care
23 centers for the handicapped, and care centers for the
24 disadvantaged.

25 (5) A member representing community based
26 organizations such as neighborhood improvement

1 associations.

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

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

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

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

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

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

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

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

1 necessary expenses from funds available for that purpose.

2 (b) The Board shall create a 3-year to 5-year
3 revitalization plan for the community. The plan shall contain
4 distinct, measurable objectives for revitalization. The
5 objectives shall be used to guide ongoing implementation of the
6 plan and to measure progress during the 3-year to 5-year
7 period. The Board shall work in a dynamic manner defining goals
8 for the community based on the strengths and weaknesses of the
9 individual sectors of the community as presented by each member
10 of the Board. The Board shall meet periodically and revise the
11 plan in light of the input from each member of the Board
12 concerning his or her respective sector of expertise. The
13 process shall be a community driven revitalization process,
14 with community-specific data determining the direction and
15 scope of the revitalization.

16 Section 20. Action by the Board.

17 (a) Organize. The Board shall first assess the needs and
18 the resources of the community operating from the basic premise
19 that the family unit is the primary unit of community and that
20 the demand for goods and services from this residential sector
21 is the main source of recovery and growth for the redevelopment
22 of a community. The Board shall inventory community assets,
23 including the condition of the family with respect to the role
24 of the family as workers, consumers, and investors. The Board
25 shall inventory the type and viability of businesses and

1 industries currently in the community. In compiling the
2 inventory, the Board shall rely on the input of each Board
3 member with respect to his or her expertise in a given sector
4 of the revitalization plan.

5 (b) Revitalize. In implementing the revitalization plan,
6 the Board shall focus on and build from existing resources in
7 the community, growing existing businesses rather than luring
8 business into the community from the outside. The Board shall
9 also focus on the residents themselves rather than jobs. The
10 Board shall promote investment in training residents in areas
11 that will lead to employment and in turn will bring revenue
12 into the community.

13 (c) Mobilize. The Board shall engage in the dynamic process
14 of community self-revitalization through a continuous
15 reassessment of the needs of the community in the
16 revitalization process. As each goal of the 3-year to 5-year
17 plan is achieved, the Board shall draw from the resources of
18 its members to establish new goals and implement new strategies
19 employing the lessons learned in the earlier stages of
20 revitalization.

21 (d) Advise. The Board shall Act as the liaison between the
22 community and the local, county, and State Government. The
23 Board shall make use of the resources of these governmental
24 entities and shall provide counsel to each of these bodies with
25 respect to economic development.

26 The Board shall also act as a liaison between private

1 business entities located in the community and the community
2 itself. The Board shall offer advice and assistance to these
3 entities when requested and provide incentives and support,
4 both economic and otherwise, to facilitate expansion and
5 further investment in the community by the businesses.

6 The Board shall annually submit a report to the General
7 Assembly and the Governor summarizing the accomplishments of
8 the community concerning revitalization and the goals of the
9 community for future revitalization.

10 Section 25. Funding sources.

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

14 (1) 50% shall be paid to the Department to be used to make
15 grants as follows:

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

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

20 (C) 50% shall be allocated to communities that are
21 located outside of Cook County and are certified as
22 economically distressed communities and that have created
23 Boards of Economic Advisors under this Act for the
24 operational expenses of the Boards.

25 The procedures for grant applications shall be established

1 by the Department by rule.

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

4 (A) 25% shall be paid, subject to appropriation, to the
5 general fund of the City of Chicago;

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

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

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

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

1 (d) The Intercity Development Fund shall not be subject to
2 sweeps, administrative charges, or charge backs, including but
3 not limited to, those authorized under Section 8h of the State
4 Finance Act or any other fiscal or budgetary maneuver that
5 would in any way transfer any funds from the Intercity
6 Development Fund into any other fund of the State.

7 Section 900. The Alcoholism and Other Drug Abuse and
8 Dependency Act is amended by changing Section 5-20 as follows:

9 (20 ILCS 301/5-20)

10 Sec. 5-20. Compulsive gambling program.

11 (a) Subject to appropriation, the Department shall
12 establish a program for public education, research, and
13 training regarding problem and compulsive gambling and the
14 treatment and prevention of problem and compulsive gambling.
15 Subject to specific appropriation for these stated purposes,
16 the program must include all of the following:

17 (1) Establishment and maintenance of a toll-free "800"
18 telephone number to provide crisis counseling and referral
19 services to families experiencing difficulty as a result of
20 problem or compulsive gambling.

21 (2) Promotion of public awareness regarding the
22 recognition and prevention of problem and compulsive
23 gambling.

24 (3) Facilitation, through in-service training and

1 other means, of the availability of effective assistance
2 programs for problem and compulsive gamblers.

3 (4) Conducting studies to identify adults and
4 juveniles in this State who are, or who are at risk of
5 becoming, problem or compulsive gamblers.

6 (b) Subject to appropriation, the Department shall either
7 establish and maintain the program or contract with a private
8 or public entity for the establishment and maintenance of the
9 program. Subject to appropriation, either the Department or the
10 private or public entity shall implement the toll-free
11 telephone number, promote public awareness, and conduct
12 in-service training concerning problem and compulsive
13 gambling.

14 (c) Subject to appropriation, the Department shall produce
15 and supply the signs specified in Section 10.7 of the Illinois
16 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
17 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
18 of the Charitable Games Act, and Section 13.1 of the Riverboat
19 and Casino Gambling Act.

20 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

21 Section 905. The Department of Revenue Law of the Civil
22 Administrative Code of Illinois is amended by changing Section
23 2505-305 as follows:

24 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

1 Sec. 2505-305. Investigators.

2 (a) The Department has the power to appoint investigators
3 to conduct all investigations, searches, seizures, arrests,
4 and other duties imposed under the provisions of any law
5 administered by the Department or the Illinois Gaming Board.
6 Except as provided in subsection (c), these investigators have
7 and may exercise all the powers of peace officers solely for
8 the purpose of enforcing taxing measures administered by the
9 Department or the Illinois Gaming Board.

10 (b) The Director must authorize to each investigator
11 employed under this Section and to any other employee of the
12 Department exercising the powers of a peace officer a distinct
13 badge that, on its face, (i) clearly states that the badge is
14 authorized by the Department and (ii) contains a unique
15 identifying number. No other badge shall be authorized by the
16 Department.

17 (c) Investigators appointed under this Section who are
18 assigned to the Illinois Gaming Board have and may exercise all
19 the rights and powers of peace officers, provided that these
20 powers shall be limited to offenses or violations occurring or
21 committed on a riverboat or dock or in a casino, as defined in
22 ~~subsections (d) and (f) of~~ Section 4 of the Riverboat and
23 Casino Gambling Act.

24 (Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01; 92-493,
25 eff. 1-1-02.)

1 Section 907. The State Finance Act is amended by changing
2 Section 8h as follows:

3 (30 ILCS 105/8h)

4 Sec. 8h. Transfers to General Revenue Fund.

5 (a) Except as otherwise provided in this Section and
6 Section 8n of this Act, and ~~(e), (d), or (e)~~, notwithstanding
7 any other State law to the contrary, the Governor may, through
8 June 30, 2007, from time to time direct the State Treasurer and
9 Comptroller to transfer a specified sum from any fund held by
10 the State Treasurer to the General Revenue Fund in order to
11 help defray the State's operating costs for the fiscal year.
12 The total transfer under this Section from any fund in any
13 fiscal year shall not exceed the lesser of (i) 8% of the
14 revenues to be deposited into the fund during that fiscal year
15 or (ii) an amount that leaves a remaining fund balance of 25%
16 of the July 1 fund balance of that fiscal year. In fiscal year
17 2005 only, prior to calculating the July 1, 2004 final
18 balances, the Governor may calculate and direct the State
19 Treasurer with the Comptroller to transfer additional amounts
20 determined by applying the formula authorized in Public Act
21 93-839 to the funds balances on July 1, 2003. No transfer may
22 be made from a fund under this Section that would have the
23 effect of reducing the available balance in the fund to an
24 amount less than the amount remaining unexpended and unreserved
25 from the total appropriation from that fund estimated to be

1 expended for that fiscal year. This Section does not apply to
2 any funds that are restricted by federal law to a specific use,
3 to any funds in the Motor Fuel Tax Fund, the Intercity
4 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
5 Provider Relief Fund, the Teacher Health Insurance Security
6 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
7 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
8 the Lawyers' Assistance Program Fund, the Supreme Court Federal
9 Projects Fund, the Supreme Court Special State Projects Fund,
10 the Supplemental Low-Income Energy Assistance Fund, the Good
11 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
12 Facility Development and Operation Fund, the Horse Racing
13 Equity Trust Fund, the Intercity Development Fund, the
14 Agricultural Premium Fund, the Illinois Colt Stakes Purse
15 Distribution Fund, the Horse Racing Fund, the Illinois
16 Thoroughbred Breeders Fund, the Illinois Racing Quarter Horse
17 Breeders Fund, the Illinois Standardbred Breeders Fund, or the
18 Hospital Basic Services Preservation Fund, or to any funds to
19 which subsection (f) of Section 20-40 of the Nursing and
20 Advanced Practice Nursing Act applies. No transfers may be made
21 under this Section from the Pet Population Control Fund.
22 Notwithstanding any other provision of this Section, for fiscal
23 year 2004, the total transfer under this Section from the Road
24 Fund or the State Construction Account Fund shall not exceed
25 the lesser of (i) 5% of the revenues to be deposited into the
26 fund during that fiscal year or (ii) 25% of the beginning

1 balance in the fund. For fiscal year 2005 through fiscal year
2 2007, no amounts may be transferred under this Section from the
3 Road Fund, the State Construction Account Fund, the Criminal
4 Justice Information Systems Trust Fund, the Wireless Service
5 Emergency Fund, or the Mandatory Arbitration Fund.

6 In determining the available balance in a fund, the
7 Governor may include receipts, transfers into the fund, and
8 other resources anticipated to be available in the fund in that
9 fiscal year.

10 The State Treasurer and Comptroller shall transfer the
11 amounts designated under this Section as soon as may be
12 practicable after receiving the direction to transfer from the
13 Governor.

14 (a-5) Transfers directed to be made under this Section on
15 or before February 28, 2006 that are still pending on May 19,
16 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
17 ~~Act of the 94th General Assembly~~ shall be redirected as
18 provided in Section 8n of this Act.

19 (b) This Section does not apply to: (i) the Ticket For The
20 Cure Fund; (ii) any fund established under the Community Senior
21 Services and Resources Act; or (iii) on or after January 1,
22 2006 (the effective date of Public Act 94-511), the Child Labor
23 and Day and Temporary Labor Enforcement Fund.

24 (c) This Section does not apply to the Demutualization
25 Trust Fund established under the Uniform Disposition of
26 Unclaimed Property Act.

1 (d) This Section does not apply to moneys set aside in the
2 Illinois State Podiatric Disciplinary Fund for podiatric
3 scholarships and residency programs under the Podiatric
4 Scholarship and Residency Act.

5 (e) Subsection (a) does not apply to, and no transfer may
6 be made under this Section from, the Pension Stabilization
7 Fund.

8 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
9 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
10 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
11 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
12 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
13 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
14 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
15 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
16 eff. 6-6-06; revised 6-19-06.)

17 Section 910. The Property Tax Code is amended by changing
18 Section 18-165 as follows:

19 (35 ILCS 200/18-165)

20 Sec. 18-165. Abatement of taxes.

21 (a) Any taxing district, upon a majority vote of its
22 governing authority, may, after the determination of the
23 assessed valuation of its property, order the clerk of that
24 county to abate any portion of its taxes on the following types

1 of property:

2 (1) Commercial and industrial.

3 (A) The property of any commercial or industrial
4 firm, including but not limited to the property of (i)
5 any firm that is used for collecting, separating,
6 storing, or processing recyclable materials, locating
7 within the taxing district during the immediately
8 preceding year from another state, territory, or
9 country, or having been newly created within this State
10 during the immediately preceding year, or expanding an
11 existing facility, or (ii) any firm that is used for
12 the generation and transmission of electricity
13 locating within the taxing district during the
14 immediately preceding year or expanding its presence
15 within the taxing district during the immediately
16 preceding year by construction of a new electric
17 generating facility that uses natural gas as its fuel,
18 or any firm that is used for production operations at a
19 new, expanded, or reopened coal mine within the taxing
20 district, that has been certified as a High Impact
21 Business by the Illinois Department of Commerce and
22 Economic Opportunity. The property of any firm used for
23 the generation and transmission of electricity shall
24 include all property of the firm used for transmission
25 facilities as defined in Section 5.5 of the Illinois
26 Enterprise Zone Act. The abatement shall not exceed a

1 period of 10 years and the aggregate amount of abated
2 taxes for all taxing districts combined shall not
3 exceed \$4,000,000.

4 (A-5) Any property in the taxing district of a new
5 electric generating facility, as defined in Section
6 605-332 of the Department of Commerce and Economic
7 Opportunity Law of the Civil Administrative Code of
8 Illinois. The abatement shall not exceed a period of 10
9 years. The abatement shall be subject to the following
10 limitations:

11 (i) if the equalized assessed valuation of the
12 new electric generating facility is equal to or
13 greater than \$25,000,000 but less than
14 \$50,000,000, then the abatement may not exceed (i)
15 over the entire term of the abatement, 5% of the
16 taxing district's aggregate taxes from the new
17 electric generating facility and (ii) in any one
18 year of abatement, 20% of the taxing district's
19 taxes from the new electric generating facility;

20 (ii) if the equalized assessed valuation of
21 the new electric generating facility is equal to or
22 greater than \$50,000,000 but less than
23 \$75,000,000, then the abatement may not exceed (i)
24 over the entire term of the abatement, 10% of the
25 taxing district's aggregate taxes from the new
26 electric generating facility and (ii) in any one

1 year of abatement, 35% of the taxing district's
2 taxes from the new electric generating facility;

3 (iii) if the equalized assessed valuation of
4 the new electric generating facility is equal to or
5 greater than \$75,000,000 but less than
6 \$100,000,000, then the abatement may not exceed
7 (i) over the entire term of the abatement, 20% of
8 the taxing district's aggregate taxes from the new
9 electric generating facility and (ii) in any one
10 year of abatement, 50% of the taxing district's
11 taxes from the new electric generating facility;

12 (iv) if the equalized assessed valuation of
13 the new electric generating facility is equal to or
14 greater than \$100,000,000 but less than
15 \$125,000,000, then the abatement may not exceed
16 (i) over the entire term of the abatement, 30% of
17 the taxing district's aggregate taxes from the new
18 electric generating facility and (ii) in any one
19 year of abatement, 60% of the taxing district's
20 taxes from the new electric generating facility;

21 (v) if the equalized assessed valuation of the
22 new electric generating facility is equal to or
23 greater than \$125,000,000 but less than
24 \$150,000,000, then the abatement may not exceed
25 (i) over the entire term of the abatement, 40% of
26 the taxing district's aggregate taxes from the new

1 electric generating facility and (ii) in any one
2 year of abatement, 60% of the taxing district's
3 taxes from the new electric generating facility;

4 (vi) if the equalized assessed valuation of
5 the new electric generating facility is equal to or
6 greater than \$150,000,000, then the abatement may
7 not exceed (i) over the entire term of the
8 abatement, 50% of the taxing district's aggregate
9 taxes from the new electric generating facility
10 and (ii) in any one year of abatement, 60% of the
11 taxing district's taxes from the new electric
12 generating facility.

13 The abatement is not effective unless the owner of
14 the new electric generating facility agrees to repay to
15 the taxing district all amounts previously abated,
16 together with interest computed at the rate and in the
17 manner provided for delinquent taxes, in the event that
18 the owner of the new electric generating facility
19 closes the new electric generating facility before the
20 expiration of the entire term of the abatement.

21 The authorization of taxing districts to abate
22 taxes under this subdivision (a)(1)(A-5) expires on
23 January 1, 2010.

24 (B) The property of any commercial or industrial
25 development of at least 500 acres having been created
26 within the taxing district. The abatement shall not

1 exceed a period of 20 years and the aggregate amount of
2 abated taxes for all taxing districts combined shall
3 not exceed \$12,000,000.

4 (C) The property of any commercial or industrial
5 firm currently located in the taxing district that
6 expands a facility or its number of employees. The
7 abatement shall not exceed a period of 10 years and the
8 aggregate amount of abated taxes for all taxing
9 districts combined shall not exceed \$4,000,000. The
10 abatement period may be renewed at the option of the
11 taxing districts.

12 (2) Horse racing. Through the 2007 taxable year, any
13 ~~Any~~ property in the taxing district which is used for the
14 racing of horses and upon which capital improvements
15 consisting of expansion, improvement or replacement of
16 existing facilities have been made since July 1, 1987. The
17 combined abatements for such property from all taxing
18 districts in any county shall not exceed \$5,000,000
19 annually and shall not exceed a period of 10 years.

20 (3) Auto racing. Any property designed exclusively for
21 the racing of motor vehicles. Such abatement shall not
22 exceed a period of 10 years.

23 (4) Academic or research institute. The property of any
24 academic or research institute in the taxing district that
25 (i) is an exempt organization under paragraph (3) of
26 Section 501(c) of the Internal Revenue Code, (ii) operates

1 for the benefit of the public by actually and exclusively
2 performing scientific research and making the results of
3 the research available to the interested public on a
4 non-discriminatory basis, and (iii) employs more than 100
5 employees. An abatement granted under this paragraph shall
6 be for at least 15 years and the aggregate amount of abated
7 taxes for all taxing districts combined shall not exceed
8 \$5,000,000.

9 (5) Housing for older persons. Any property in the
10 taxing district that is devoted exclusively to affordable
11 housing for older households. For purposes of this
12 paragraph, "older households" means those households (i)
13 living in housing provided under any State or federal
14 program that the Department of Human Rights determines is
15 specifically designed and operated to assist elderly
16 persons and is solely occupied by persons 55 years of age
17 or older and (ii) whose annual income does not exceed 80%
18 of the area gross median income, adjusted for family size,
19 as such gross income and median income are determined from
20 time to time by the United States Department of Housing and
21 Urban Development. The abatement shall not exceed a period
22 of 15 years, and the aggregate amount of abated taxes for
23 all taxing districts shall not exceed \$3,000,000.

24 (6) Historical society. For assessment years 1998
25 through 2008, the property of an historical society
26 qualifying as an exempt organization under Section

1 501(c)(3) of the federal Internal Revenue Code.

2 (7) Recreational facilities. Any property in the
3 taxing district (i) that is used for a municipal airport,
4 (ii) that is subject to a leasehold assessment under
5 Section 9-195 of this Code and (iii) which is sublet from a
6 park district that is leasing the property from a
7 municipality, but only if the property is used exclusively
8 for recreational facilities or for parking lots used
9 exclusively for those facilities. The abatement shall not
10 exceed a period of 10 years.

11 (8) Relocated corporate headquarters. If approval
12 occurs within 5 years after the effective date of this
13 amendatory Act of the 92nd General Assembly, any property
14 or a portion of any property in a taxing district that is
15 used by an eligible business for a corporate headquarters
16 as defined in the Corporate Headquarters Relocation Act.
17 Instead of an abatement under this paragraph (8), a taxing
18 district may enter into an agreement with an eligible
19 business to make annual payments to that eligible business
20 in an amount not to exceed the property taxes paid directly
21 or indirectly by that eligible business to the taxing
22 district and any other taxing districts for premises
23 occupied pursuant to a written lease and may make those
24 payments without the need for an annual appropriation. No
25 school district, however, may enter into an agreement with,
26 or abate taxes for, an eligible business unless the

1 municipality in which the corporate headquarters is
2 located agrees to provide funding to the school district in
3 an amount equal to the amount abated or paid by the school
4 district as provided in this paragraph (8). Any abatement
5 ordered or agreement entered into under this paragraph (8)
6 may be effective for the entire term specified by the
7 taxing district, except the term of the abatement or annual
8 payments may not exceed 20 years.

9 (9) United States Military Public/Private Residential
10 Developments. Each building, structure, or other
11 improvement designed, financed, constructed, renovated,
12 managed, operated, or maintained after January 1, 2006
13 under a "PPV Lease", as set forth under Division 14 of
14 Article 10, and any such PPV Lease.

15 (b) Upon a majority vote of its governing authority, any
16 municipality may, after the determination of the assessed
17 valuation of its property, order the county clerk to abate any
18 portion of its taxes on any property that is located within the
19 corporate limits of the municipality in accordance with Section
20 8-3-18 of the Illinois Municipal Code.

21 (Source: P.A. 93-270, eff. 7-22-03; 94-793, eff. 5-19-06;
22 94-974, eff. 6-30-06.)

23 Section 915. The Joliet Regional Port District Act is
24 amended by changing Section 5.1 as follows:

1 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

2 Sec. 5.1. Riverboat and casino gambling. Notwithstanding
3 any other provision of this Act, the District may not regulate
4 the operation, conduct, or navigation of any riverboat gambling
5 casino licensed under the Riverboat and Casino Gambling Act,
6 and the District may not license, tax, or otherwise levy any
7 assessment of any kind on any riverboat gambling casino
8 licensed under the Riverboat and Casino Gambling Act. The
9 General Assembly declares that the powers to regulate the
10 operation, conduct, and navigation of riverboat gambling
11 casinos and to license, tax, and levy assessments upon
12 riverboat gambling casinos are exclusive powers of the State of
13 Illinois and the Illinois Gaming Board as provided in the
14 Riverboat and Casino Gambling Act.

15 (Source: P.A. 87-1175.)

16 Section 920. The Consumer Installment Loan Act is amended
17 by changing Section 12.5 as follows:

18 (205 ILCS 670/12.5)

19 Sec. 12.5. Limited purpose branch.

20 (a) Upon the written approval of the Director, a licensee
21 may maintain a limited purpose branch for the sole purpose of
22 making loans as permitted by this Act. A limited purpose branch
23 may include an automatic loan machine. No other activity shall
24 be conducted at the site, including but not limited to,

1 accepting payments, servicing the accounts, or collections.

2 (b) The licensee must submit an application for a limited
3 purpose branch to the Director on forms prescribed by the
4 Director with an application fee of \$300. The approval for the
5 limited purpose branch must be renewed concurrently with the
6 renewal of the licensee's license along with a renewal fee of
7 \$300 for the limited purpose branch.

8 (c) The books, accounts, records, and files of the limited
9 purpose branch's transactions shall be maintained at the
10 licensee's licensed location. The licensee shall notify the
11 Director of the licensed location at which the books, accounts,
12 records, and files shall be maintained.

13 (d) The licensee shall prominently display at the limited
14 purpose branch the address and telephone number of the
15 licensee's licensed location.

16 (e) No other business shall be conducted at the site of the
17 limited purpose branch unless authorized by the Director.

18 (f) The Director shall make and enforce reasonable rules
19 for the conduct of a limited purpose branch.

20 (g) A limited purpose branch may not be located within
21 1,000 feet of a facility operated by an inter-track wagering
22 licensee or an organization licensee subject to the Illinois
23 Horse Racing Act of 1975, on a riverboat or in a casino subject
24 to the Riverboat and Casino Gambling Act, or within 1,000 feet
25 of the location at which the riverboat docks or within 1,000
26 feet of a casino.

1 (Source: P.A. 90-437, eff. 1-1-98.)

2 Section 925. The Illinois Horse Racing Act of 1975 is
3 amended by changing Sections 1.2, 9, 20, 26, 26.1, 27, 28,
4 28.1, 30, 30.5, 31, 32.1, 36, 42, and 54.5 and adding Sections
5 3.24, 3.25, 3.26, 3.27, 34.3, and 56 as follows:

6 (230 ILCS 5/1.2)

7 Sec. 1.2. Legislative intent. This Act is intended to
8 benefit the people of the State of Illinois by encouraging the
9 breeding and production of race horses, assisting economic
10 development, and promoting Illinois tourism. The General
11 Assembly finds and declares it to be the public policy of the
12 State of Illinois to:

13 (a) support and enhance Illinois' horse racing industry,
14 which is a significant component within the agribusiness
15 industry;

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

18 (c) stimulate growth within Illinois' horse racing
19 industry, thereby encouraging new investment and development
20 to produce additional tax revenues and to create additional
21 jobs;

22 (d) promote the further growth of tourism;

23 (e) encourage the breeding of thoroughbred and
24 standardbred horses in this State; and

1 (f) ensure that public confidence and trust in the
2 credibility and integrity of racing operations and the
3 regulatory process is maintained.

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

5 (230 ILCS 5/3.24 new)

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

8 (230 ILCS 5/3.25 new)

9 Sec. 3.25. "Electronic gaming" means slot machine gambling
10 conducted at a race track pursuant to an electronic gaming
11 license.

12 (230 ILCS 5/3.26 new)

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

15 (230 ILCS 5/3.27 new)

16 Sec. 3.27. "Electronic gaming facility" means that portion
17 of an organization licensee's race track facility at which
18 electronic gaming is conducted.

19 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

20 Sec. 9. The Board shall have all powers necessary and
21 proper to fully and effectively execute the provisions of this

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

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

18 Upon application, the Board shall issue a license to the
19 Illinois Department of Agriculture to conduct harness and
20 Quarter Horse races at the Illinois State Fair and at the
21 DuQuoin State Fairgrounds during the scheduled dates of each
22 fair. The Board shall not require and the Department of
23 Agriculture shall be exempt from the requirements of Sections
24 15.3, 18 and 19, paragraphs (a) (2), (b), (c), (d), (e), (e-5),
25 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24
26 and 25. The Board and the Department of Agriculture may extend

1 any or all of these exemptions to any contractor or agent
2 engaged by the Department of Agriculture to conduct its race
3 meetings when the Board determines that this would best serve
4 the public interest and the interest of horse racing.

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

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

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

1 (d) The Board, and any person or persons to whom it
2 delegates this power, is vested with the authority to
3 investigate alleged violations of the provisions of this Act,
4 its reasonable rules and regulations, orders and final
5 decisions; the Board shall take appropriate disciplinary
6 action against any licensee or occupation licensee for
7 violation thereof or institute appropriate legal action for the
8 enforcement thereof.

9 (e) The Board, and any person or persons to whom it
10 delegates this power, may eject or exclude from any race
11 meeting or the facilities of any licensee, or any part thereof,
12 any occupation licensee or any other individual whose conduct
13 or reputation is such that his presence on those facilities
14 may, in the opinion of the Board, call into question the
15 honesty and integrity of horse racing or wagering or interfere
16 with the orderly conduct of horse racing or wagering; provided,
17 however, that no person shall be excluded or ejected from the
18 facilities of any licensee solely on the grounds of race,
19 color, creed, national origin, ancestry, or sex. The power to
20 eject or exclude an occupation licensee or other individual may
21 be exercised for just cause by the licensee or the Board,
22 subject to subsequent hearing by the Board as to the propriety
23 of said exclusion.

24 (f) The Board is vested with the power to acquire,
25 establish, maintain and operate (or provide by contract to
26 maintain and operate) testing laboratories and related

1 facilities, for the purpose of conducting saliva, blood, urine
2 and other tests on the horses run or to be run in any horse race
3 meeting and to purchase all equipment and supplies deemed
4 necessary or desirable in connection with any such testing
5 laboratories and related facilities and all such tests.

6 (f-5) The Department of Agriculture is vested with the
7 power to acquire, establish, maintain, and operate (or provide
8 by contract to maintain and operate) testing laboratories and
9 related facilities for the purpose of conducting saliva, blood,
10 urine, and other tests on the horses run or to be run in any
11 county fair horse race meeting and of purchasing all equipment
12 and supplies deemed necessary or desirable in connection with
13 any such testing laboratories and related facilities and all
14 such tests in any county fair horse race.

15 (g) The Board may require that the records, including
16 financial or other statements of any licensee or any person
17 affiliated with the licensee who is involved directly or
18 indirectly in the activities of any licensee as regulated under
19 this Act to the extent that those financial or other statements
20 relate to such activities be kept in such manner as prescribed
21 by the Board, and that Board employees shall have access to
22 those records during reasonable business hours. Within 120 days
23 of the end of its fiscal year, each licensee shall transmit to
24 the Board an audit of the financial transactions and condition
25 of the licensee's total operations. All audits shall be
26 conducted by certified public accountants. Each certified

1 public accountant must be registered in the State of Illinois
2 under the Illinois Public Accounting Act. The compensation for
3 each certified public accountant shall be paid directly by the
4 licensee to the certified public accountant. A licensee shall
5 also submit any other financial or related information the
6 Board deems necessary to effectively administer this Act and
7 all rules, regulations, and final decisions promulgated under
8 this Act.

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

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

1 (j) The Board may discharge any Board employee who fails or
2 refuses for any reason to comply with the rules and regulations
3 of the Board, or who, in the opinion of the Board, is guilty of
4 fraud, dishonesty or who is proven to be incompetent. The Board
5 shall have no right or power to determine who shall be
6 officers, directors or employees of any licensee, or their
7 salaries except the Board may, by rule, require that all or any
8 officials or employees in charge of or whose duties relate to
9 the actual running of races be approved by the Board.

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

14 (l) The Board is vested with the power to impose civil
15 penalties of up to \$5,000 against an individual and up to
16 \$10,000 against a licensee for each violation of any provision
17 of this Act, any rules adopted by the Board, any order of the
18 Board or any other action which, in the Board's discretion, is
19 a detriment or impediment to horse racing or wagering.

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

23 (n) The Board shall have the power to issue a license to
24 any county fair, or its agent, authorizing the conduct of the
25 pari-mutuel system of wagering. The Board is vested with the
26 full power to promulgate reasonable rules, regulations and

1 conditions under which all horse race meetings licensed
2 pursuant to this subsection shall be held and conducted,
3 including rules, regulations and conditions for the conduct of
4 the pari-mutuel system of wagering. The rules, regulations and
5 conditions shall provide for the prevention of practices
6 detrimental to the public interest and for the best interests
7 of horse racing, and shall prescribe penalties for violations
8 thereof. Any authority granted the Board under this Act shall
9 extend to its jurisdiction and supervision over county fairs,
10 or their agents, licensed pursuant to this subsection. However,
11 the Board may waive any provision of this Act or its rules or
12 regulations which would otherwise apply to such county fairs or
13 their agents.

14 (o) Whenever the Board is authorized or required by law to
15 consider some aspect of criminal history record information for
16 the purpose of carrying out its statutory powers and
17 responsibilities, then, upon request and payment of fees in
18 conformance with the requirements of Section 2605-400 of the
19 Department of State Police Law (20 ILCS 2605/2605-400), the
20 Department of State Police is authorized to furnish, pursuant
21 to positive identification, such information contained in
22 State files as is necessary to fulfill the request.

23 (p) To insure the convenience, comfort, and wagering
24 accessibility of race track patrons, to provide for the
25 maximization of State revenue, and to generate increases in
26 purse allotments to the horsemen, the Board shall require any

1 licensee to staff the pari-mutuel department with adequate
2 personnel.

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

4 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

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

9 (1) the dates on which it intends to conduct the horse
10 race meeting, which dates shall be provided under Section
11 21;

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

14 (3) the location where it proposes to conduct the
15 meeting; and

16 (4) any other information the Board may reasonably
17 require.

18 (b) A separate application for an organization license
19 shall be filed for each horse race meeting which such person
20 proposes to hold. Any such application, if made by an
21 individual, or by any individual as trustee, shall be signed
22 and verified under oath by such individual. If made by
23 individuals or a partnership, it shall be signed and verified
24 under oath by at least 2 of such individuals or members of such
25 partnership as the case may be. If made by an association,

1 corporation, corporate trustee or any other entity, it shall be
2 signed by the president and attested by the secretary or
3 assistant secretary under the seal of such association, trust
4 or corporation if it has a seal, and shall also be verified
5 under oath by one of the signing officers.

6 (c) The application shall specify the name of the persons,
7 association, trust, or corporation making such application and
8 the post office address of the applicant; if the applicant is a
9 trustee, the names and addresses of the beneficiaries; if a
10 corporation, the names and post office addresses of all
11 officers, stockholders and directors; or if such stockholders
12 hold stock as a nominee or fiduciary, the names and post office
13 addresses of these persons, partnerships, corporations, or
14 trusts who are the beneficial owners thereof or who are
15 beneficially interested therein; and if a partnership, the
16 names and post office addresses of all partners, general or
17 limited; if the applicant is a corporation, the name of the
18 state of its incorporation shall be specified.

19 (d) The applicant shall execute and file with the Board a
20 good faith affirmative action plan to recruit, train, and
21 upgrade minorities in all classifications within the
22 association.

23 (e) With such application there shall be delivered to the
24 Board a certified check or bank draft payable to the order of
25 the Board for an amount equal to \$1,000. All applications for
26 the issuance of an organization license shall be filed with the

1 Board before August 1 of the year prior to the year for which
2 application is made and shall be acted upon by the Board at a
3 meeting to be held on such date as shall be fixed by the Board
4 during the last 15 days of September of such prior year. At
5 such meeting, the Board shall announce the award of the racing
6 meets, live racing schedule, and designation of host track to
7 the applicants and its approval or disapproval of each
8 application. No announcement shall be considered binding until
9 a formal order is executed by the Board, which shall be
10 executed no later than October 15 of that prior year. Absent
11 the agreement of the affected organization licensees, the Board
12 shall not grant overlapping race meetings to 2 or more tracks
13 that are within 100 miles of each other to conduct the
14 thoroughbred racing.

15 (e-2) In awarding racing dates for calendar year 2008 and
16 thereafter, the Board shall award at least 600 racing days plus
17 an amount as provided in subsection (e-3). In awarding racing
18 dates under this subsection (e-2), the Board shall have the
19 discretion to allocate those racing dates among organization
20 licensees. Of the 600 total racing days awarded, the Illinois
21 Racing Board must reserve an amount of racing days to
22 standardbred races in an amount equal to 90% of the amount of
23 days awarded to standardbred races in calendar year 2005. The
24 Illinois Racing Board may waive the requirement that 600 racing
25 days be awarded. However, if a licensee does not race the
26 required number of days, the Illinois Racing Board may issue

1 reasonable fines or penalties, as determined by rule.

2 (e-3) Upon request, the Board shall award at least 25
3 standardbred racing dates to the organization licensee that
4 conducts racing at Fairmount Race Track. Any racing dates
5 awarded under this subsection (e-3) to an organization licensee
6 that conducts racing at Fairmount Race Track that are in excess
7 of the number awarded to that organization licensee in 2006
8 shall be in addition to those racing dates awarded under
9 subsection (e-2).

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

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

17 (i) controls the applicant, directly or
18 indirectly, or

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

22 (2) the applicant's facilities or proposed facilities
23 for conducting horse racing;

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

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

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

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

9 (7) an agreement, if any, among organization licensees
10 as provided in subsection (b) of Section 21 of this Act;
11 and

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

15 In granting organization licenses and allocating dates for
16 horse race meetings, the Board shall have discretion to
17 determine an overall schedule, including required simulcasts
18 of Illinois races by host tracks that will, in its judgment, be
19 conducive to the best interests of the public and the sport of
20 horse racing.

21 (e-10) The Illinois Administrative Procedure Act shall
22 apply to administrative procedures of the Board under this Act
23 for the granting of an organization license, except that (1)
24 notwithstanding the provisions of subsection (b) of Section
25 10-40 of the Illinois Administrative Procedure Act regarding
26 cross-examination, the Board may prescribe rules limiting the

1 right of an applicant or participant in any proceeding to award
2 an organization license to conduct cross-examination of
3 witnesses at that proceeding where that cross-examination
4 would unduly obstruct the timely award of an organization
5 license under subsection (e) of Section 20 of this Act; (2) the
6 provisions of Section 10-45 of the Illinois Administrative
7 Procedure Act regarding proposals for decision are excluded
8 under this Act; (3) notwithstanding the provisions of
9 subsection (a) of Section 10-60 of the Illinois Administrative
10 Procedure Act regarding ex parte communications, the Board may
11 prescribe rules allowing ex parte communications with
12 applicants or participants in a proceeding to award an
13 organization license where conducting those communications
14 would be in the best interest of racing, provided all those
15 communications are made part of the record of that proceeding
16 pursuant to subsection (c) of Section 10-60 of the Illinois
17 Administrative Procedure Act; (4) the provisions of Section 14a
18 of this Act and the rules of the Board promulgated under that
19 Section shall apply instead of the provisions of Article 10 of
20 the Illinois Administrative Procedure Act regarding
21 administrative law judges; and (5) the provisions of subsection
22 (d) of Section 10-65 of the Illinois Administrative Procedure
23 Act that prevent summary suspension of a license pending
24 revocation or other action shall not apply.

25 (f) The Board may allot racing dates to an organization
26 licensee for more than one calendar year but for no more than 3

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

18 (f-5) If, (i) an applicant does not file an acceptance of
19 the racing dates awarded by the Board as required under part
20 (1) of subsection (h) of this Section 20, or (ii) an
21 organization licensee has its license suspended or revoked
22 under this Act, the Board, upon conducting an emergency hearing
23 as provided for in this Act, may reaward on an emergency basis
24 pursuant to rules established by the Board, racing dates not
25 accepted or the racing dates associated with any suspension or
26 revocation period to one or more organization licensees, new

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

12 (g) (Blank).

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

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

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

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

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

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

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

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

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

9 Sec. 26. Wagering.

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

24 (b) Except as otherwise provided in Section 56, no other
25 method of betting, pool making, wagering or gambling shall be

1 used or permitted by the licensee. Each licensee may retain,
2 subject to the payment of all applicable taxes and purses, an
3 amount not to exceed 17% of all money wagered under subsection
4 (a) of this Section, except as may otherwise be permitted under
5 this Act.

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

13 (c) Until January 1, 2000, the sum held by any licensee for
14 payment of outstanding pari-mutuel tickets, if unclaimed prior
15 to December 31 of the next year, shall be retained by the
16 licensee for payment of such tickets until that date. Within 10
17 days thereafter, the balance of such sum remaining unclaimed,
18 less any uncashed supplements contributed by such licensee for
19 the purpose of guaranteeing minimum distributions of any
20 pari-mutuel pool, shall be paid to the Illinois Veterans'
21 Rehabilitation Fund of the State treasury, except as provided
22 in subsection (g) of Section 27 of this Act.

23 (c-5) Beginning January 1, 2000, the sum held by any
24 licensee for payment of outstanding pari-mutuel tickets, if
25 unclaimed prior to December 31 of the next year, shall be
26 retained by the licensee for payment of such tickets until that

1 date; except that, beginning on the effective date of this
2 amendatory Act of the 95th General Assembly, the sum held by an
3 organization licensee located in a county with a population in
4 excess of 230,000 and that borders the Mississippi River and
5 every inter-track wagering location licensee who derives its
6 license from that organization licensee shall be retained by
7 the organization licensee for payment of such tickets until
8 that date. Within 10 days thereafter, the balance of such sum
9 remaining unclaimed, less any uncashed supplements contributed
10 by such licensee for the purpose of guaranteeing minimum
11 distributions of any pari-mutuel pool, shall be evenly
12 distributed to the purse account of the organization licensee
13 and the organization licensee.

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

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

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

1 with its gross or net wagering pools or with wagering pools
2 established by other states.

3 (g) A host track may accept interstate simulcast wagers on
4 horse races conducted in other states or countries and shall
5 control the number of signals and types of breeds of racing in
6 its simulcast program, subject to the disapproval of the Board.
7 The Board may prohibit a simulcast program only if it finds
8 that the simulcast program is clearly adverse to the integrity
9 of racing. The host track simulcast program shall include the
10 signal of live racing of all organization licensees. All
11 non-host licensees shall carry the host track simulcast program
12 and accept wagers on all races included as part of the
13 simulcast program upon which wagering is permitted. The costs
14 and expenses of the host track and non-host licensees
15 associated with interstate simulcast wagering, other than the
16 interstate commission fee, shall be borne by the host track and
17 all non-host licensees incurring these costs. The interstate
18 commission fee shall not exceed 5% of Illinois handle on the
19 interstate simulcast race or races without prior approval of
20 the Board. The Board shall promulgate rules under which it may
21 permit interstate commission fees in excess of 5%. The
22 interstate commission fee and other fees charged by the sending
23 racetrack, including, but not limited to, satellite decoder
24 fees, shall be uniformly applied to the host track and all
25 non-host licensees.

26 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an

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

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

1 (3) Each licensee conducting interstate simulcast
2 wagering may retain, subject to the payment of all
3 applicable taxes and the purses, an amount not to exceed
4 17% of all money wagered. If any licensee conducts the
5 pari-mutuel system wagering on races conducted at
6 racetracks in another state or country, each such race or
7 race program shall be considered a separate racing day for
8 the purpose of determining the daily handle and computing
9 the privilege tax of that daily handle as provided in
10 subsection (a) of Section 27. Until January 1, 2000, from
11 the sums permitted to be retained pursuant to this
12 subsection, each intertrack wagering location licensee
13 shall pay 1% of the pari-mutuel handle wagered on simulcast
14 wagering to the Horse Racing Tax Allocation Fund, subject
15 to the provisions of subparagraph (B) of paragraph (11) of
16 subsection (h) of Section 26 of this Act.

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

1 wagering pools or other wagering pools.

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

11 (A) For interstate simulcast wagers made at a host
12 track, 50% to the host track and 50% to purses at the
13 host track.

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

21 (6) Notwithstanding any provision in this Act to the
22 contrary, non-host licensees who derive their licenses
23 from a track located in a county with a population in
24 excess of 230,000 and that borders the Mississippi River
25 may receive supplemental interstate simulcast races at all
26 times subject to Board approval, which shall be withheld

1 only upon a finding that a supplemental interstate
2 simulcast is clearly adverse to the integrity of racing.

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

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

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

24 (C) Between January 1 and the third Friday in
25 February, inclusive, if live thoroughbred racing is
26 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.

1 the purse share from wagers made during this time
2 period to its thoroughbred purse account and between
3 6:30 p.m. and 6:30 a.m. the purse share from wagers
4 made during this time period to its standardbred purse
5 accounts;

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

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

14 (7.1) Notwithstanding any other provision of this Act
15 to the contrary, if no standardbred racing is conducted at
16 a racetrack located in Madison County during any calendar
17 year beginning on or after January 1, 2002, all moneys
18 derived by that racetrack from simulcast wagering and
19 inter-track wagering that (1) are to be used for purses and
20 (2) are generated between the hours of 6:30 p.m. and 6:30
21 a.m. during that calendar year shall be paid as follows:

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

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

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

25 (A) If the licensee that conducts horse racing at
26 that racetrack requests from the Board at least as many

1 racing dates as were conducted in calendar year 2000,
2 80% shall be deposited into its standardbred purse
3 account; and

4 (B) Twenty percent shall be deposited into the
5 Illinois Colt Stakes Purse Distribution Fund. Moneys
6 deposited into the Illinois Colt Stakes Purse
7 Distribution Fund pursuant to this subparagraph (B)
8 shall be paid to Illinois conceived and foaled
9 thoroughbred breeders' programs and to thoroughbred
10 purses for races conducted at any county fairgrounds
11 for Illinois conceived and foaled horses at the
12 discretion of the Department of Agriculture, with the
13 advice and assistance of the Illinois Thoroughbred
14 Breeders Fund Advisory Board. The moneys deposited
15 into the Illinois Colt Stakes Purse Distribution Fund
16 pursuant to this subparagraph (B) shall be deposited
17 within 2 weeks after the day they were generated, shall
18 be in addition to and not in lieu of any other moneys
19 paid to thoroughbred purses under this Act, and shall
20 not be commingled with other moneys deposited into that
21 Fund. The Illinois Colt Stakes Purse Distribution Fund
22 shall not be subject to sweeps, administrative
23 charges, or charge backs, including but not limited to,
24 those authorized under Section 8h of the State Finance
25 Act or any other fiscal or budgetary maneuver that
26 would in any way transfer any funds from the Illinois

1 Colt Stakes Purse Distribution Fund into any other fund
2 of the State.

3 (7.3) If no live standardbred racing is conducted at a
4 racetrack located in Madison County in calendar year 2000
5 or 2001, an organization licensee who is licensed to
6 conduct horse racing at that racetrack shall, before
7 January 1, 2002, pay all moneys derived from simulcast
8 wagering and inter-track wagering in calendar years 2000
9 and 2001 and paid into the licensee's standardbred purse
10 account as follows:

- 11 (A) Eighty percent to that licensee's thoroughbred
12 purse account to be used for thoroughbred purses; and
13 (B) Twenty percent to the Illinois Colt Stakes
14 Purse Distribution Fund.

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

20 Moneys paid into the Illinois Colt Stakes Purse
21 Distribution Fund pursuant to this paragraph (7.3) shall be
22 paid to purses for standardbred races for Illinois
23 conceived and foaled horses conducted at any county
24 fairgrounds. Moneys paid into the Illinois Colt Stakes
25 Purse Distribution Fund pursuant to this paragraph (7.3)
26 shall be used as determined by the Department of

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

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

17 (7.5) Notwithstanding any provision of this Act to the
18 contrary, if live standardbred racing and live
19 thoroughbred racing are both conducted at a racetrack
20 located in Madison County at any time in a calendar year,
21 all moneys derived by that racetrack from simulcast
22 wagering and inter-track wagering between the hours of 6:30
23 p.m. and 6:30 a.m. that are to be used for purses shall be
24 deposited as follows: 70% shall be paid to its thoroughbred
25 purse account and 30% shall be paid to its standardbred
26 purse account.

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

8 (8.1) Notwithstanding any provisions in this Act to the
9 contrary, if 2 organization licensees are conducting
10 standardbred race meetings concurrently between the hours
11 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
12 State and local taxes and interstate commission fees, the
13 remainder of the amount retained from simulcast wagering
14 otherwise attributable to the host track and to host track
15 purses shall be split daily between the 2 organization
16 licensees and the purses at the tracks of the 2
17 organization licensees, respectively, based on each
18 organization licensee's share of the total live handle for
19 that day, provided that this provision shall not apply to
20 any non-host licensee that derives its license from a track
21 located in a county with a population in excess of 230,000
22 and that borders the Mississippi River.

23 (9) (Blank).

24 (10) (Blank).

25 (11) (Blank).

26 (12) The Board shall have authority to compel all host

1 tracks to receive the simulcast of any or all races
2 conducted at the Springfield or DuQuoin State fairgrounds
3 and include all such races as part of their simulcast
4 programs.

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

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

1 paragraph (13) begins conducting electronic gaming
2 pursuant to an electronic gaming license, the amount of
3 that payment shall be reduced by a percentage equal to the
4 percentage of the year remaining after the organization
5 licensee begins conducting electronic gaming pursuant to
6 its electronic gaming license. An organization licensee
7 shall no longer be able to receive payments under this
8 paragraph (13) beginning on the January 1 second occurring
9 after the licensee begins conducting electronic gaming
10 pursuant to an electronic gaming license issued under
11 Section 7.6 of the Riverboat Gambling and Casino Act.

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

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

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

1 and furnished by the Board. The application shall comply
2 with all other rules, regulations and conditions imposed by
3 the Board in connection therewith.

4 (2) The Board shall examine the applications with
5 respect to their conformity with this Act and the rules and
6 regulations imposed by the Board. If found to be in
7 compliance with the Act and rules and regulations of the
8 Board, the Board may then issue a license to conduct
9 inter-track wagering and simulcast wagering to such
10 applicant. All such applications shall be acted upon by the
11 Board at a meeting to be held on such date as may be fixed
12 by the Board.

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

17 (4) Prior to the issuance of a license to conduct
18 inter-track wagering and simulcast wagering, the applicant
19 shall file with the Board a bond payable to the State of
20 Illinois in the sum of \$50,000, executed by the applicant
21 and a surety company or companies authorized to do business
22 in this State, and conditioned upon (i) the payment by the
23 licensee of all taxes due under Section 27 or 27.1 and any
24 other monies due and payable under this Act, and (ii)
25 distribution by the licensee, upon presentation of the
26 winning ticket or tickets, of all sums payable to the

1 patrons of pari-mutuel pools.

2 (5) Each license to conduct inter-track wagering and
3 simulcast wagering shall specify the person to whom it is
4 issued, the dates on which such wagering is permitted, and
5 the track or location where the wagering is to be
6 conducted.

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

11 (7) An inter-track wagering licensee or inter-track
12 wagering location licensee may accept wagers at the track
13 or location where it is licensed, or as otherwise provided
14 under this Act.

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

18 (8.1) Inter-track wagering location licensees who
19 derive their licenses from a particular organization
20 licensee shall conduct inter-track wagering and simulcast
21 wagering only at locations which are either within 90 miles
22 of that race track where the particular organization
23 licensee is licensed to conduct racing, or within 135 miles
24 of that race track where the particular organization
25 licensee is licensed to conduct racing in the case of race
26 tracks in counties of less than 400,000 that were operating

1 on or before June 1, 1986. However, inter-track wagering
2 and simulcast wagering shall not be conducted by those
3 licensees at any location within 5 miles of any race track
4 at which a horse race meeting has been licensed in the
5 current year, unless the person having operating control of
6 such race track has given its written consent to such
7 inter-track wagering location licensees, which consent
8 must be filed with the Board at or prior to the time
9 application is made.

10 (8.2) Inter-track wagering or simulcast wagering shall
11 not be conducted by an inter-track wagering location
12 licensee at any location within 500 feet of an existing
13 church or existing school, nor within 500 feet of the
14 residences of more than 50 registered voters without
15 receiving written permission from a majority of the
16 registered voters at such residences. Such written
17 permission statements shall be filed with the Board. The
18 distance of 500 feet shall be measured to the nearest part
19 of any building used for worship services, education
20 programs, residential purposes, or conducting inter-track
21 wagering by an inter-track wagering location licensee, and
22 not to property boundaries. However, inter-track wagering
23 or simulcast wagering may be conducted at a site within 500
24 feet of a church, school or residences of 50 or more
25 registered voters if such church, school or residences have
26 been erected or established, or such voters have been

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

18 (9) (Blank).

19 (10) An inter-track wagering licensee or an
20 inter-track wagering location licensee may retain, subject
21 to the payment of the privilege taxes and the purses, an
22 amount not to exceed 17% of all money wagered. Each program
23 of racing conducted by each inter-track wagering licensee
24 or inter-track wagering location licensee shall be
25 considered a separate racing day for the purpose of
26 determining the daily handle and computing the privilege

1 tax or pari-mutuel tax on such daily handle as provided in
2 Section 27.

3 (10.1) Except as provided in subsection (g) of Section
4 27 of this Act, inter-track wagering location licensees
5 shall pay 1% of the pari-mutuel handle at each location to
6 the municipality in which such location is situated and 1%
7 of the pari-mutuel handle at each location to the county in
8 which such location is situated. In the event that an
9 inter-track wagering location licensee is situated in an
10 unincorporated area of a county, such licensee shall pay 2%
11 of the pari-mutuel handle from such location to such
12 county.

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

1 first race track, those moneys shall be allocated as
2 follows:

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

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

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

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

5 (B) From the sums permitted to be retained pursuant to
6 paragraph (10) of this subsection (h), ~~this Act~~ each
7 inter-track wagering location licensee shall pay the
8 following:

9 (i) the privilege or pari-mutuel tax to the State;

10 (ii) the following percentages ~~4.75%~~ of the
11 pari-mutuel handle on intertrack wagering at such
12 location on races as purses, except that an intertrack
13 wagering location licensee that derives its license
14 from a track located in a county with a population in
15 excess of 230,000 and that borders the Mississippi
16 River shall retain all purse moneys for its own purse
17 account consistent with distribution set forth in this
18 subsection (h), and intertrack wagering location
19 licensees that accept wagers on races conducted by an
20 organization licensee located in a county with a
21 population in excess of 230,000 and that borders the
22 Mississippi River shall distribute all purse moneys to
23 purses at the operating host track:

24 (I) until 6 months after the organizational
25 licensee from which the inter-track wagering
26 location licensee derives its license begins

1 conducting electronic gaming, 4.75%;

2 (II) beginning 6 months after the
3 organizational licensee from which the inter-track
4 wagering location licensee derives its license
5 begins conducting electronic gaming and until 12
6 months after that date, 5.75%; and

7 (III) beginning 12 months after the
8 organizational licensee from which the inter-track
9 wagering location licensee derives its license
10 begins conducting electronic gaming, 6.75%;

11 (iii) until January 1, 2000, except as provided in
12 subsection (g) of Section 27 of this Act, 1% of the
13 pari-mutuel handle wagered on inter-track wagering and
14 simulcast wagering at each inter-track wagering
15 location licensee facility to the Horse Racing Tax
16 Allocation Fund, provided that, to the extent the total
17 amount collected and distributed to the Horse Racing
18 Tax Allocation Fund under this subsection (h) during
19 any calendar year exceeds the amount collected and
20 distributed to the Horse Racing Tax Allocation Fund
21 during calendar year 1994, that excess amount shall be
22 redistributed (I) to all inter-track wagering location
23 licensees, based on each licensee's pro-rata share of
24 the total handle from inter-track wagering and
25 simulcast wagering for all inter-track wagering
26 location licensees during the calendar year in which

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

1 question; and

2 (iv) the following percentages ~~8%~~ of the
3 pari-mutuel handle on inter-track wagering wagered at
4 such location to satisfy all costs and expenses of
5 conducting its wagering. The remainder of the monies
6 retained by the inter-track wagering location licensee
7 shall be allocated 40% to the location licensee and 60%
8 to the organization licensee which provides the
9 Illinois races to the location, except that an
10 intertrack wagering location licensee that derives its
11 license from a track located in a county with a
12 population in excess of 230,000 and that borders the
13 Mississippi River shall not divide any remaining
14 retention with the organization licensee that provides
15 the race or races and an intertrack wagering location
16 licensee that accepts wagers on races conducted by an
17 organization licensee that conducts a race meet in a
18 county with a population in excess of 230,000 and that
19 borders the Mississippi River shall not divide any
20 remaining retention with the organization licensee:

21 (I) until 6 months after the organizational
22 licensee from which the inter-track wagering
23 location licensee derives its license begins
24 conducting electronic gaming, 8%;

25 (II) beginning 6 months after the
26 organizational licensee from which the inter-track

1 wagering location licensee derives its license
2 begins conducting electronic gaming and until 12
3 months after that date, 7.5%; and

4 (III) beginning 12 months after the
5 organizational licensee from which the inter-track
6 wagering location licensee derives its license
7 begins conducting electronic gaming, 6.75%.

8 Notwithstanding the provisions of clauses (ii) and
9 (iv) of this paragraph, in the case of the additional
10 inter-track wagering location licenses authorized under
11 paragraph (1) of this subsection (h) by this amendatory Act
12 of 1991, those licensees shall pay the percentage of the
13 pari-mutuel handle required under clause (ii) of this
14 paragraph (B) following amounts as purses. The ~~:- during the~~
15 ~~first 12 months the licensee is in operation, 5.25% of the~~
16 ~~pari mutuel handle wagered at the location on races; during~~
17 ~~the second 12 months, 5.25%; during the third 12 months,~~
18 ~~5.75%; during the fourth 12 months, 6.25%; and during the~~
19 ~~fifth 12 months and thereafter, 6.75%. The following~~
20 ~~amounts shall be retained by the licensee shall retain the~~
21 percentage of the pari-mutuel handle required under clause
22 (iv) of this paragraph (B) to satisfy all costs and
23 ~~expenses of conducting its wagering; during the first 12~~
24 ~~months the licensee is in operation, 8.25% of the~~
25 ~~pari mutuel handle wagered at the location; during the~~
26 ~~second 12 months, 8.25%; during the third 12 months, 7.75%;~~

1 ~~during the fourth 12 months, 7.25%, and during the fifth 12~~
2 ~~months and thereafter, 6.75%. For additional intertrack~~
3 ~~wagering location licensees authorized under Public Act~~
4 ~~89-16, after all taxes are paid, of the remainder, 50%~~
5 ~~shall be retained by the licensee and 50% shall be paid to~~
6 ~~purses. this amendatory Act of 1995, purses for the first~~
7 ~~12 months the licensee is in operation shall be 5.75% of~~
8 ~~the pari mutuel wagered at the location, purses for the~~
9 ~~second 12 months the licensee is in operation shall be~~
10 ~~6.25%, and purses thereafter shall be 6.75%. For additional~~
11 ~~intertrack location licensees authorized under this~~
12 ~~amendatory Act of 1995, the licensee shall be allowed to~~
13 ~~retain to satisfy all costs and expenses: 7.75% of the~~
14 ~~pari mutuel handle wagered at the location during its first~~
15 ~~12 months of operation, 7.25% during its second 12 months~~
16 ~~of operation, and 6.75% thereafter.~~

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

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

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

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

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

1 population of 88,257 according to the United States
2 Bureau of the Census, except that if the conservation
3 district does not maintain a museum, the monies shall
4 be allocated equally between the county and the
5 municipality in which the inter-track wagering
6 location licensee is located for general purposes) or
7 to a municipal recreation board for park purposes (if
8 an inter-track wagering location licensee is located
9 in a municipality that is not included within any park
10 district and park maintenance is the function of the
11 municipal recreation board and the municipality has a
12 1990 population of 9,302 according to the United States
13 Bureau of the Census); provided that the monies are
14 distributed to each park district or conservation
15 district or municipality that does not have a park
16 district in an amount equal to four-sevenths of the
17 amount collected by each inter-track wagering location
18 licensee within the park district or conservation
19 district or municipality for the Fund. Monies that were
20 paid into the Horse Racing Tax Allocation Fund before
21 the effective date of this amendatory Act of 1991 by an
22 inter-track wagering location licensee located in a
23 municipality that is not included within any park
24 district but is included within a conservation
25 district as provided in this paragraph shall, as soon
26 as practicable after the effective date of this

1 amendatory Act of 1991, be allocated and paid to that
2 conservation district as provided in this paragraph.
3 Any park district or municipality not maintaining a
4 museum may deposit the monies in the corporate fund of
5 the park district or municipality where the
6 inter-track wagering location is located, to be used
7 for general purposes; and

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

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

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

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

1 premiums and rehabilitation as set forth in the
2 Agricultural Fair Act;

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

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

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

22 (i) If the inter-track wagering licensee,
23 except an intertrack wagering licensee that
24 derives its license from an organization licensee
25 located in a county with a population in excess of
26 230,000 and bounded by the Mississippi River, is

1 not conducting its own race meeting during the same
2 dates, then the entire purse allocation shall be to
3 purses at the track where the races wagered on are
4 being conducted.

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

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

26 (12) The Board shall have all powers necessary and

1 proper to fully supervise and control the conduct of
2 inter-track wagering and simulcast wagering by inter-track
3 wagering licensees and inter-track wagering location
4 licensees, including, but not limited to the following:

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

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

20 (C) The Board, and any person or persons to whom it
21 delegates this power, may eject or exclude from any
22 licensee's facilities, any person whose conduct or
23 reputation is such that his presence on such premises
24 may, in the opinion of the Board, call into the
25 question the honesty and integrity of, or interfere
26 with the orderly conduct of such wagering; provided,

1 however, that no person shall be excluded or ejected
2 from such premises solely on the grounds of race,
3 color, creed, national origin, ancestry, or sex.

4 (D) (Blank).

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

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

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

26 (13) The Department of Agriculture may enter into

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

25 (i) Notwithstanding the other provisions of this Act, the
26 conduct of wagering at wagering facilities is authorized on all

1 days, except as limited by subsection (b) of Section 19 of this
2 Act.

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

4 (230 ILCS 5/26.1) (from Ch. 8, par. 37-26.1)

5 Sec. 26.1. For all pari-mutuel wagering conducted pursuant
6 to this Act, breakage shall be at all times computed on the
7 basis of not to exceed 10¢ on the dollar. If there is a minus
8 pool, the breakage shall be computed on the basis of not to
9 exceed 5¢ on the dollar. Breakage shall be calculated only
10 after the amounts retained by licensees pursuant to Sections 26
11 and 26.2 of this Act, and all applicable surcharges, are taken
12 out of winning wagers and winnings from wagers. From Beginning
13 January 1, 2000 until July 1, 2007, all breakage shall be
14 retained by licensees, with 50% of breakage to be used by
15 licensees for racetrack improvements at the racetrack from
16 which the wagering facility derives its license. The remaining
17 50% is to be allocated 50% to the purse account for the
18 licensee from which the wagering facility derives its license
19 and 50% to the licensee. Beginning July 1, 2007, all breakage
20 shall be retained by licensees, with 50% of breakage to be used
21 by licensees for racetrack improvements at the racetrack from
22 which the wagering facility derives its license. The remaining
23 50% is to be allocated to the purse account for the licensee
24 from which the wagering facility derives its license.

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

1 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

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

19 In addition, every organization licensee, except as
20 provided in Section 27.1 of this Act, which conducts multiple
21 wagering shall pay, until January 1, 2000, as a privilege tax
22 on multiple wagers an amount equal to 1.25% of all moneys
23 wagered each day on such multiple wagers, plus an additional
24 amount equal to 3.5% of the amount wagered each day on any
25 other multiple wager which involves a single betting interest

1 on 3 or more horses. The licensee shall remit the amount of
2 such taxes to the Department of Revenue within 48 hours after
3 the close of the racing day on which it is assessed or within
4 such other time as the Board prescribes.

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

7 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
8 at the rate of 1.5% of the daily pari-mutuel handle is imposed
9 at all pari-mutuel wagering facilities, except as otherwise
10 provided for in this subsection (a-5). Beginning on the
11 effective date of this amendatory Act of the 94th General
12 Assembly and until moneys deposited pursuant to Section 54 are
13 distributed and received, a pari-mutuel tax at the rate of
14 0.25% of the daily pari-mutuel handle is imposed at a
15 pari-mutuel facility whose license is derived from a track
16 located in a county that borders the Mississippi River and
17 conducted live racing in the previous year. After moneys
18 deposited pursuant to Section 54 are distributed and received,
19 a pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel
20 handle is imposed at a pari-mutuel facility whose license is
21 derived from a track located in a county that borders the
22 Mississippi River and conducted live racing in the previous
23 year. The pari-mutuel tax imposed by this subsection (a-5)
24 shall be remitted to the Department of Revenue within 48 hours
25 after the close of the racing day upon which it is assessed or
26 within such other time as the Board prescribes.

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

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

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

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

4 (f) No other license fee, privilege tax, excise tax or
5 racing fee shall be assessed or collected from any such
6 licensee by units of local government except as provided in
7 paragraph 10.1 of subsection (h) and subsection (f) of Section
8 26 of this Act. However, any municipality that has a Board
9 licensed horse race meeting at a race track wholly within its
10 corporate boundaries or a township that has a Board licensed
11 horse race meeting at a race track wholly within the
12 unincorporated area of the township may charge a local
13 amusement tax not to exceed 10¢ per admission to such horse
14 race meeting by the enactment of an ordinance. However, any
15 municipality or county that has a Board licensed inter-track
16 wagering location facility wholly within its corporate
17 boundaries may each impose an admission fee not to exceed \$1.00
18 per admission to such inter-track wagering location facility,
19 so that a total of not more than \$2.00 per admission may be
20 imposed. Except as provided in subparagraph (g) of Section 27
21 of this Act, the inter-track wagering location licensee shall
22 collect any and all such fees and within 48 hours remit the
23 fees to the Board, which shall, pursuant to rule, cause the
24 fees to be distributed to the county or municipality.

25 (g) Notwithstanding any provision in this Act to the
26 contrary, if in any calendar year the total taxes and fees from

1 wagering on live racing and from inter-track wagering required
2 to be collected from licensees and distributed under this Act
3 to all State and local governmental authorities exceeds the
4 amount of such taxes and fees distributed to each State and
5 local governmental authority to which each State and local
6 governmental authority was entitled under this Act for calendar
7 year 1994, then the first \$11 million of that excess amount
8 shall be allocated at the earliest possible date for
9 distribution as purse money for the succeeding calendar year.
10 Upon reaching the 1994 level, and until the excess amount of
11 taxes and fees exceeds \$11 million, the Board shall direct all
12 licensees to cease paying the subject taxes and fees and the
13 Board shall direct all licensees to allocate any such excess
14 amount for purses as follows:

15 (i) the excess amount shall be initially divided
16 between thoroughbred and standardbred purses based on the
17 thoroughbred's and standardbred's respective percentages
18 of total Illinois live wagering in calendar year 1994;

19 (ii) each thoroughbred and standardbred organization
20 licensee issued an organization licensee in that
21 succeeding allocation year shall be allocated an amount
22 equal to the product of its percentage of total Illinois
23 live thoroughbred or standardbred wagering in calendar
24 year 1994 (the total to be determined based on the sum of
25 1994 on-track wagering for all organization licensees
26 issued organization licenses in both the allocation year

1 and the preceding year) multiplied by the total amount
2 allocated for standardbred or thoroughbred purses,
3 provided that the first \$1,500,000 of the amount allocated
4 to standardbred purses under item (i) shall be allocated to
5 the Department of Agriculture to be expended with the
6 assistance and advice of the Illinois Standardbred
7 Breeders Funds Advisory Board for the purposes listed in
8 subsection (g) of Section 31 of this Act, before the amount
9 allocated to standardbred purses under item (i) is
10 allocated to standardbred organization licensees in the
11 succeeding allocation year.

12 To the extent the excess amount of taxes and fees to be
13 collected and distributed to State and local governmental
14 authorities exceeds \$11 million, that excess amount shall be
15 collected and distributed to State and local authorities as
16 provided for under this Act.

17 (Source: P.A. 94-805, eff. 5-26-06.)

18 (230 ILCS 5/28) (from Ch. 8, par. 37-28)

19 Sec. 28. Except as provided in subsection (g) of Section 27
20 of this Act, moneys collected shall be distributed according to
21 the provisions of this Section 28.

22 (a) Thirty per cent of the total of all monies received by
23 the State as privilege taxes shall be paid into the
24 Metropolitan Exposition Auditorium and Office Building Fund in
25 the State Treasury.

1 (b) In addition, 4.5% of the total of all monies received
2 by the State as privilege taxes shall be paid into the State
3 treasury into a special Fund to be known as the Metropolitan
4 Exposition, Auditorium, and Office Building Fund.

5 (c) Fifty per cent of the total of all monies received by
6 the State as privilege taxes under the provisions of this Act
7 shall be paid into the Agricultural Premium Fund.

8 (d) Seven per cent of the total of all monies received by
9 the State as privilege taxes shall be paid into the Fair and
10 Exposition Fund in the State treasury; provided, however, that
11 when all bonds issued prior to July 1, 1984 by the Metropolitan
12 Fair and Exposition Authority shall have been paid or payment
13 shall have been provided for upon a refunding of those bonds,
14 thereafter 1/12 of \$1,665,662 of such monies shall be paid each
15 month into the Build Illinois Fund, and the remainder into the
16 Fair and Exposition Fund. All excess monies shall be allocated
17 to the Department of Agriculture for distribution to county
18 fairs for premiums and rehabilitation as set forth in the
19 Agricultural Fair Act.

20 (e) The monies provided for in Section 30 shall be paid
21 into the Illinois Thoroughbred Breeders Fund.

22 (f) The monies provided for in Section 31 shall be paid
23 into the Illinois Standardbred Breeders Fund.

24 (g) Until January 1, 2000, that part representing 1/2 of
25 the total breakage in Thoroughbred, Harness, Appaloosa,
26 Arabian, and Quarter Horse racing in the State shall be paid

1 into the Illinois Race Track Improvement Fund as established in
2 Section 32.

3 (h) All other monies received by the Board under this Act
4 shall be paid into the General Revenue Fund of the State.

5 (i) The salaries of the Board members, secretary, stewards,
6 directors of mutuels, veterinarians, representatives,
7 accountants, clerks, stenographers, inspectors and other
8 employees of the Board, and all expenses of the Board incident
9 to the administration of this Act, including, but not limited
10 to, all expenses and salaries incident to the taking of saliva
11 and urine samples in accordance with the rules and regulations
12 of the Board shall be paid out of the Agricultural Premium
13 Fund.

14 (j) The Agricultural Premium Fund shall also be used:

15 (1) for the expenses of operating the Illinois State
16 Fair and the DuQuoin State Fair, including the payment of
17 prize money or premiums;

18 (2) for the distribution to county fairs, vocational
19 agriculture section fairs, agricultural societies, and
20 agricultural extension clubs in accordance with the
21 Agricultural Fair Act, as amended;

22 (3) for payment of prize monies and premiums awarded
23 and for expenses incurred in connection with the
24 International Livestock Exposition and the Mid-Continent
25 Livestock Exposition held in Illinois, which premiums, and
26 awards must be approved, and paid by the Illinois

1 Department of Agriculture;

2 (4) for personal service of county agricultural
3 advisors and county home advisors;

4 (5) for distribution to agricultural home economic
5 extension councils in accordance with "An Act in relation
6 to additional support and finance for the Agricultural and
7 Home Economic Extension Councils in the several counties in
8 this State and making an appropriation therefor", approved
9 July 24, 1967, as amended;

10 (6) for research on equine disease, including a
11 development center therefor;

12 (7) for training scholarships for study on equine
13 diseases to students at the University of Illinois College
14 of Veterinary Medicine;

15 (8) for the rehabilitation, repair and maintenance of
16 the Illinois and DuQuoin State Fair Grounds and the
17 structures and facilities thereon and the construction of
18 permanent improvements on such Fair Grounds, including
19 such structures, facilities and property located on such
20 State Fair Grounds which are under the custody and control
21 of the Department of Agriculture;

22 (9) for the expenses of the Department of Agriculture
23 under Section 5-530 of the Departments of State Government
24 Law (20 ILCS 5/5-530);

25 (10) for the expenses of the Department of Commerce and
26 Economic Opportunity under Sections 605-620, 605-625, and

1 605-630 of the Department of Commerce and Economic
2 Opportunity Law (20 ILCS 605/605-620, 605/605-625, and
3 605/605-630);

4 (11) for remodeling, expanding, and reconstructing
5 facilities destroyed by fire of any Fair and Exposition
6 Authority in counties with a population of 1,000,000 or
7 more inhabitants;

8 (12) for the purpose of assisting in the care and
9 general rehabilitation of disabled veterans of any war and
10 their surviving spouses and orphans;

11 (13) for expenses of the Department of State Police for
12 duties performed under this Act;

13 (14) for the Department of Agriculture for soil surveys
14 and soil and water conservation purposes;

15 (15) for the Department of Agriculture for grants to
16 the City of Chicago for conducting the Chicagofest;

17 (16) for the State Comptroller for grants and operating
18 expenses authorized by the Illinois Global Partnership
19 Act;~~;~~

20 (17) for drug testing as authorized in Section 34.3 of
21 this Act.

22 (k) The Agricultural Premium Fund shall not be subject to
23 sweeps, administrative charges, or charge backs, including but
24 not limited to, those authorized under Section 8h of the State
25 Finance Act or any other fiscal or budgetary maneuver that
26 would in any way transfer any funds from the Agricultural

1 Premium Fund into any other fund of the State, except as
2 provided in subsection (c). ~~To the extent that monies paid by~~
3 ~~the Board to the Agricultural Premium Fund are in the opinion~~
4 ~~of the Governor in excess of the amount necessary for the~~
5 ~~purposes herein stated, the Governor shall notify the~~
6 ~~Comptroller and the State Treasurer of such fact, who, upon~~
7 ~~receipt of such notification, shall transfer such excess monies~~
8 ~~from the Agricultural Premium Fund to the General Revenue Fund.~~

9 (Source: P.A. 94-91, Sections 55-135 and 90-10, eff. 7-1-05.)

10 (230 ILCS 5/28.1)

11 Sec. 28.1. Payments.

12 (a) Beginning on January 1, 2000, moneys collected by the
13 Department of Revenue and the Racing Board pursuant to Section
14 26 or Section 27 of this Act shall be deposited into the Horse
15 Racing Fund, which is hereby created as a special fund in the
16 State Treasury.

17 The Horse Racing Fund shall not be subject to sweeps,
18 administrative charges, or charge backs, including but not
19 limited to, those authorized under Section 8h of the State
20 Finance Act or any other fiscal or budgetary maneuver that
21 would in any way transfer any funds from the Horse Racing Fund
22 into any other fund of the State, except as provided in
23 subsection (c).

24 (b) Moneys in Appropriations, as approved by the General
25 Assembly, may be made from the Horse Racing Fund may be used by

1 ~~to~~ the Board to pay the salaries of the Board members,
2 secretary, stewards, directors of mutuels, veterinarians,
3 representatives, accountants, clerks, stenographers,
4 inspectors and other employees of the Board, and all expenses
5 of the Board incident to the administration of this Act,
6 including, but not limited to, all expenses and salaries
7 incident to the taking of saliva and urine samples in
8 accordance with the rules and regulations of the Board.

9 (c) Moneys in the Horse Racing Fund may be used by the
10 Department of Agriculture for the purposes identified in
11 paragraphs (2), (2.5), (4), (4.1), (6), (7), (8), and (9) of
12 subsection (g) of Section 30, subsection (e) of Section 30.5,
13 paragraphs (1), (2), (3), (5), and (8) of subsection (g) of
14 Section 31, and for standardbred bonus programs for owners of
15 horses that win multiple stakes races that are limited to
16 Illinois conceived and foaled horses. From ~~Beginning on~~ January
17 1, 2000 until the effective date of this amendatory Act of the
18 95th General Assembly, the Board shall transfer the remainder
19 of the funds generated pursuant to Sections 26 and 27 from the
20 Horse Racing Fund into the General Revenue Fund.

21 (d) Beginning January 1, 2000, payments to all programs in
22 existence on the effective date of this amendatory Act of 1999
23 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
24 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
25 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),
26 and (h) of Section 31 shall be made from the General Revenue

1 Fund at the funding levels determined by amounts paid under
2 this Act in calendar year 1998. Beginning on the effective date
3 of this amendatory Act of the 93rd General Assembly, payments
4 to the Peoria Park District shall be made from the General
5 Revenue Fund at the funding level determined by amounts paid to
6 that park district for museum purposes under this Act in
7 calendar year 1994. Beginning on the effective date of this
8 amendatory Act of the 94th General Assembly, in lieu of
9 payments to the Champaign Park District for museum purposes,
10 payments to the Urbana Park District shall be made from the
11 General Revenue Fund at the funding level determined by amounts
12 paid to the Champaign Park District for museum purposes under
13 this Act in calendar year 2005.

14 (e) Beginning July 1, 2006, the payment authorized under
15 subsection (d) to museums and aquariums located in park
16 districts of over 500,000 population shall be paid to museums,
17 aquariums, and zoos in amounts determined by Museums in the
18 Park, an association of museums, aquariums, and zoos located on
19 Chicago Park District property.

20 (f) Notwithstanding any other provision of this Act to the
21 contrary, appropriations, as approved by the General Assembly,
22 may be made from the Fair and Exposition Fund to the Department
23 of Agriculture for distribution to Illinois county fairs to
24 supplement premiums offered in junior classes.

25 (Source: P.A. 93-869, eff. 8-6-04; 94-813, eff. 5-26-06.)

1 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

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

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

24 (c) Conditions of races under subsection (b) shall be
25 commensurate with past performance, quality, and class of
26 Illinois conceived and foaled and Illinois foaled horses

1 available. If, however, sufficient competition cannot be had
2 among horses of that class on any day, the races may, with
3 consent of the Board, be eliminated for that day and substitute
4 races provided.

5 (d) There is hereby created a special fund of the State
6 Treasury to be known as the Illinois Thoroughbred Breeders
7 Fund.

8 Except as provided in subsection (g) of Section 27 of this
9 Act, 8.5% of all the monies received by the State as privilege
10 taxes on Thoroughbred racing meetings shall be paid into the
11 Illinois Thoroughbred Breeders Fund. The Illinois Thoroughbred
12 Breeders Fund shall not be subject to sweeps, administrative
13 charges, or charge backs, including but not limited to, those
14 authorized under Section 8h of the State Finance Act or any
15 other fiscal or budgetary maneuver that would in any way
16 transfer any funds from the Illinois Thoroughbred Breeders Fund
17 into any other fund of the State.

18 (e) The Illinois Thoroughbred Breeders Fund shall be
19 administered by the Department of Agriculture with the advice
20 and assistance of the Advisory Board created in subsection (f)
21 of this Section.

22 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
23 shall consist of the Director of the Department of Agriculture,
24 who shall serve as Chairman; a member of the Illinois Racing
25 Board, designated by it; 2 representatives of the organization
26 licensees conducting thoroughbred racing meetings, recommended

1 by them; 2 representatives of the Illinois Thoroughbred
2 Breeders and Owners Foundation, recommended by it; and 2
3 representatives of the Horsemen's Benevolent Protective
4 Association or any successor organization established in
5 Illinois comprised of the largest number of owners and
6 trainers, recommended by it, with one representative of the
7 Horsemen's Benevolent and Protective Association to come from
8 its Illinois Division, and one from its Chicago Division.
9 Advisory Board members shall serve for 2 years commencing
10 January 1 of each odd numbered year. If representatives of the
11 organization licensees conducting thoroughbred racing
12 meetings, the Illinois Thoroughbred Breeders and Owners
13 Foundation, and the Horsemen's Benevolent Protection
14 Association have not been recommended by January 1, of each odd
15 numbered year, the Director of the Department of Agriculture
16 shall make an appointment for the organization failing to so
17 recommend a member of the Advisory Board. Advisory Board
18 members shall receive no compensation for their services as
19 members but shall be reimbursed for all actual and necessary
20 expenses and disbursements incurred in the execution of their
21 official duties.

22 (g) Moneys in ~~No monies shall be expended from the Illinois~~
23 ~~Thoroughbred Breeders Fund except as appropriated by the~~
24 ~~General Assembly. Monies appropriated from~~ the Illinois
25 Thoroughbred Breeders Fund shall be expended by the Department
26 of Agriculture, with the advice and assistance of the Illinois

1 Thoroughbred Breeders Fund Advisory Board, for the following
2 purposes only:

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

14 (2) To provide stakes and awards to be paid to the
15 owners of the winning horses in certain races limited to
16 Illinois conceived and foaled and Illinois foaled horses
17 designated as stakes races.

18 (2.5) To provide an award to the owner or owners of an
19 Illinois conceived and foaled or Illinois foaled horse that
20 wins a maiden special weight, an allowance, overnight
21 handicap race, or claiming race with claiming price of
22 \$10,000 or more providing the race is not restricted to
23 Illinois conceived and foaled or Illinois foaled horses.
24 Awards shall also be provided to the owner or owners of
25 Illinois conceived and foaled and Illinois foaled horses
26 that place second or third in those races. To the extent

1 that additional moneys are required to pay the minimum
2 additional awards of 40% of the purse the horse earns for
3 placing first, second or third in those races for Illinois
4 foaled horses and of 60% of the purse the horse earns for
5 placing first, second or third in those races for Illinois
6 conceived and foaled horses, those moneys shall be provided
7 from the purse account at the track where earned.

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

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

1 races at county fairs.

2 (4.1) To provide \$100,000 annually in purse money for
3 an Illinois stallion stakes program.

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

8 (6) To provide for educational programs regarding the
9 thoroughbred breeding industry.

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

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

14 (9) To provide for dissemination of public information
15 designed to promote the breeding of thoroughbred horses in
16 Illinois.

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

19 (h) Any moneys remaining in the Fund after all outstanding
20 appropriations are made shall be distributed by the Department
21 to the Illinois Thoroughbred Breeders and Owners Foundation to
22 be placed in a scholarship fund. ~~Whenever the Governor finds~~
23 ~~that the amount in the Illinois Thoroughbred Breeders Fund is~~
24 ~~more than the total of the outstanding appropriations from such~~
25 ~~fund, the Governor shall notify the State Comptroller and the~~
26 ~~State Treasurer of such fact. The Comptroller and the State~~

1 ~~Treasurer, upon receipt of such notification, shall transfer~~
2 ~~such excess amount from the Illinois Thoroughbred Breeders Fund~~
3 ~~to the General Revenue Fund.~~

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

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

13 (j) A sum equal to 17% ~~12 1/2%~~ of the first prize money won
14 in each race limited to Illinois foaled horses or Illinois
15 conceived and foaled horses, or both, shall be paid in the
16 following manner by the organization licensee conducting the
17 horse race meeting, from the organization licensee's share of
18 the money wagered: 15% ~~11 1/2%~~ to the breeders of the horses in
19 each such race which are the official first, second, third and
20 fourth finishers and 2% ~~1%~~ to the organization representing
21 thoroughbred breeders and owners whose representative serves
22 on the Illinois Thoroughbred Breeders Fund Advisory Board for
23 verifying the amounts of breeders' awards earned, assuring
24 their proper distribution in accordance with this Act, and
25 servicing and promoting the Illinois thoroughbred horse racing
26 industry. The organization representing thoroughbred breeders

1 and owners shall cause all expenditures of monies received
2 under this subsection (j) to be audited at least annually by a
3 registered public accountant. The organization shall file
4 copies of each annual audit with the Racing Board, the Clerk of
5 the House of Representatives and the Secretary of the Senate,
6 and shall make copies of each annual audit available to the
7 public upon request and upon payment of the reasonable cost of
8 photocopying the requested number of copies.

9 The 17% ~~11 1/2%~~ paid to the breeders in accordance with
10 this subsection shall be distributed as follows:

11 (1) 60% of such sum shall be paid to the breeder of the
12 horse which finishes in the official first position;

13 (2) 20% of such sum shall be paid to the breeder of the
14 horse which finishes in the official second position;

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

17 (4) 5% of such sum shall be paid to the breeder of the
18 horse which finishes in the official fourth position.

19 Such payments shall not reduce any award to the owners of a
20 horse or reduce the taxes payable under this Act. Upon
21 completion of its racing meet, each organization licensee shall
22 deliver to the organization representing thoroughbred breeders
23 and owners whose representative serves on the Illinois
24 Thoroughbred Breeders Fund Advisory Board a listing of all the
25 Illinois foaled and the Illinois conceived and foaled horses
26 which won breeders' awards and the amount of such breeders'

1 awards in accordance with the provisions of this Act. Such
2 payments shall be delivered by the organization licensee within
3 30 days of the end of each race meeting.

4 (k) The term "breeder", as used herein, means the owner of
5 the mare at the time the foal is dropped. An "Illinois foaled
6 horse" is a foal dropped by a mare which enters this State on
7 or before December 1, in the year in which the horse is bred,
8 provided the mare remains continuously in this State until its
9 foal is born. An "Illinois foaled horse" also means a foal born
10 of a mare in the same year as the mare enters this State on or
11 before March 1, and remains in this State at least 30 days
12 after foaling, is bred back during the season of the foaling to
13 an Illinois Registered Stallion (unless a veterinarian
14 certifies that the mare should not be bred for health reasons),
15 and is not bred to a stallion standing in any other state
16 during the season of foaling. An "Illinois foaled horse" also
17 means a foal born in Illinois of a mare purchased at public
18 auction subsequent to the mare entering this State prior to
19 March 1 ~~February 1~~ of the foaling year providing the mare is
20 owned solely by one or more Illinois residents or an Illinois
21 entity that is entirely owned by one or more Illinois
22 residents.

23 (l) The Department of Agriculture shall, by rule, with the
24 advice and assistance of the Illinois Thoroughbred Breeders
25 Fund Advisory Board:

26 (1) Qualify stallions for Illinois breeding; such

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

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

25 (m) The Department of Agriculture, with the advice and
26 assistance of the Illinois Thoroughbred Breeders Fund Advisory

1 Board, shall provide that certain races limited to Illinois
2 conceived and foaled and Illinois foaled horses be stakes races
3 and determine the total amount of stakes and awards to be paid
4 to the owners of the winning horses in such races.

5 In determining the stakes races and the amount of awards
6 for such races, the Department of Agriculture shall consider
7 factors, including but not limited to, the amount of money
8 appropriated for the Illinois Thoroughbred Breeders Fund
9 program, organization licensees' contributions, availability
10 of stakes caliber horses as demonstrated by past performances,
11 whether the race can be coordinated into the proposed racing
12 dates within organization licensees' racing dates, opportunity
13 for colts and fillies and various age groups to race, public
14 wagering on such races, and the previous racing schedule.

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

1 organizational licensee's purse structure.

2 (o) (Blank). ~~In order to improve the breeding quality of~~
3 ~~thoroughbred horses in the State, the General Assembly~~
4 ~~recognizes that existing provisions of this Section to~~
5 ~~encourage such quality breeding need to be revised and~~
6 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
7 ~~Force is to be appointed by the Governor by September 1, 1999~~
8 ~~to make recommendations to the General Assembly by no later~~
9 ~~than March 1, 2000. This task force is to be composed of 2~~
10 ~~representatives from the Illinois Thoroughbred Breeders and~~
11 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
12 ~~Association, 3 from Illinois race tracks operating~~
13 ~~thoroughbred race meets for an average of at least 30 days in~~
14 ~~the past 3 years, the Director of Agriculture, the Executive~~
15 ~~Director of the Racing Board, who shall serve as Chairman.~~

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

17 (230 ILCS 5/30.5)

18 Sec. 30.5. Illinois Quarter Horse Breeders Fund.

19 (a) The General Assembly declares that it is the policy of
20 this State to encourage the breeding of racing quarter horses
21 in this State and the ownership of such horses by residents of
22 this State in order to provide for sufficient numbers of high
23 quality racing quarter horses in this State and to establish
24 and preserve the agricultural and commercial benefits of such
25 breeding and racing industries to the State of Illinois. It is

1 the intent of the General Assembly to further this policy by
2 the provisions of this Act.

3 (b) There is hereby created a special fund in the State
4 Treasury to be known as the Illinois Racing Quarter Horse
5 Breeders Fund. Except as provided in subsection (g) of Section
6 27 of this Act, 8.5% of all the moneys received by the State as
7 pari-mutuel taxes on quarter horse racing shall be paid into
8 the Illinois Racing Quarter Horse Breeders Fund. The Illinois
9 Racing Quarter Horse Breeders Fund shall not be subject to
10 sweeps, administrative charges, or charge backs, including but
11 not limited to, those authorized under Section 8h of the State
12 Finance Act or any other fiscal or budgetary maneuver that
13 would in any way transfer any funds from the Illinois Racing
14 Quarter Horse Breeders Fund into any other fund of the State.

15 (c) The Illinois Racing Quarter Horse Breeders Fund shall
16 be administered by the Department of Agriculture with the
17 advice and assistance of the Advisory Board created in
18 subsection (d) of this Section.

19 (d) The Illinois Racing Quarter Horse Breeders Fund
20 Advisory Board shall consist of the Director of the Department
21 of Agriculture, who shall serve as Chairman; a member of the
22 Illinois Racing Board, designated by it; one representative of
23 the organization licensees conducting pari-mutuel quarter
24 horse racing meetings, recommended by them; 2 representatives
25 of the Illinois Running Quarter Horse Association, recommended
26 by it; and the Superintendent of Fairs and Promotions from the

1 Department of Agriculture. Advisory Board members shall serve
2 for 2 years commencing January 1 of each odd numbered year. If
3 representatives have not been recommended by January 1 of each
4 odd numbered year, the Director of the Department of
5 Agriculture may make an appointment for the organization
6 failing to so recommend a member of the Advisory Board.
7 Advisory Board members shall receive no compensation for their
8 services as members but may be reimbursed for all actual and
9 necessary expenses and disbursements incurred in the execution
10 of their official duties.

11 (e) Moneys in ~~No moneys shall be expended from the Illinois~~
12 ~~Racing Quarter Horse Breeders Fund except as appropriated by~~
13 ~~the General Assembly. Moneys appropriated from the Illinois~~
14 Racing Quarter Horse Breeders Fund shall be expended by the
15 Department of Agriculture, with the advice and assistance of
16 the Illinois Racing Quarter Horse Breeders Fund Advisory Board,
17 for the following purposes only:

18 (1) To provide stakes and awards to be paid to the
19 owners of the winning horses in certain races. This
20 provision is limited to Illinois conceived and foaled
21 horses.

22 (2) To provide an award to the owner or owners of an
23 Illinois conceived and foaled horse that wins a race when
24 pari-mutuel wagering is conducted; providing the race is
25 not restricted to Illinois conceived and foaled horses.

26 (3) To provide purse money for an Illinois stallion

1 stakes program.

2 (4) To provide for purses to be distributed for the
3 running of races during the Illinois State Fair and the
4 DuQuoin State Fair exclusively for quarter horses
5 conceived and foaled in Illinois.

6 (5) To provide for purses to be distributed for the
7 running of races at Illinois county fairs exclusively for
8 quarter horses conceived and foaled in Illinois.

9 (6) To provide for purses to be distributed for running
10 races exclusively for quarter horses conceived and foaled
11 in Illinois at locations in Illinois determined by the
12 Department of Agriculture with advice and consent of the
13 Racing Quarter Horse Breeders Fund Advisory Board.

14 (7) No less than 90% of all moneys appropriated from
15 the Illinois Racing Quarter Horse Breeders Fund shall be
16 expended for the purposes in items (1), (2), (3), (4), and
17 (5) of this subsection (e).

18 (8) To provide for research programs concerning the
19 health, development, and care of racing quarter horses.

20 (9) To provide for dissemination of public information
21 designed to promote the breeding of racing quarter horses
22 in Illinois.

23 (10) To provide for expenses incurred in the
24 administration of the Illinois Racing Quarter Horse
25 Breeders Fund.

26 (f) The Department of Agriculture shall, by rule, with the

1 advice and assistance of the Illinois Racing Quarter Horse
2 Breeders Fund Advisory Board:

3 (1) Qualify stallions for Illinois breeding; such
4 stallions to stand for service within the State of
5 Illinois, at the time of a foal's conception. Such stallion
6 must not stand for service at any place outside the State
7 of Illinois during the calendar year in which the foal is
8 conceived. The Department of Agriculture may assess and
9 collect application fees for the registration of
10 Illinois-eligible stallions. All fees collected are to be
11 paid into the Illinois Racing Quarter Horse Breeders Fund.

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

25 (3) Allow 150 days after the effective date of this
26 amendatory Act of the 95th General Assembly to grandfather

1 any quarter horse conceived and foaled in Illinois into the
2 Illinois Racing Quarter Horse Breeders Fund Program of the
3 Illinois Department of Agriculture.

4 (g) The Department of Agriculture, with the advice and
5 assistance of the Illinois Racing Quarter Horse Breeders Fund
6 Advisory Board, shall provide that certain races limited to
7 Illinois conceived and foaled be stakes races and determine the
8 total amount of stakes and awards to be paid to the owners of
9 the winning horses in such races.

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

11 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

12 Sec. 31. (a) The General Assembly declares that it is the
13 policy of this State to encourage the breeding of standardbred
14 horses in this State and the ownership of such horses by
15 residents of this State in order to provide for: sufficient
16 numbers of high quality standardbred horses to participate in
17 harness racing meetings in this State, and to establish and
18 preserve the agricultural and commercial benefits of such
19 breeding and racing industries to the State of Illinois. It is
20 the intent of the General Assembly to further this policy by
21 the provisions of this Section of this Act.

22 (b) Each organization licensee conducting a harness racing
23 meeting pursuant to this Act shall provide for at least two
24 races each race program limited to Illinois conceived and
25 foaled horses. A minimum of 6 races shall be conducted each

1 week limited to Illinois conceived and foaled horses. No horses
2 shall be permitted to start in such races unless duly
3 registered under the rules of the Department of Agriculture.

4 (b-5) Each organization licensee conducting a harness
5 racng meeting pursuant to this Act shall provide stakes races
6 and early closer races for Illinois conceived and foaled horses
7 so the total purses distributed for such races shall be no less
8 than 17% of the total purses distributed at the meeting.

9 (b-10) Each organization licensee conducting a harness
10 racng meeting pursuant to this Act shall provide an owner
11 award to be paid from the purse account equal to 25% of the
12 amount earned by Illinois conceived and foaled horses in races
13 that are not restricted to Illinois conceived and foaled
14 horses.

15 (c) Conditions of races under subsection (b) shall be
16 commensurate with past performance, quality and class of
17 Illinois conceived and foaled horses available. If, however,
18 sufficient competition cannot be had among horses of that class
19 on any day, the races may, with consent of the Board, be
20 eliminated for that day and substitute races provided.

21 (d) There is hereby created a special fund of the State
22 Treasury to be known as the Illinois Standardbred Breeders
23 Fund. The Illinois Standardbred Breeders Fund shall not be
24 subject to sweeps, administrative charges, or charge backs,
25 including but not limited to, those authorized under Section 8h
26 of the State Finance Act or any other fiscal or budgetary

1 maneuver that would in any way transfer any funds from the
2 Illinois Standardbred Breeders Fund into any other fund of the
3 State.

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

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

13 (f) The Illinois Standardbred Breeders Fund Advisory Board
14 is hereby created. The Advisory Board shall consist of the
15 Director of the Department of Agriculture, who shall serve as
16 Chairman; the Superintendent of the Illinois State Fair; a
17 member of the Illinois Racing Board, designated by it; a
18 representative of the Illinois Standardbred Owners and
19 Breeders Association, recommended by it; a representative of
20 the Illinois Association of Agricultural Fairs, recommended by
21 it, such representative to be from a fair at which Illinois
22 conceived and foaled racing is conducted; a representative of
23 the organization licensees conducting harness racing meetings,
24 recommended by them and a representative of the Illinois
25 Harness Horsemen's Association, recommended by it. Advisory
26 Board members shall serve for 2 years commencing January 1, of

1 each odd numbered year. If representatives of the Illinois
2 Standardbred Owners and Breeders Associations, the Illinois
3 Association of Agricultural Fairs, the Illinois Harness
4 Horsemen's Association, and the organization licensees
5 conducting harness racing meetings have not been recommended by
6 January 1, of each odd numbered year, the Director of the
7 Department of Agriculture shall make an appointment for the
8 organization failing to so recommend a member of the Advisory
9 Board. Advisory Board members shall receive no compensation for
10 their services as members but shall be reimbursed for all
11 actual and necessary expenses and disbursements incurred in the
12 execution of their official duties.

13 (g) Moneys in ~~No monies shall be expended from the Illinois~~
14 ~~Standardbred Breeders Fund except as appropriated by the~~
15 ~~General Assembly. Monies appropriated from~~ the Illinois
16 Standardbred Breeders Fund shall be expended by the Department
17 of Agriculture, with the assistance and advice of the Illinois
18 Standardbred Breeders Fund Advisory Board for the following
19 purposes only:

20 1. To provide purses for races limited to Illinois
21 conceived and foaled horses at the State Fair and the
22 DuQuoin State Fair.

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

25 3. To provide purse supplements for races limited to
26 Illinois conceived and foaled horses conducted by

1 associations conducting harness racing meetings.

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

5 4.5. To provide for bonus programs to pay owners of
6 horses that win multiple stake races that are restricted to
7 Illinois conceived and foaled horses.

8 5. In the discretion of the Department of Agriculture
9 to provide awards to harness breeders of Illinois conceived
10 and foaled horses which win races conducted by organization
11 licensees conducting harness racing meetings. A breeder is
12 the owner of a mare at the time of conception. No more than
13 10% of all monies appropriated from the Illinois
14 Standardbred Breeders Fund shall be expended for such
15 harness breeders awards. No more than 25% of the amount
16 expended for harness breeders awards shall be expended for
17 expenses incurred in the administration of such harness
18 breeders awards.

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

21 7. To pay the expenses incurred in the administration
22 of the Illinois Standardbred Breeders Fund.

23 8. To promote the sport of harness racing, including
24 grants up to a maximum of \$7,500 per fair per year for the
25 cost of a totalizator system to be used for conducting
26 pari-mutuel wagering during the advertised dates of a

1 county fair.

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

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

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

22 1. Qualify stallions for Illinois Standardbred Breeders
23 Fund breeding; such stallion shall be owned by a resident of
24 the State of Illinois or by an Illinois corporation all of
25 whose shareholders, directors, officers and incorporators are
26 residents of the State of Illinois. Such stallion shall stand

1 for service at and within the State of Illinois at the time of
2 a foal's conception, and such stallion must not stand for
3 service at any place, ~~nor may semen from such stallion be~~
4 ~~transported,~~ outside the State of Illinois during that calendar
5 year in which the foal is conceived and that the owner of the
6 stallion was for the 12 months prior, a resident of Illinois.
7 The articles of agreement of any partnership, joint venture,
8 limited partnership, syndicate, association or corporation and
9 any bylaws and stock certificates must contain a restriction
10 that provides that the ownership or transfer of interest by any
11 one of the persons a party to the agreement can only be made to
12 a person who qualifies as an Illinois resident. Foals conceived
13 outside the State of Illinois from shipped semen from a
14 stallion qualified for breeders' awards under this Section are
15 not eligible to participate in the Illinois conceived and
16 foaled program.

17 2. Provide for the registration of Illinois conceived and
18 foaled horses and no such horse shall compete in the races
19 limited to Illinois conceived and foaled horses unless
20 registered with the Department of Agriculture. The Department
21 of Agriculture may prescribe such forms as may be necessary to
22 determine the eligibility of such horses. No person shall
23 knowingly prepare or cause preparation of an application for
24 registration of such foals containing false information. A mare
25 (dam) must be in the state at least 30 days prior to foaling or
26 remain in the State at least 30 days at the time of foaling.

1 Beginning with the 1996 breeding season and for foals of 1997
2 and thereafter, a foal conceived in the State of Illinois by
3 transported fresh semen may be eligible for Illinois conceived
4 and foaled registration provided all breeding and foaling
5 requirements are met. The stallion must be qualified for
6 Illinois Standardbred Breeders Fund breeding at the time of
7 conception and the mare must be inseminated within the State of
8 Illinois. The foal must be dropped in Illinois and properly
9 registered with the Department of Agriculture in accordance
10 with this Act.

11 3. Provide that at least a 5 day racing program shall be
12 conducted at the State Fair each year, which program shall
13 include at least the following races limited to Illinois
14 conceived and foaled horses: (a) a two year old Trot and Pace,
15 and Filly Division of each; (b) a three year old Trot and Pace,
16 and Filly Division of each; (c) an aged Trot and Pace, and Mare
17 Division of each.

18 4. Provide for the payment of nominating, sustaining and
19 starting fees for races promoting the sport of harness racing
20 and for the races to be conducted at the State Fair as provided
21 in subsection (j) 3 of this Section provided that the
22 nominating, sustaining and starting payment required from an
23 entrant shall not exceed 2% of the purse of such race. All
24 nominating, sustaining and starting payments shall be held for
25 the benefit of entrants and shall be paid out as part of the
26 respective purses for such races. Nominating, sustaining and

1 starting fees shall be held in trust accounts for the purposes
2 as set forth in this Act and in accordance with Section 205-15
3 of the Department of Agriculture Law (20 ILCS 205/205-15).

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

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

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

26 (m) At all standardbred race meetings held or conducted

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

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

17 (230 ILCS 5/32.1)

18 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack
19 real estate equalization. In order to encourage new investment
20 in Illinois racetrack facilities and mitigate differing real
21 estate tax burdens among all racetracks, the licensees
22 affiliated or associated with each racetrack that has been
23 awarded live racing dates in the current year shall receive an
24 immediate pari-mutuel tax credit in an amount equal to the
25 greater of (i) 50% of the amount of the real estate taxes paid

1 in the prior year attributable to that racetrack, or (ii) the
2 amount by which the real estate taxes paid in the prior year
3 attributable to that racetrack exceeds 60% of the average real
4 estate taxes paid in the prior year for all racetracks awarded
5 live horse racing meets in the current year.

6 Each year, regardless of whether the organization licensee
7 conducted live racing in the year of certification, the Board
8 shall certify in writing, prior to December 31, the real estate
9 taxes paid in that year for each racetrack and the amount of
10 the pari-mutuel tax credit that each organization licensee,
11 intertrack wagering licensee, and intertrack wagering location
12 licensee that derives its license from such racetrack is
13 entitled in the succeeding calendar year. The real estate taxes
14 considered under this Section for any racetrack shall be those
15 taxes on the real estate parcels and related facilities used to
16 conduct a horse race meeting and inter-track wagering at such
17 racetrack under this Act. In no event shall the amount of the
18 tax credit under this Section exceed the amount of pari-mutuel
19 taxes otherwise calculated under this Act. The amount of the
20 tax credit under this Section shall be retained by each
21 licensee and shall not be subject to any reallocation or
22 further distribution under this Act. The Board may promulgate
23 emergency rules to implement this Section.

24 An organization licensee shall no longer be eligible to
25 receive a pari-mutuel tax credit under this Section beginning
26 on the January 1 second occurring after the organization

1 licensee begins conducting electronic gaming pursuant to an
2 electronic gaming license issued under Section 7.6 of the
3 Riverboat and Casino Gambling Act. For the calendar year
4 following the year in which an organization licensee that is
5 eligible to receive a pari-mutuel tax credit under this Section
6 begins conducting electronic gaming pursuant to an electronic
7 gaming license, the amount of the pari-mutuel tax credit shall
8 be reduced by a percentage equal to the percentage of the year
9 remaining after the organization licensee begins conducting
10 electronic gaming pursuant to its electronic gaming license.

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

12 (230 ILCS 5/34.3 new)

13 Sec. 34.3. Drug testing. The Illinois Racing Board and the
14 Department of Agriculture shall jointly establish a program for
15 the purpose of conducting random drug testing of horses at
16 county fairs and shall adopt any rules necessary for
17 enforcement of the program. The rules shall include appropriate
18 penalties for violations.

19 (230 ILCS 5/36) (from Ch. 8, par. 37-36)

20 Sec. 36. (a) Whoever administers or conspires to administer
21 to any horse a hypnotic, narcotic, stimulant, depressant or any
22 chemical substance which may affect the speed of a horse at any
23 time in any race where the purse or any part of the purse is
24 made of money authorized by any Section of this Act, except

1 those chemical substances permitted by ruling of the Board,
2 internally, externally or by hypodermic method in a race or
3 prior thereto, or whoever knowingly enters a horse in any race
4 within a period of 24 hours after any hypnotic, narcotic,
5 stimulant, depressant or any other chemical substance which may
6 affect the speed of a horse at any time, except those chemical
7 substances permitted by ruling of the Board, has been
8 administered to such horse either internally or externally or
9 by hypodermic method for the purpose of increasing or retarding
10 the speed of such horse shall be guilty of a Class 4 felony.
11 The Board shall suspend or revoke such violator's license.

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

14 (c) The term "narcotic" as used in this Section includes
15 opium and all its alkaloids, salts, preparations and
16 derivatives, cocaine and all its salts, preparations and
17 derivatives and substitutes.

18 (d) The provisions of this Section 36 and the treatment
19 authorized herein apply to horses entered in and competing in
20 race meetings as defined in Section 3.47 of this Act and to
21 horses entered in and competing at any county fair.

22 (e) Drug testing for horses entered in and competing at any
23 county fair shall be conducted by the Department of
24 Agriculture, with the advice and assistance of the Board. The
25 Department of Agriculture, with the assistance of the Board,
26 shall adopt rules for drug testing, for horses entered in and

1 competing at any county fair.

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

3 (230 ILCS 5/42) (from Ch. 8, par. 37-42)

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

11 (b) Nothing herein shall be construed to permit the
12 pari-mutuel method of wagering upon any race track unless such
13 race track is licensed under this Act. It is hereby declared to
14 be unlawful for any person to permit, conduct or supervise upon
15 any race track ground the pari-mutuel method of wagering except
16 in accordance with the provisions of this Act.

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

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

20 (230 ILCS 5/54.5)

21 (Section scheduled to be repealed on May 26, 2008)

22 Sec. 54.5. Horse Racing Equity Trust Fund.

23 (a) There is created a Fund to be known as the Horse Racing
24 Equity Trust Fund, which is a non-appropriated trust fund held

1 separate and apart from State moneys. The Fund shall consist of
2 moneys paid into it by owners licensees under the Riverboat
3 Gambling Act for the purposes described in this Section. The
4 Fund shall be administered by the Board. Moneys in the Fund
5 shall be distributed as directed and certified by the Board in
6 accordance with the provisions of subsection (b).

7 (b) The moneys deposited into the Fund, plus any accrued
8 interest on those moneys, shall be distributed within 10 days
9 after those moneys are deposited into the Fund as follows:

10 (1) Sixty percent of all moneys distributed under this
11 subsection shall be distributed to organization licensees
12 to be distributed at their race meetings as purses.
13 Fifty-seven percent of the amount distributed under this
14 paragraph (1) shall be distributed for thoroughbred race
15 meetings and 43% shall be distributed for standardbred race
16 meetings. Within each breed, moneys shall be allocated to
17 each organization licensee's purse fund in accordance with
18 the ratio between the purses generated for that breed by
19 that licensee during the prior calendar year and the total
20 purses generated throughout the State for that breed during
21 the prior calendar year by licensees in the current
22 calendar year.

23 (2) The remaining 40% of the moneys distributed under
24 this subsection (b) shall be distributed as follows:

25 (A) 11% shall be distributed to any person (or its
26 successors or assigns) who had operating control of a

1 racetrack that conducted live racing in 2002 at a
2 racetrack in a county with at least 230,000 inhabitants
3 that borders the Mississippi River and is a licensee in
4 the current year; and

5 (B) the remaining 89% shall be distributed pro rata
6 according to the aggregate proportion of total handle
7 from wagering on live races conducted in Illinois
8 (irrespective of where the wagers are placed) for
9 calendar years 2004 and 2005 to any person (or its
10 successors or assigns) who (i) had majority operating
11 control of a racing facility at which live racing was
12 conducted in calendar year 2002, (ii) is a licensee in
13 the current year, and (iii) is not eligible to receive
14 moneys under subparagraph (A) of this paragraph (2).

15 The moneys received by an organization licensee
16 under this paragraph (2) shall be used by each
17 organization licensee to improve, maintain, market,
18 and otherwise operate its racing facilities to conduct
19 live racing, which shall include backstretch services
20 and capital improvements related to live racing and the
21 backstretch. Any organization licensees sharing common
22 ownership may pool the moneys received and spent at all
23 racing facilities commonly owned in order to meet these
24 requirements.

25 If any person identified in this paragraph (2) becomes
26 ineligible to receive moneys from the Fund, such amount

1 shall be redistributed among the remaining persons in
2 proportion to their percentages otherwise calculated.

3 (c) The Board shall monitor organization licensees to
4 ensure that moneys paid to organization licensees under this
5 Section are distributed by the organization licensees as
6 provided in subsection (b).

7 (d) The Horse Racing Equity Trust Fund shall not be subject
8 to sweeps, administrative charges, or charge backs, including
9 but not limited to, those authorized under Section 8h of the
10 State Finance Act or any other fiscal or budgetary maneuver
11 that would in any way transfer any funds from the Horse Racing
12 Equity Trust Fund into any other fund of the State.

13 (e) ~~(d)~~ This Section is repealed 2 years after the
14 effective date of this amendatory Act of the 94th General
15 Assembly.

16 (Source: P.A. 94-804, eff. 5-26-06.)

17 (230 ILCS 5/56 new)

18 Sec. 56. Electronic gaming.

19 (a) An organization licensee may apply to the Gaming Board
20 for an electronic gaming license. An electronic gaming license
21 shall authorize its holder to conduct gambling at slot machines
22 on the grounds of the licensee's race track. Each license shall
23 specify the number of slot machines that its holder may
24 operate. An electronic gaming licensee may not permit persons
25 under 21 years of age to be present in its electronic gaming

1 facility, but the licensee may accept wagers on live racing and
2 inter-track wagers at its electronic gaming facility.

3 (b) The adjusted gross receipts received by an electronic
4 gaming licensee from electronic gaming remaining after the
5 payment of taxes under Section 13 of the Riverboat and Casino
6 Gambling Act shall be distributed as follows:

7 82.5% shall be retained by the licensee;

8 15% shall be paid to purse equity accounts;

9 2.25% shall be paid to the Illinois Thoroughbred
10 Breeders Fund, and the Illinois Standardbred Breeders
11 Fund, divided pro rata based on the proportion of live
12 thoroughbred racing and live standardbred racing conducted
13 at that licensee's race track; and

14 0.25% shall be paid to the licensee's live racing and
15 horse ownership promotional account.

16 (c) Moneys paid into purse equity accounts by licensees at
17 tracks located in counties other than Madison County shall be
18 maintained separately from moneys paid into purse equity
19 accounts by a licensee at a track located in Madison County.

20 (d) Of the moneys paid to purse equity accounts by an
21 electronic gaming licensee located in a county other than
22 Madison County, monies shall be paid into a single thoroughbred
23 purse pool and monies shall be paid into a single standardbred
24 purse pool, based on the proportion of purses paid statewide by
25 breed in the prior calendar year, as certified by the Board.

26 For a track located in a county other than Madison County,

1 each calendar year, moneys in the thoroughbred purse pool shall
2 be distributed equally for each awarded racing date to the
3 thoroughbred purse accounts of each organization licensee that
4 paid money into the thoroughbred purse pool.

5 For a track located in a county other than Madison County,
6 each calendar year, moneys in the standardbred purse pool shall
7 be distributed equally for each awarded racing date to the
8 standardbred purse accounts of each organization licensee that
9 paid money into the standardbred purse pool.

10 Moneys distributed under this subsection (d) shall be
11 distributed as directed by the Board.

12 Section 930. The Riverboat Gambling Act is amended by
13 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.1, 7.3, 7.5, 8, 9,
14 11, 11.1, 12, 13, 14, 18, 19, and 20 and by adding Sections 7.6
15 and 7.7 as follows:

16 (230 ILCS 10/1) (from Ch. 120, par. 2401)

17 Sec. 1. Short title. This Act shall be known and may be
18 cited as the Riverboat and Casino Gambling Act.

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

20 (230 ILCS 10/2) (from Ch. 120, par. 2402)

21 Sec. 2. Legislative Intent.

22 (a) This Act is intended to benefit the people of the State
23 of Illinois by assisting economic development and promoting

1 Illinois tourism and by increasing the amount of revenues
2 available to the State to assist and support education.

3 (b) While authorization of riverboat and casino gambling
4 will enhance investment, development and tourism in Illinois,
5 it is recognized that it will do so successfully only if public
6 confidence and trust in the credibility and integrity of the
7 gambling operations and the regulatory process is maintained.
8 Therefore, regulatory provisions of this Act are designed to
9 strictly regulate the facilities, persons, associations and
10 practices related to gambling operations pursuant to the police
11 powers of the State, including comprehensive law enforcement
12 supervision.

13 (c) The Illinois Gaming Board established under this Act
14 should, as soon as possible, inform each applicant for an
15 owners license of the Board's intent to grant or deny a
16 license.

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

18 (230 ILCS 10/3) (from Ch. 120, par. 2403)

19 Sec. 3. ~~Riverboat~~ Gambling Authorized.

20 (a) Riverboat and casino gambling operations and
21 electronic gaming operations ~~and the system of wagering~~
22 ~~incorporated therein~~, as defined in this Act, are hereby
23 authorized to the extent that they are carried out in
24 accordance with the provisions of this Act.

25 (b) This Act does not apply to the pari-mutuel system of

1 wagering used or intended to be used in connection with the
2 horse-race meetings as authorized under the Illinois Horse
3 Racing Act of 1975, lottery games authorized under the Illinois
4 Lottery Law, bingo authorized under the Bingo License and Tax
5 Act, charitable games authorized under the Charitable Games Act
6 or pull tabs and jar games conducted under the Illinois Pull
7 Tabs and Jar Games Act. This Act does apply to electronic
8 gaming authorized under the Illinois Horse Racing Act of 1975
9 to the extent provided in that Act and in this Act.

10 (c) Riverboat gambling conducted pursuant to this Act may
11 be authorized upon any water within the State of Illinois or
12 any water other than Lake Michigan which constitutes a boundary
13 of the State of Illinois. Notwithstanding any provision in this
14 subsection (c) to the contrary, a licensee that receives its
15 license pursuant to subsection (e-5) of Section 7 or pursuant
16 to paragraph (2) of subsection (e-10) of Section 7 may conduct
17 riverboat gambling on Lake Michigan from a home dock located on
18 Lake Michigan subject to any limitations contained in Section
19 7. Notwithstanding any provision in this subsection (c) to the
20 contrary, a licensee may conduct gambling at its home dock
21 facility as provided in Sections 7 and 11. A licensee may
22 conduct riverboat gambling authorized under this Act
23 regardless of whether it conducts excursion cruises. A licensee
24 may permit the continuous ingress and egress of passengers for
25 the purpose of gambling.

26 (d) Gambling that is conducted in accordance with this Act

1 using slot machines shall be authorized at electronic gaming
2 facilities as provided in this Act.

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

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

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

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

7 ~~(b)~~ "Occupational license" means a license issued by the
8 Board to a person or entity to perform an occupation which the
9 Board has identified as requiring a license to engage in
10 riverboat or casino gambling in Illinois.

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

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

22 ~~(e)~~ "Managers license" means a license issued by the Board
23 to a person or entity to manage gambling operations conducted
24 by the State pursuant to Section 7.3 ~~7.2~~.

25 ~~(f)~~ "Dock" means the location where a riverboat moors for

1 the purpose of embarking passengers for and disembarking
2 passengers from the riverboat.

3 ~~(g)~~ "Gross receipts" means the total amount of cash or any
4 instrument exchangeable for cash ~~money~~ exchanged for the
5 purchase of chips, tokens or electronic cards by riverboat or
6 casino patrons or electronic gaming operation patrons.

7 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
8 winnings paid to wagerers.

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

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

13 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
14 gambling games authorized under this Act on ~~upon~~ a riverboat or
15 in a casino or authorized under this Act and the Illinois Horse
16 Racing Act of 1975 at an electronic gaming facility.

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

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

23 "Casino" means a land-based facility at which lawful
24 gambling is authorized and licensed as provided in this Act.

25 "Owners license" means a license to conduct riverboat or
26 casino gambling operations, but does not include an electronic

1 gaming license.

2 "Licensed owner" means a person who holds an owners
3 license.

4 "Electronic gaming license" means a license issued by the
5 Board under Section 7.4 of this Act authorizing electronic
6 gaming at an electronic gaming facility.

7 "Electronic gaming" means the conduct of gambling using
8 slot machines at a race track licensed under the Illinois Horse
9 Racing Act of 1975 pursuant to the Illinois Horse Racing Act of
10 1975 and this Act.

11 "Electronic gaming facility" means the area where the Board
12 has authorized electronic gaming at a race track of an
13 organization licensee under the Illinois Horse Racing Act of
14 1975 that holds an electronic gaming license.

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

18 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
19 revised 1-28-04.)

20 (230 ILCS 10/5) (from Ch. 120, par. 2405)

21 Sec. 5. Gaming Board.

22 (a) (1) There is hereby established within the Department
23 of Revenue an Illinois Gaming Board which shall have the powers
24 and duties specified in this Act, and all other powers
25 necessary and proper to fully and effectively execute this Act

1 for the purpose of administering, regulating, and enforcing the
2 system of riverboat and casino gambling established by this
3 Act. Its jurisdiction shall extend under this Act to every
4 person, association, corporation, partnership and trust
5 involved in riverboat and casino gambling operations in the
6 State of Illinois.

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

19 (3) The terms of office of the Board members shall be 3
20 years, except that the terms of office of the initial Board
21 members appointed pursuant to this Act will commence from the
22 effective date of this Act and run as follows: one for a term
23 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
24 a term ending July 1, 1993. Upon the expiration of the
25 foregoing terms, the successors of such members shall serve a
26 term for 3 years and until their successors are appointed and

1 qualified for like terms. Vacancies in the Board shall be
2 filled for the unexpired term in like manner as original
3 appointments. Each member of the Board shall be eligible for
4 reappointment at the discretion of the Governor with the advice
5 and consent of the Senate.

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

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

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

1 (7) Before entering upon the discharge of the duties of his
2 office, each member of the Board shall take an oath that he
3 will faithfully execute the duties of his office according to
4 the laws of the State and the rules and regulations adopted
5 therewith and shall give bond to the State of Illinois,
6 approved by the Governor, in the sum of \$25,000. Every such
7 bond, when duly executed and approved, shall be recorded in the
8 office of the Secretary of State. Whenever the Governor
9 determines that the bond of any member of the Board has become
10 or is likely to become invalid or insufficient, he shall
11 require such member forthwith to renew his bond, which is to be
12 approved by the Governor. Any member of the Board who fails to
13 take oath and give bond within 30 days from the date of his
14 appointment, or who fails to renew his bond within 30 days
15 after it is demanded by the Governor, shall be guilty of
16 neglect of duty and may be removed by the Governor. The cost of
17 any bond given by any member of the Board under this Section
18 shall be taken to be a part of the necessary expenses of the
19 Board.

20 (8) Upon the request of the Board, the Department shall
21 employ such personnel as may be necessary to carry out the
22 functions of the Board. No person shall be employed to serve
23 the Board who is, or whose spouse, parent or child is, an
24 official of, or has a financial interest in or financial
25 relation with, any operator engaged in gambling operations
26 within this State or any organization engaged in conducting

1 horse racing within this State. Any employee violating these
2 prohibitions shall be subject to termination of employment.

3 (9) An Administrator shall perform any and all duties that
4 the Board shall assign him. The salary of the Administrator
5 shall be determined by the Board and approved by the Director
6 of the Department and, in addition, he shall be reimbursed for
7 all actual and necessary expenses incurred by him in discharge
8 of his official duties. The Administrator shall keep records of
9 all proceedings of the Board and shall preserve all records,
10 books, documents and other papers belonging to the Board or
11 entrusted to its care. The Administrator shall devote his full
12 time to the duties of the office and shall not hold any other
13 office or employment.

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

17 (1) To decide promptly and in reasonable order all
18 license applications. Any party aggrieved by an action of
19 the Board denying, suspending, revoking, restricting or
20 refusing to renew a license may request a hearing before
21 the Board. A request for a hearing must be made to the
22 Board in writing within 5 days after service of notice of
23 the action of the Board. Notice of the action of the Board
24 shall be served either by personal delivery or by certified
25 mail, postage prepaid, to the aggrieved party. Notice
26 served by certified mail shall be deemed complete on the

1 business day following the date of such mailing. The Board
2 shall conduct all requested hearings promptly and in
3 reasonable order;

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

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

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

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

23 (6) To be present through its inspectors and agents any
24 time gambling operations are conducted on any riverboat, in
25 any casino, or at any electronic gaming facility for the
26 purpose of certifying the revenue thereof, receiving

1 complaints from the public, and conducting such other
2 investigations into the conduct of the gambling games and
3 the maintenance of the equipment as from time to time the
4 Board may deem necessary and proper;

5 (7) To review and rule upon any complaint by a licensee
6 regarding any investigative procedures of the State which
7 are unnecessarily disruptive of gambling operations. The
8 need to inspect and investigate shall be presumed at all
9 times. The disruption of a licensee's operations shall be
10 proved by clear and convincing evidence, and establish
11 that: (A) the procedures had no reasonable law enforcement
12 purposes, and (B) the procedures were so disruptive as to
13 unreasonably inhibit gambling operations;

14 (8) To hold at least one meeting each quarter of the
15 fiscal year. In addition, special meetings may be called by
16 the Chairman or any 2 Board members upon 72 hours written
17 notice to each member. All Board meetings shall be subject
18 to the Open Meetings Act. Three members of the Board shall
19 constitute a quorum, and 3 votes shall be required for any
20 final determination by the Board. The Board shall keep a
21 complete and accurate record of all its meetings. A
22 majority of the members of the Board shall constitute a
23 quorum for the transaction of any business, for the
24 performance of any duty, or for the exercise of any power
25 which this Act requires the Board members to transact,
26 perform or exercise en banc, except that, upon order of the

1 Board, one of the Board members or an administrative law
2 judge designated by the Board may conduct any hearing
3 provided for under this Act or by Board rule and may
4 recommend findings and decisions to the Board. The Board
5 member or administrative law judge conducting such hearing
6 shall have all powers and rights granted to the Board in
7 this Act. The record made at the time of the hearing shall
8 be reviewed by the Board, or a majority thereof, and the
9 findings and decision of the majority of the Board shall
10 constitute the order of the Board in such case;

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

15 (10) To file a written annual report with the Governor
16 on or before March 1 each year and such additional reports
17 as the Governor may request. The annual report shall
18 include a statement of receipts and disbursements by the
19 Board, actions taken by the Board, and any additional
20 information and recommendations which the Board may deem
21 valuable or which the Governor may request;

22 (11) (Blank); ~~and~~

23 (12) To assume responsibility for the administration
24 and enforcement of the Bingo License and Tax Act, the
25 Charitable Games Act, and the Pull Tabs and Jar Games Act
26 if such responsibility is delegated to it by the Director

1 of Revenue; ~~and-~~

2 (13) To assume responsibility for the administration
3 and enforcement of operations at electronic gaming
4 facilities pursuant to this Act and the Illinois Horse
5 Racing Act of 1975.

6 (c) The Board shall have jurisdiction over and shall
7 supervise all gambling operations governed by this Act. The
8 Board shall have all powers necessary and proper to fully and
9 effectively execute the provisions of this Act, including, but
10 not limited to, the following:

11 (1) To investigate applicants and determine the
12 eligibility of applicants for licenses and to select among
13 competing applicants the applicants which best serve the
14 interests of the citizens of Illinois.

15 (2) To have jurisdiction and supervision over all
16 ~~riverboat~~ gambling operations authorized under this Act ~~in~~
17 ~~this State~~ and all persons in places ~~on riverboats~~ where
18 gambling operations are conducted.

19 (3) To promulgate rules and regulations for the purpose
20 of administering the provisions of this Act and to
21 prescribe rules, regulations and conditions under which
22 all ~~riverboat~~ gambling operations subject to this Act ~~in~~
23 ~~the State~~ shall be conducted. Such rules and regulations
24 are to provide for the prevention of practices detrimental
25 to the public interest and for the best interests of
26 ~~riverboat~~ gambling, including rules and regulations

1 regarding the inspection of electronic gaming facilities,
2 casinos, and ~~such~~ riverboats and the review of any permits
3 or licenses necessary to operate a riverboat, casino, or
4 electronic gaming facilities under any laws or regulations
5 applicable to riverboats, casinos, or electronic gaming
6 facilities and to impose penalties for violations thereof.

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

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

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

20 (7) To adopt appropriate standards for all electronic
21 gaming facilities, riverboats, casinos, and other
22 facilities authorized under this Act.

23 (8) To require that the records, including financial or
24 other statements of any licensee under this Act, shall be
25 kept in such manner as prescribed by the Board and that any
26 such licensee involved in the ownership or management of

1 gambling operations submit to the Board an annual balance
2 sheet and profit and loss statement, list of the
3 stockholders or other persons having a 1% or greater
4 beneficial interest in the gambling activities of each
5 licensee, and any other information the Board deems
6 necessary in order to effectively administer this Act and
7 all rules, regulations, orders and final decisions
8 promulgated under this Act.

9 (9) To conduct hearings, issue subpoenas for the
10 attendance of witnesses and subpoenas duces tecum for the
11 production of books, records and other pertinent documents
12 in accordance with the Illinois Administrative Procedure
13 Act, and to administer oaths and affirmations to the
14 witnesses, when, in the judgment of the Board, it is
15 necessary to administer or enforce this Act or the Board
16 rules.

17 (10) To prescribe a form to be used by any licensee
18 involved in the ownership or management of gambling
19 operations as an application for employment for their
20 employees.

21 (11) To revoke or suspend licenses, as the Board may
22 see fit and in compliance with applicable laws of the State
23 regarding administrative procedures, and to review
24 applications for the renewal of licenses. The Board may
25 suspend an owners license or electronic gaming license,
26 without notice or hearing, upon a determination that the

1 safety or health of patrons or employees is jeopardized by
2 continuing a gambling operation conducted under that
3 license ~~a riverboat's operation~~. The suspension may remain
4 in effect until the Board determines that the cause for
5 suspension has been abated. The Board may revoke the owners
6 license or electronic gaming license upon a determination
7 that the licensee ~~owner~~ has not made satisfactory progress
8 toward abating the hazard.

9 (12) To eject or exclude or authorize the ejection or
10 exclusion of, any person from ~~riverboat~~ gambling
11 facilities where that ~~such~~ person is in violation of this
12 Act, rules and regulations thereunder, or final orders of
13 the Board, or where such person's conduct or reputation is
14 such that his or her presence within the ~~riverboat~~ gambling
15 facilities may, in the opinion of the Board, call into
16 question the honesty and integrity of the gambling
17 operations or interfere with the orderly conduct thereof;
18 provided that the propriety of such ejection or exclusion
19 is subject to subsequent hearing by the Board.

20 (13) To require all licensees of gambling operations to
21 utilize a cashless wagering system whereby all players'
22 money is converted to tokens, electronic cards, or chips
23 which shall be used only for wagering in the gambling
24 establishment.

25 (14) (Blank).

26 (15) To suspend, revoke or restrict licenses, to

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

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

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

16 (18) To authorize a licensee to sell or serve alcoholic
17 liquors, wine or beer as defined in the Liquor Control Act
18 of 1934 on board a riverboat or in a casino and to have
19 exclusive authority to establish the hours for sale and
20 consumption of alcoholic liquor on board a riverboat or in
21 a casino, notwithstanding any provision of the Liquor
22 Control Act of 1934 or any local ordinance, and regardless
23 of whether the riverboat makes excursions. The
24 establishment of the hours for sale and consumption of
25 alcoholic liquor on board a riverboat or in a casino is an
26 exclusive power and function of the State. A home rule unit

1 may not establish the hours for sale and consumption of
2 alcoholic liquor on board a riverboat or in a casino. This
3 subdivision (18) ~~amendatory Act of 1991~~ is a denial and
4 limitation of home rule powers and functions under
5 subsection (h) of Section 6 of Article VII of the Illinois
6 Constitution.

7 (19) After consultation with the U.S. Army Corps of
8 Engineers, to establish binding emergency orders upon the
9 concurrence of a majority of the members of the Board
10 regarding the navigability of water, relative to
11 excursions, in the event of extreme weather conditions,
12 acts of God or other extreme circumstances.

13 (20) To delegate the execution of any of its powers
14 under this Act for the purpose of administering and
15 enforcing this Act and its rules and regulations hereunder.

16 (21) To make rules concerning the conduct of electronic
17 gaming.

18 (22) ~~(21)~~ To take any other action as may be reasonable
19 or appropriate to enforce this Act and rules and
20 regulations hereunder.

21 (d) The Board may seek and shall receive the cooperation of
22 the Department of State Police in conducting background
23 investigations of applicants and in fulfilling its
24 responsibilities under this Section. Costs incurred by the
25 Department of State Police as a result of such cooperation
26 shall be paid by the Board in conformance with the requirements

1 of Section 2605-400 of the Department of State Police Law (20
2 ILCS 2605/2605-400).

3 (e) The Board must authorize to each investigator and to
4 any other employee of the Board exercising the powers of a
5 peace officer a distinct badge that, on its face, (i) clearly
6 states that the badge is authorized by the Board and (ii)
7 contains a unique identifying number. No other badge shall be
8 authorized by the Board.

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

11 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

12 Sec. 5.1. Disclosure of records.

13 (a) Notwithstanding any applicable statutory provision to
14 the contrary, the Board shall, on written request from any
15 person, provide information furnished by an applicant or
16 licensee concerning the applicant or licensee, his products,
17 services or gambling enterprises and his business holdings, as
18 follows:

19 (1) The name, business address and business telephone
20 number of any applicant or licensee.

21 (2) An identification of any applicant or licensee
22 including, if an applicant or licensee is not an
23 individual, the state of incorporation or registration,
24 the corporate officers, and the identity of all
25 shareholders or participants. If an applicant or licensee

1 has a pending registration statement filed with the
2 Securities and Exchange Commission, only the names of those
3 persons or entities holding interest of 5% or more must be
4 provided.

5 (3) An identification of any business, including, if
6 applicable, the state of incorporation or registration, in
7 which an applicant or licensee or an applicant's or
8 licensee's spouse or children has an equity interest of
9 more than 5%. If an applicant or licensee is a corporation,
10 partnership or other business entity, the applicant or
11 licensee shall identify any other corporation, partnership
12 or business entity in which it has an equity interest of 5%
13 or more, including, if applicable, the state of
14 incorporation or registration. This information need not
15 be provided by a corporation, partnership or other business
16 entity that has a pending registration statement filed with
17 the Securities and Exchange Commission.

18 (4) Whether an applicant or licensee has been indicted,
19 convicted, pleaded guilty or nolo contendere, or forfeited
20 bail concerning any criminal offense under the laws of any
21 jurisdiction, either felony or misdemeanor (except for
22 traffic violations), including the date, the name and
23 location of the court, arresting agency and prosecuting
24 agency, the case number, the offense, the disposition and
25 the location and length of incarceration.

26 (5) Whether an applicant or licensee has had any

1 license or certificate issued by a licensing authority in
2 Illinois or any other jurisdiction denied, restricted,
3 suspended, revoked or not renewed and a statement
4 describing the facts and circumstances concerning the
5 denial, restriction, suspension, revocation or
6 non-renewal, including the licensing authority, the date
7 each such action was taken, and the reason for each such
8 action.

9 (6) Whether an applicant or licensee has ever filed or
10 had filed against it a proceeding in bankruptcy or has ever
11 been involved in any formal process to adjust, defer,
12 suspend or otherwise work out the payment of any debt
13 including the date of filing, the name and location of the
14 court, the case and number of the disposition.

15 (7) Whether an applicant or licensee has filed, or been
16 served with a complaint or other notice filed with any
17 public body, regarding the delinquency in the payment of,
18 or a dispute over the filings concerning the payment of,
19 any tax required under federal, State or local law,
20 including the amount, type of tax, the taxing agency and
21 time periods involved.

22 (8) A statement listing the names and titles of all
23 public officials or officers of any unit of government, and
24 relatives of said public officials or officers who,
25 directly or indirectly, own any financial interest in, have
26 any beneficial interest in, are the creditors of or hold

1 any debt instrument issued by, or hold or have any interest
2 in any contractual or service relationship with, an
3 applicant or licensee.

4 (9) Whether an applicant or licensee has made, directly
5 or indirectly, any political contribution, or any loans,
6 donations or other payments, to any candidate or office
7 holder, within 5 years from the date of filing the
8 application, including the amount and the method of
9 payment.

10 (10) The name and business telephone number of the
11 counsel representing an applicant or licensee in matters
12 before the Board.

13 (11) A description of any proposed or approved
14 riverboat or casino gaming operation, including the type of
15 boat, home dock or casino location, expected economic
16 benefit to the community, anticipated or actual number of
17 employees, any statement from an applicant or licensee
18 regarding compliance with federal and State affirmative
19 action guidelines, projected or actual admissions and
20 projected or actual adjusted gross gaming receipts.

21 (12) A description of the product or service to be
22 supplied by an applicant for a supplier's license.

23 (b) Notwithstanding any applicable statutory provision to
24 the contrary, the Board shall, on written request from any
25 person, also provide the following information:

26 (1) The amount of the wagering tax and admission tax

1 paid daily to the State of Illinois by the holder of an
2 owner's license.

3 (2) Whenever the Board finds an applicant for an
4 owner's license unsuitable for licensing, a copy of the
5 written letter outlining the reasons for the denial.

6 (3) Whenever the Board has refused to grant leave for
7 an applicant to withdraw his application, a copy of the
8 letter outlining the reasons for the refusal.

9 (c) Subject to the above provisions, the Board shall not
10 disclose any information which would be barred by:

11 (1) Section 7 of the Freedom of Information Act; or

12 (2) The statutes, rules, regulations or
13 intergovernmental agreements of any jurisdiction.

14 (d) The Board may assess fees for the copying of
15 information in accordance with Section 6 of the Freedom of
16 Information Act.

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

18 (230 ILCS 10/6) (from Ch. 120, par. 2406)

19 Sec. 6. Application for Owners License.

20 (a) A qualified person may apply to the Board for an owners
21 license to conduct a ~~riverboat~~ gambling operation as provided
22 in this Act. The application shall be made on forms provided by
23 the Board and shall contain such information as the Board
24 prescribes, including but not limited to the identity of the
25 riverboat on which such gambling operation is to be conducted.

1 if applicable, and the exact location where such riverboat will
2 be docked, a certification that the riverboat will be
3 registered under this Act at all times during which gambling
4 operations are conducted on board, detailed information
5 regarding the ownership and management of the applicant, and
6 detailed personal information regarding the applicant. Any
7 application for an owners license to be re-issued on or after
8 June 1, 2003 shall also include the applicant's license bid in
9 a form prescribed by the Board. Information provided on the
10 application shall be used as a basis for a thorough background
11 investigation which the Board shall conduct with respect to
12 each applicant. An incomplete application shall be cause for
13 denial of a license by the Board.

14 (b) Applicants shall submit with their application all
15 documents, resolutions, and letters of support from the
16 governing body that represents the municipality or county
17 wherein the licensee will dock.

18 (c) Each applicant shall disclose the identity of every
19 person, association, trust or corporation having a greater than
20 1% direct or indirect pecuniary interest in the ~~riverboat~~
21 gambling operation with respect to which the license is sought.
22 If the disclosed entity is a trust, the application shall
23 disclose the names and addresses of the beneficiaries; if a
24 corporation, the names and addresses of all stockholders and
25 directors; if a partnership, the names and addresses of all
26 partners, both general and limited.

1 (d) An application shall be filed with the Board by January
2 1 of the year preceding any calendar year for which an
3 applicant seeks an owners license; however, applications for an
4 owners license permitting operations on January 1, 1991 shall
5 be filed by July 1, 1990. An application fee of \$50,000 shall
6 be paid at the time of filing to defray the costs associated
7 with the background investigation conducted by the Board. If
8 the costs of the investigation exceed \$50,000, the applicant
9 shall pay the additional amount to the Board. If the costs of
10 the investigation are less than \$50,000, the applicant shall
11 receive a refund of the remaining amount. All information,
12 records, interviews, reports, statements, memoranda or other
13 data supplied to or used by the Board in the course of its
14 review or investigation of an application for a license under
15 this Act shall be privileged, strictly confidential and shall
16 be used only for the purpose of evaluating an applicant. Such
17 information, records, interviews, reports, statements,
18 memoranda or other data shall not be admissible as evidence,
19 nor discoverable in any action of any kind in any court or
20 before any tribunal, board, agency or person, except for any
21 action deemed necessary by the Board.

22 (e) The Board shall charge each applicant a fee set by the
23 Department of State Police to defray the costs associated with
24 the search and classification of fingerprints obtained by the
25 Board with respect to the applicant's application. These fees
26 shall be paid into the State Police Services Fund.

1 (f) The licensed owner shall be the person primarily
2 responsible for the boat or casino itself. Only one ~~riverboat~~
3 gambling operation may be authorized by the Board on any
4 riverboat or in any casino. The applicant must identify the
5 ~~each~~ riverboat or premises it intends to use and certify that
6 the riverboat or premises: (1) has the authorized capacity
7 required in this Act; (2) is accessible to disabled persons;
8 and (3) is fully registered and licensed in accordance with any
9 applicable laws.

10 (g) A person who knowingly makes a false statement on an
11 application is guilty of a Class A misdemeanor.

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

13 (230 ILCS 10/7) (from Ch. 120, par. 2407)

14 Sec. 7. Owners Licenses.

15 (a) The Board shall issue owners licenses to persons, firms
16 or corporations which apply for such licenses upon payment to
17 the Board of the non-refundable license fee set by the Board,
18 upon payment of a \$25,000 license fee for the first year of
19 operation and a \$5,000 license fee for each succeeding year and
20 upon a determination by the Board that the applicant is
21 eligible for an owners license pursuant to this Act and the
22 rules of the Board. From May 26, 2006 (~~For a period of 2 years~~
23 ~~beginning on~~ the effective date of Public Act 94-804) until
24 July 1, 2007 ~~this amendatory Act of the 94th General Assembly,~~
25 as a condition of licensure and as an alternative source of

1 payment for those funds payable under subsection (c-5) of
2 Section 13 of this ~~the Riverboat Gambling~~ Act, any owners
3 licensee that holds or receives its owners license on or after
4 the effective date of this amendatory Act of the 94th General
5 Assembly, other than an owners licensee operating a riverboat
6 with adjusted gross receipts in calendar year 2004 of less than
7 \$200,000,000, must pay into the Horse Racing Equity Trust Fund,
8 in addition to any other payments required under this Act, an
9 amount equal to 3% of the adjusted gross receipts received by
10 the owners licensee. The payments required under this Section
11 shall be made by the owners licensee to the State Treasurer no
12 later than 3:00 o'clock p.m. of the day after the day when the
13 adjusted gross receipts were received by the owners licensee. A
14 person, firm or corporation is ineligible to receive an owners
15 license if:

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

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

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

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

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

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

5 (7) (blank); or

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

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

11 (1) the character, reputation, experience and
12 financial integrity of the applicants and of any other or
13 separate person that either:

14 (A) controls, directly or indirectly, such
15 applicant, or

16 (B) is controlled, directly or indirectly, by such
17 applicant or by a person which controls, directly or
18 indirectly, such applicant;

19 (2) the facilities or proposed facilities for the
20 conduct of ~~riverboat~~ gambling;

21 (3) the highest prospective total revenue to be derived
22 by the State from the ~~conduct of riverboat~~ gambling;

23 (4) the extent to which the ownership of the applicant
24 reflects the diversity of the State by including minority
25 persons and females and the good faith affirmative action
26 plan of each applicant to recruit, train and upgrade

1 minority persons and females in all employment
2 classifications;

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

5 (6) whether the applicant has adequate capitalization
6 to provide and maintain, for the duration of a license, a
7 riverboat or casino;

8 (7) the extent to which the applicant exceeds or meets
9 other standards for the issuance of an owners license which
10 the Board may adopt by rule; ~~and~~

11 (8) The amount of the applicant's license bid; ~~and~~

12 (9) the applicant's history of relations with labor
13 unions.

14 (c) Each owners license shall specify the place where the
15 casino shall operate or the riverboat ~~riverboats~~ shall operate
16 and dock.

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

19 (e) In addition to any licenses authorized under
20 subsections (e-5) and (e-10), the ~~The~~ Board may issue up to 10
21 licenses authorizing the holders of such licenses to own
22 riverboats. In the application for an owners license, the
23 applicant shall state the dock at which the riverboat is based
24 and the water on which the riverboat will be located. The Board
25 shall issue 5 licenses to become effective not earlier than
26 January 1, 1991. Three of such licenses shall authorize

1 riverboat gambling on the Mississippi River, or, with approval
2 by the municipality in which the riverboat was docked on August
3 7, 2003 and with Board approval, be authorized to relocate to a
4 new location, in a municipality that (1) borders on the
5 Mississippi River or is within 5 miles of the city limits of a
6 municipality that borders on the Mississippi River and (2), on
7 August 7, 2003, had a riverboat conducting riverboat gambling
8 operations pursuant to a license issued under this Act; one of
9 which shall authorize riverboat gambling from a home dock in
10 the city of East St. Louis. One other license shall authorize
11 riverboat gambling on the Illinois River south of Marshall
12 County. The Board shall issue one additional license to become
13 effective not earlier than March 1, 1992, which shall authorize
14 riverboat gambling on the Des Plaines River in Will County. The
15 Board may issue 4 additional licenses to become effective not
16 earlier than March 1, 1992. In determining the water upon which
17 riverboats will operate, the Board shall consider the economic
18 benefit which riverboat gambling confers on the State, and
19 shall seek to assure that all regions of the State share in the
20 economic benefits of riverboat gambling.

21 In granting all licenses, the Board may give favorable
22 consideration to economically depressed areas of the State, to
23 applicants presenting plans which provide for significant
24 economic development over a large geographic area, and to
25 applicants who currently operate non-gambling riverboats in
26 Illinois. The Board shall review all applications for owners

1 licenses, and shall inform each applicant of the Board's
2 decision. The Board may grant an owners license to an applicant
3 that has not submitted the highest license bid, but if it does
4 not select the highest bidder, the Board shall issue a written
5 decision explaining why another applicant was selected and
6 identifying the factors set forth in this Section that favored
7 the winning bidder.

8 (e-5) In addition to licenses authorized under subsections
9 (e) and (e-10), the Board may issue one owners license
10 authorizing either the conduct of riverboat gambling
11 operations from a home dock located in a municipality with a
12 population of more than 500,000 inhabitants or the conduct of
13 gambling operations in a casino located in a municipality with
14 a population of more than 500,000 inhabitants.

15 The license authorized under this subsection (e-5) shall be
16 awarded pursuant to a process of open and competitive bidding
17 in accordance with Section 7.5. However, the city council of
18 the municipality in which the casino or the home dock of the
19 riverboat is located may make recommendations regarding the
20 location, proposal for ownership, licensee, and any other
21 decisions made by the Board in connection with the license
22 issued under this subsection (e-5).

23 The license authorized under this subsection (e-5) may
24 authorize the conduct of riverboat gambling on Lake Michigan if
25 the city council of the municipality in which the home dock is
26 located approves the authorization in its recommendations

1 under this subsection (e-5).

2 The license authorized under this subsection (e-5) shall be
3 issued in a timely manner, assuming that a qualified applicant
4 is available.

5 (e-10) In addition to licenses authorized under
6 subsections (e) and (e-5), the Board shall issue each of the
7 following 3 owners licenses pursuant to a process of open and
8 competitive bidding in accordance with Section 7.5:

9 (1) One owners license authorizing the conduct of
10 riverboat gambling operations from a home dock located
11 outside of the City of Chicago, but in Cook County and in
12 one of the following townships: Bloom, Thornton, Rich,
13 Orland, Calumet, Worth, Palos, Bremen, Lyons, or Lemont
14 Township.

15 (2) One owners license authorizing the conduct of
16 riverboat gambling from a home dock located in a
17 municipality that (A) has a population of at least 75,000
18 inhabitants, (B) is bordered on the East by Lake Michigan,
19 and (C) is located in a county, the entirety of which is
20 located to the North of Cook County, and shall authorize
21 its holder to conduct riverboat gambling on Lake Michigan.

22 (3) One owners license authorizing the conduct of
23 riverboat gambling from a home dock located in a
24 municipality of which any portion is located within 10
25 miles of any portion of O'Hare International Airport

26 The licenses authorized under this subsection (e-10) shall

1 be issued in a timely manner, assuming that a qualified
2 applicant is available.

3 (e-15) In addition to any other revocation powers granted
4 to the Board under this Act, the Board may revoke the owners
5 license of a licensee which fails to begin conducting gambling
6 within 24 ~~15~~ months of receipt of the Board's approval of the
7 application if the Board determines that license revocation is
8 in the best interests of the State. The Board may grant a
9 12-month extension on this requirement if the licensee is
10 proceeding in good faith.

11 (f) The ~~first 10 owners~~ licenses issued under this Act
12 shall permit the holder to own the riverboat or casino ~~up to 2~~
13 ~~riverboats~~ and equipment ~~thereon~~ for a period of 3 years after
14 the effective date of the license. Holders of the first 10
15 owners licenses must pay the annual license fee for each of the
16 3 years during which they are authorized to own riverboats.

17 (g) Upon the termination, expiration, or revocation of each
18 owners license ~~of the first 10 licenses~~, which shall be issued
19 for a 3 year period, all licenses are renewable annually upon
20 payment of the fee and a determination by the Board that the
21 licensee continues to meet all of the requirements of this Act
22 and the Board's rules. However, for licenses renewed on or
23 after May 1, 1998, renewal shall be for a period of 4 years,
24 unless the Board sets a shorter period.

25 (h) An owners license, except for the owners license issued
26 under subsection (e-5), shall entitle the licensee to operate

1 up to 2,000 gaming positions. An owners license issued under
2 subsection (e-5) shall entitle the licensee to operate up to
3 4,000 gaming positions. The operation of the following
4 positions shall be subject to a one-time fee of \$25,000 per
5 position:

6 (1) For licenses issued before the effective date of
7 this amendatory Act of the 95th General Assembly, any
8 positions operated in excess of 1,200, up to 2,000
9 positions.

10 (2) For the license authorized under subsection (e-5)
11 of this Section, all 4,000 positions.

12 (3) For each license authorized under subsection
13 (e-10) of this Section, all 2,000 positions.

14 In addition to the 2,000 gaming positions authorized by an
15 owners license authorized under subsections (e) and (e-10), a
16 licensee may operate gaming positions that it acquires pursuant
17 to the competitive bidding process established under this
18 subsection (h). For each 4-year license period, a licensee
19 shall certify to the Board the total number of gaming positions
20 it will use during the license period. If a licensee certifies
21 that it will use a given number of gaming positions during its
22 license period and, in the Board's determination, fails to use
23 some or all of those gaming positions, then the unused gaming
24 positions shall become the property of the Board. If a licensee
25 certifies that it will use fewer than 2,000 gaming positions,
26 or 4,000 gaming positions in the case of the licensee that

1 acquires its license under subsection (e-5), then the
2 authorized but unused gaming positions shall become the
3 property of the Board. The Board shall establish, by rule, a
4 method for licensees to competitively bid for the right to use
5 gaming positions that become the property of the Board under
6 this subsection (h). A licensee, other than the licensee that
7 acquires its license under subsection (e-5), may not bid for
8 additional gaming positions under this subsection (h) unless it
9 uses all 2,000 gaming positions authorized by its license. A
10 licensee that acquires its license under subsection (e-5) may
11 bid for gaming positions under this subsection (h) only if the
12 licensee had unused gaming positions become the property of the
13 Board, and in no event shall that licensee be authorized to
14 operate more than 4,000 gaming positions ~~own up to 2~~
15 riverboats.

16 An owners licensee, other than the licensee that acquires
17 its license under subsection (e-5) or (e-10), that is
18 authorized to operate in excess of 2,000 positions under this
19 subsection (h) may conduct riverboat gambling operations from a
20 temporary facility pending the construction of a permanent
21 facility or the remodeling of an existing facility to
22 accommodate those additional positions until July 1, 2008. An
23 owners licensee that acquires its license under subsection
24 (e-10) may conduct gambling operations from a temporary
25 facility pending the construction of a permanent facility for
26 one year after the issuance of its license. The number of

1 positions at such a temporary facility may not exceed the
2 number of positions the licensee is authorized to operate in
3 excess of 2,000. The Board shall make rules concerning the
4 conduct of gambling from temporary facilities. ~~A licensee shall~~
5 ~~limit the number of gambling participants to 1,200 for any such~~
6 ~~owners license. A licensee may operate both of its riverboats~~
7 ~~concurrently, provided that the total number of gambling~~
8 ~~participants on both riverboats does not exceed 1,200.~~
9 ~~Riverboats licensed to operate on the Mississippi River and the~~
10 ~~Illinois River south of Marshall County shall have an~~
11 ~~authorized capacity of at least 500 persons. Any other~~
12 ~~riverboat licensed under this Act shall have an authorized~~
13 ~~capacity of at least 400 persons.~~

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

23 (j) The Board may issue or re-issue a license authorizing a
24 riverboat to dock in a municipality or approve a relocation
25 under Section 11.2 only if, prior to the issuance or
26 re-issuance of the license or approval, the governing body of

1 the municipality in which the riverboat will dock has by a
2 majority vote approved the docking of riverboats in the
3 municipality. The Board may issue or re-issue a license
4 authorizing a riverboat to dock in areas of a county outside
5 any municipality or approve a relocation under Section 11.2
6 only if, prior to the issuance or re-issuance of the license or
7 approval, the governing body of the county has by a majority
8 vote approved of the docking of riverboats within such areas.

9 (k) This Section and any rules adopted pursuant to this
10 Section shall not restrict an owners licensee that received its
11 license before the effective date of this amendatory Act of the
12 95th General Assembly from applying for and receiving a license
13 issued pursuant to this amendatory Act, regardless of whether
14 the riverboat operated by the owners licensee is located in the
15 same market area as the license applied for.

16 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
17 eff. 8-23-05; 94-804, eff. 5-26-06.)

18 (230 ILCS 10/7.1)

19 Sec. 7.1. Re-issuance of revoked or non-renewed owners
20 licenses.

21 (a) If an owners license terminates or expires without
22 renewal or the Board revokes or determines not to renew an
23 owners license (including, without limitation, an owners
24 license for a licensee that was not conducting riverboat
25 gambling operations on January 1, 1998) and that revocation or

1 determination is final, the Board may re-issue such license to
2 a qualified applicant pursuant to an open and competitive
3 bidding process, as set forth in Section 7.5, and subject to
4 the maximum number of authorized licenses set forth in
5 subsections (e), (e-5), and (e-10) of Section 7 ~~Section 7(e)~~.
6 The Board may not re-issue a license authorized under
7 subsection (e) in a manner that would authorize the conduct of
8 gambling in a municipality any portion of which is within 25
9 miles of a municipality in which a riverboat authorized under
10 subsections (e-5) or (e-10) is located.

11 (b) To be a qualified applicant, a person, firm, or
12 corporation cannot be ineligible to receive an owners license
13 under Section 7(a) and must submit an application for an owners
14 license that complies with Section 6. Each such applicant must
15 also submit evidence to the Board that minority persons and
16 females hold ownership interests in the applicant of at least
17 16% and 4% respectively.

18 (c) Notwithstanding anything to the contrary in Section
19 7(e), an applicant may apply to the Board for approval of
20 relocation of a re-issued license to a new home dock location
21 authorized under Section 3(c) upon receipt of the approval from
22 the municipality or county, as the case may be, pursuant to
23 Section 7(j).

24 (d) In determining whether to grant a re-issued owners
25 license to an applicant, the Board shall consider all of the
26 factors set forth in Section ~~Sections~~ 7(b) and in Section 7(e),

1 (e-5), or (e-10), whichever is applicable, ~~(e)~~ as well as the
2 amount of the applicant's license bid. The Board may grant the
3 re-issued owners license to an applicant that has not submitted
4 the highest license bid, but if it does not select the highest
5 bidder, the Board shall issue a written decision explaining why
6 another applicant was selected and identifying the factors set
7 forth in Section ~~Sections~~ 7(b) and in Section 7(e), (e-5), or
8 (e-10), whichever is applicable, ~~(e)~~ that favored the winning
9 bidder.

10 (e) Re-issued owners licenses shall be subject to annual
11 license fees as provided for in Section 7(a) and shall be
12 governed by the provisions of Sections 7(f), (g), (h), and (i).
13 (Source: P.A. 93-28, eff. 6-20-03.)

14 (230 ILCS 10/7.3)

15 Sec. 7.3. State conduct of gambling operations.

16 (a) If, after reviewing each application for a re-issued
17 license, the Board determines that the highest prospective
18 total revenue to the State would be derived from State conduct
19 of the gambling operation in lieu of re-issuing the license,
20 the Board shall inform each applicant of its decision. The
21 Board shall thereafter have the authority, without obtaining an
22 owners license, to conduct riverboat gambling operations as
23 previously authorized by the terminated, expired, revoked, or
24 nonrenewed license through a licensed manager selected
25 pursuant to an open and competitive bidding process as set

1 forth in Section 7.5 and as provided in Section 7.4.

2 (b) The Board may locate any riverboat on which a gambling
3 operation is conducted by the State in any home dock location
4 authorized by Section 3(c) upon receipt of approval from a
5 majority vote of the governing body of the municipality or
6 county, as the case may be, in which the riverboat will dock.

7 (c) The Board shall have jurisdiction over and shall
8 supervise all gambling operations conducted by the State
9 provided for in this Act and shall have all powers necessary
10 and proper to fully and effectively execute the provisions of
11 this Act relating to gambling operations conducted by the
12 State.

13 (d) The maximum number of owners licenses authorized under
14 Section 7 ~~7(e)~~ shall be reduced by one for each instance in
15 which the Board authorizes the State to conduct a riverboat
16 gambling operation under subsection (a) in lieu of re-issuing a
17 license to an applicant under Section 7.1.

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

19 (230 ILCS 10/7.5)

20 Sec. 7.5. Competitive Bidding. When the Board issues a
21 owners license authorized under subsection (e-5) or (e-10) of
22 Section 7 or determines that it will re-issue an owners license
23 pursuant to an open and competitive bidding process, as set
24 forth in Section 7.1, or that it will issue a managers license
25 pursuant to an open and competitive bidding process, as set

1 forth in Section 7.4, the open and competitive bidding process
2 shall adhere to the following procedures:

3 (1) The Board shall make applications for owners and
4 managers licenses available to the public and allow a
5 reasonable time for applicants to submit applications to the
6 Board.

7 (2) During the filing period for owners or managers license
8 applications, the Board may retain the services of an
9 investment banking firm to assist the Board in conducting the
10 open and competitive bidding process.

11 (3) After receiving all of the bid proposals, the Board
12 shall open all of the proposals in a public forum and disclose
13 the prospective owners or managers names, venture partners, if
14 any, and, in the case of applicants for owners licenses, the
15 locations of the proposed development sites.

16 (4) The Board shall summarize the terms of the proposals
17 and may make this summary available to the public.

18 (5) The Board shall evaluate the proposals within a
19 reasonable time and select no more than 3 final applicants to
20 make presentations of their proposals to the Board.

21 (6) The final applicants shall make their presentations to
22 the Board on the same day during an open session of the Board.

23 (7) As soon as practicable after the public presentations
24 by the final applicants, the Board, in its discretion, may
25 conduct further negotiations among the 3 final applicants.
26 During such negotiations, each final applicant may increase its

1 license bid or otherwise enhance its bid proposal. At the
2 conclusion of such negotiations, the Board shall select the
3 winning proposal. In the case of negotiations for an owners
4 license, the Board may, at the conclusion of such negotiations,
5 make the determination allowed under Section 7.3(a).

6 (8) Upon selection of a winning bid, the Board shall
7 evaluate the winning bid within a reasonable period of time for
8 licensee suitability in accordance with all applicable
9 statutory and regulatory criteria.

10 (9) If the winning bidder is unable or otherwise fails to
11 consummate the transaction, (including if the Board determines
12 that the winning bidder does not satisfy the suitability
13 requirements), the Board may, on the same criteria, select from
14 the remaining bidders or make the determination allowed under
15 Section 7.3(a).

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

17 (230 ILCS 10/7.6 new)

18 Sec. 7.6. Electronic gaming.

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

24 The General Assembly further finds, however, that despite
25 their shared features each industry is distinct from the other

1 in that horse racing is and continues to be intimately tied to
2 Illinois' agricultural economy and is, at its core, a spectator
3 sport. This distinction requires the General Assembly to
4 utilize different methods to regulate and promote the horse
5 racing industry throughout the State.

6 The General Assembly finds that in order to promote live
7 horse racing as a spectator sport in Illinois and the
8 agricultural economy of this State, it is necessary to allow
9 electronic gaming at Illinois race tracks given the success of
10 other states in increasing live racing purse accounts and
11 improving the quality of horses participating in horse race
12 meetings.

13 The General Assembly finds, however, that even though the
14 authority to conduct electronic gaming is a uniform means to
15 improve live horse racing in this State, electronic gaming must
16 be regulated and implemented differently in southern Illinois
17 versus the Chicago area. The General Assembly finds that
18 Fairmount Park is the only race track operating on a year round
19 basis in southern Illinois that offers live racing and for that
20 matter only conducts live thoroughbred racing. The General
21 Assembly finds that the current state of affairs deprives
22 spectators and standardbred horsemen residing in southern
23 Illinois of the opportunity to participate in live standardbred
24 racing in a manner similar to spectators, thoroughbred
25 horsemen, and standardbred horsemen residing in the Chicago
26 area. The General Assembly declares that southern Illinois

1 spectators and standardbred horsemen are entitled to have a
2 similar opportunity to participate in live standardbred racing
3 as spectators in the Chicago area. The General Assembly
4 declares that in order to remove this disparity between
5 southern Illinois and the Chicago area, it is necessary for the
6 State to regulate Fairmount Park differently from horse race
7 tracks found in the Chicago area and tie Fairmount Park's
8 authorization to conduct electronic gaming to a commitment to
9 conduct at least 25 days of standardbred racing as set forth in
10 subsection (d) of this Section.

11 (b) The Illinois Gaming Board shall award one electronic
12 gaming license to become effective on or after July 1, 2007 to
13 each organization licensee under the Illinois Horse Racing Act
14 of 1975, subject to application and eligibility requirements of
15 this Section. Within 60 days after the effective date of this
16 amendatory Act of the 95th General Assembly, a person, firm, or
17 corporation having operating control of a racetrack may submit
18 an application for an electronic gaming license. The
19 application shall specify the number of gaming positions the
20 applicant intends to use.

21 The Board shall determine within 180 days after receiving
22 an application for an electronic gaming license, whether to
23 grant an electronic gaming license to the organization
24 licensee. If the Board does not make a determination within 180
25 days, the Board shall give a written explanation to the
26 organization licensee as to why it has not reached a

1 determination and when it reasonably expects to make a
2 determination.

3 The electronic gaming licensee shall purchase the
4 electronic gaming positions authorized under this Act within
5 120 days after receiving its electronic gaming license. If an
6 electronic gaming licensee is prepared to purchase the
7 electronic gaming positions, but is temporarily prohibited
8 from doing so by order of a court of competent jurisdiction or
9 the Board, then the 120-day period is tolled until a resolution
10 is reached. If an electronic gaming licensee does purchase
11 electronic gaming positions within the 120-day period, then the
12 electronic gaming licensee shall not be estopped from
13 proceeding to operate or operating electronic gaming
14 positions, unless otherwise stated by a court of competent
15 jurisdiction or the Board.

16 The Gaming Board shall determine hours of operation for
17 electronic gaming facilities by rule.

18 (c) To be eligible to conduct electronic gaming, an
19 organization licensee must (i) obtain an electronic gaming
20 license, (ii) hold an organization license under the Illinois
21 Horse Racing Act of 1975, (iii) hold an inter-track wagering
22 license, (iv) pay a fee of \$12,500 for each position it is
23 authorized to operate before beginning to conduct electronic
24 gaming and an additional fee of \$12,500 for each position it is
25 authorized to operate no later than 12 months after the date it
26 first conducts electronic gaming, and (v) meet all other

1 requirements of this Act that apply to owners licensees.

2 With respect to the live racing requirement described in
3 this subsection, an organization licensee must conduct the same
4 number of days of thoroughbred or standardbred racing or both,
5 as the case may be, as it was awarded by the Board, unless a
6 lesser schedule of live racing is the result of (A) weather or
7 unsafe track conditions due to acts of God or (B) a strike
8 between the organization licensee and the associations
9 representing the largest number of owners, trainers, jockeys,
10 or standardbred drivers who race horses at that organization
11 licensee's racing meeting.

12 (d) In addition to the other eligibility requirements of
13 subsection (c), an organization licensee that holds an
14 electronic gaming license authorizing it to conduct electronic
15 gaming at Fairmount Park must apply for and conduct at least 25
16 days of standardbred racing in calendar year 2008 and
17 thereafter, unless a lesser schedule of live racing is the
18 result of (A) weather or unsafe track conditions due to acts of
19 God or (B) a strike between the organization licensee and the
20 associations representing the largest number of owners,
21 trainers, jockeys, or standardbred drivers who race horses at
22 that organization licensee's racing meeting.

23 (e) The Board may approve electronic gaming licenses
24 authorizing the conduct of electronic gaming by eligible
25 organization licensees.

26 (f) In calendar year 2007, the Board may approve up to

1 4,150 aggregate gambling positions statewide as provided in
2 this Section. The authority to operate positions under this
3 Section in calendar year 2007 shall be allocated as follows:

4 (1) The organization licensee operating at Arlington
5 Park Race Course may operate up to 1,200 gaming positions
6 at a time;

7 (2) The organization licensee operating at Hawthorne
8 Race Course may operate up to 1,100 gaming positions at a
9 time;

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

12 (4) The organization licensee operating at Maywood
13 Park may operate up to 950 gaming positions at a time; and

14 (5) The organization licensee operating at Fairmount
15 Park may operate up to 600 gaming positions at a time.

16 (g) For each calendar year after 2007 in which an
17 electronic gaming licensee requests a number of racing days
18 under its organization license that is less than 90% of the
19 number of days of live racing it was awarded in 2007, the
20 electronic gaming licensee may not conduct electronic gaming.

21 (h) On the second anniversary of the issuance of an
22 electronic gaming license, the Gaming Board shall review the
23 average daily live on-track handle at the race track where the
24 electronic gaming licensee's electronic gaming facility is
25 located. If the average daily live on-track handle at that race
26 track is higher than the average daily live on-track handle at

1 the race track in calendar year 2006 by at least 10%, then the
2 board shall allow that race track to operate up to 10% more
3 additional electronic gaming positions, subject to the initial
4 fees described in subsection (c) for each additional position
5 allowed.

6 (i) In any calendar year that an organization licensee with
7 an electronic gaming license conducts fewer races than they
8 conducted in 2006, the revenues generated by the electronic
9 gaming licensee from electronic gaming on the days when racing
10 did not occur will be split evenly between that organization
11 licensee's purse account and the Racing Industry Worker's Fund.

12 (j) Upon the renewal of an electronic gaming license at
13 tracks located in counties other than Madison County, if an
14 electronic gaming licensee had a higher average daily live
15 on-track racing handle in the term of its previous electronic
16 gaming license than in 2006, then the number of electronic
17 gaming positions that the electronic gaming licensee may
18 operate after its license is renewed shall be increased by a
19 percentage equal to the percentage increase in average daily
20 live on-track racing handle during that previous license term
21 over calendar year 2006, but in no event by more than 10%. If
22 an electronic gaming licensee had a lower average daily live
23 on-track racing handle in the term of its previous electronic
24 gaming license than in 2006, then the percentage of gross
25 gaming receipts due the licensee under subsection (b) of
26 Section 56 for the new term shall be reduced by a percentage

1 equal to the percentage decrease in average daily live on-track
2 racing handle during the previous license term over calendar
3 year 2006. For the new term, the reduction in an electronic
4 gaming licensee's percentage of gross gaming receipts shall
5 result in a corresponding and equal increase in the percentage
6 of gross gaming receipts paid to purse equity accounts.

7 Upon the renewal of an electronic gaming license at a track
8 located in Madison County, if an electronic gaming licensee had
9 a higher average daily live on-track racing handle in the term
10 of its previous electronic gaming license than in 1999, then
11 the number of electronic gaming positions that the electronic
12 gaming licensee may operate after its license is renewed shall
13 be increased by a percentage equal to the percentage increase
14 in average daily live on-track racing handle during that
15 previous license term over calendar year 1999, but in no event
16 by more than 10%. If an electronic gaming licensee had a lower
17 average daily live on-track racing handle in the term of its
18 previous electronic gaming license than in 1999, then the
19 percentage of gross gaming receipts due the licensee under
20 subsection (b) of Section 56 for the new term shall be reduced
21 by a percentage equal to the percentage decrease in average
22 daily live on-track racing handle during the previous license
23 term over calendar year 1999. For the new term, the reduction
24 in an electronic gaming licensee's percentage of gross gaming
25 receipts shall result in a corresponding and equal increase in
26 the percentage of gross gaming receipts paid to purse equity

1 accounts.

2 (k) Subject to the approval of the Illinois Gaming Board,
3 an electronic gaming licensee may make modification or
4 additions to any existing buildings and structures to comply
5 with the requirements of this Act. The Illinois Gaming Board
6 shall make its decision after consulting with the Illinois
7 Racing Board. In no case, however, shall the Illinois Gaming
8 Board approve any modification or addition that alters the
9 grounds of the organizational licensee such that the act of
10 live racing is an ancillary activity to electronic gaming.

11 Electronic gaming may take place in existing structures
12 where inter track wagering is conducted at the race track or a
13 facility within 300 yards of the race track in accordance with
14 the provisions of this Act and the Illinois Horse Racing Act of
15 1975.

16 (l) An electronic gaming licensee may conduct electronic
17 gaming at a temporary facility pending the construction of a
18 permanent facility or the remodeling of an existing facility to
19 accommodate electronic gaming participants for up to 12 months
20 after receiving an electronic gaming license. Upon request by
21 an electronic gaming licensee and upon a showing of good cause
22 by the electronic gaming licensee, the Board shall extend the
23 period during which the licensee may conduct electronic gaming
24 at a temporary facility by up to 12 months. The Board shall
25 make rules concerning the conduct of electronic gaming from
26 temporary facilities.

1 (m) The Illinois Gaming Board must adopt emergency rules in
2 accordance with Section 5-45 of the Illinois Administrative
3 Procedure Act as necessary to ensure compliance with the
4 provisions of this amendatory Act of the 95th General Assembly
5 concerning electronic gaming. The adoption of emergency rules
6 authorized by this subsection (j) shall be deemed to be
7 necessary for the public interest, safety, and welfare.

8 (n) As soon as practical after a request is made by the
9 Illinois Gaming Board, to minimize duplicate submissions by the
10 applicant, the Illinois Racing Board must provide information
11 on an applicant for an electronic gaming license to the
12 Illinois Gaming Board.

13 (230 ILCS 10/7.7 new)

14 Sec. 7.7. Home rule. The regulation and licensing of
15 electronic gaming and electronic gaming licensees are
16 exclusive powers and functions of the State. A home rule unit
17 may not regulate or license electronic gaming or electronic
18 gaming licensees. This Section is a denial and limitation of
19 home rule powers and functions under subsection (h) of Section
20 6 of Article VII of the Illinois Constitution.

21 (230 ILCS 10/8) (from Ch. 120, par. 2408)

22 Sec. 8. Suppliers licenses.

23 (a) The Board may issue a suppliers license to such
24 persons, firms or corporations which apply therefor upon the

1 payment of a non-refundable application fee set by the Board,
2 upon a determination by the Board that the applicant is
3 eligible for a suppliers license and upon payment of a \$5,000
4 annual license fee.

5 (b) The holder of a suppliers license is authorized to sell
6 or lease, and to contract to sell or lease, gambling equipment
7 and supplies to any licensee involved in the ownership or
8 management of gambling operations.

9 (c) Gambling supplies and equipment may not be distributed
10 unless supplies and equipment conform to standards adopted by
11 rules of the Board.

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

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

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

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

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

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

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

1 gambling authorized under this Act;

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

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

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

3 (g) Any gambling equipment, devices and supplies provided
4 by any licensed supplier may either be repaired on the
5 riverboat, in a casino, or in an electronic gaming facility or
6 removed from the riverboat, casino, or electronic gaming
7 facility to a ~~an on shore~~ facility owned by the holder of an
8 owners license or electronic gaming license for repair.

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

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

11 Sec. 9. Occupational licenses.

12 (a) The Board may issue an occupational license to an
13 applicant upon the payment of a non-refundable fee set by the
14 Board, upon a determination by the Board that the applicant is
15 eligible for an occupational license and upon payment of an
16 annual license fee in an amount to be established. To be
17 eligible for an occupational license, an applicant must:

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

22 (2) not have been convicted of a felony offense, a
23 violation of Article 28 of the Criminal Code of 1961, or a
24 similar statute of any other jurisdiction, or a crime
25 involving dishonesty or moral turpitude;

1 (3) have demonstrated a level of skill or knowledge
2 which the Board determines to be necessary in order to
3 operate gambling aboard a riverboat, in a casino, or at an
4 electronic gaming facility; and

5 (4) have met standards for the holding of an
6 occupational license as adopted by rules of the Board. Such
7 rules shall provide that any person or entity seeking an
8 occupational license to manage gambling operations
9 hereunder shall be subject to background inquiries and
10 further requirements similar to those required of
11 applicants for an owners license. Furthermore, such rules
12 shall provide that each such entity shall be permitted to
13 manage gambling operations for only one licensed owner.

14 (b) Each application for an occupational license shall be
15 on forms prescribed by the Board and shall contain all
16 information required by the Board. The applicant shall set
17 forth in the application: whether he has been issued prior
18 gambling related licenses; whether he has been licensed in any
19 other state under any other name, and, if so, such name and his
20 age; and whether or not a permit or license issued to him in
21 any other state has been suspended, restricted or revoked, and,
22 if so, for what period of time.

23 (c) Each applicant shall submit with his application, on
24 forms provided by the Board, 2 sets of his fingerprints. The
25 Board shall charge each applicant a fee set by the Department
26 of State Police to defray the costs associated with the search

1 and classification of fingerprints obtained by the Board with
2 respect to the applicant's application. These fees shall be
3 paid into the State Police Services Fund.

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

12 (e) The Board may suspend, revoke or restrict any
13 occupational licensee: (1) for violation of any provision of
14 this Act; (2) for violation of any of the rules and regulations
15 of the Board; (3) for any cause which, if known to the Board,
16 would have disqualified the applicant from receiving such
17 license; or (4) for default in the payment of any obligation or
18 debt due to the State of Illinois; or (5) for any other just
19 cause.

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

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

24 (h) Nothing in this Act shall be interpreted to prohibit a
25 licensed owner or electronic gaming licensee from entering into
26 an agreement with a school approved under the Private Business

1 and Vocational Schools Act for the training of any occupational
2 licensee. Any training offered by such a school shall be in
3 accordance with a written agreement between the licensed owner
4 or electronic gaming licensee and the school.

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

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

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

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

25 (1) A licensee may conduct riverboat gambling

1 authorized under this Act regardless of whether it conducts
2 excursion cruises. A licensee may permit the continuous
3 ingress and egress of passengers for the purpose of
4 gambling.

5 (2) (Blank).

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

8 (4) Agents of the Board and the Department of State
9 Police may board and inspect any riverboat, enter and
10 inspect any portion of a casino, or enter and inspect any
11 portion of an electronic gaming facility where electronic
12 gaming is conducted at any time for the purpose of
13 determining whether this Act is being complied with. Every
14 riverboat, if under way and being hailed by a law
15 enforcement officer or agent of the Board, must stop
16 immediately and lay to.

17 (5) Employees of the Board shall have the right to be
18 present on the riverboat or in the casino or on adjacent
19 facilities under the control of the licensee and at the
20 electronic gaming facility under the control of the
21 electronic gaming licensee.

22 (6) Gambling equipment and supplies customarily used
23 in conducting riverboat or casino gambling or electronic
24 gaming must be purchased or leased only from suppliers
25 licensed for such purpose under this Act.

26 (7) Persons licensed under this Act shall permit no

1 form of wagering on gambling games except as permitted by
2 this Act.

3 (8) Wagers may be received only from a person present
4 on a licensed riverboat, in a casino, or at an electronic
5 gaming facility. No person present on a licensed riverboat,
6 in a casino, or at an electronic gaming facility shall
7 place or attempt to place a wager on behalf of another
8 person who is not present on the riverboat, in the casino,
9 or at the electronic gaming facility.

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

12 (10) A person under age 21 shall not be permitted on an
13 area of a riverboat or casino where gambling is being
14 conducted or at an electronic gaming facility where
15 gambling is conducted, except for a person at least 18
16 years of age who is an employee of the riverboat or casino
17 gambling operation or electronic gaming operation. No
18 employee under age 21 shall perform any function involved
19 in gambling by the patrons. No person under age 21 shall be
20 permitted to make a wager under this Act.

21 (11) Gambling excursion cruises are permitted only
22 when the waterway for which the riverboat is licensed is
23 navigable, as determined by the Board in consultation with
24 the U.S. Army Corps of Engineers. This paragraph (11) does
25 not limit the ability of a licensee to conduct gambling
26 authorized under this Act when gambling excursion cruises

1 are not permitted.

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

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

1 fees shall be deposited into the State Gaming Fund. All
2 such fines shall be deposited into the Education Assistance
3 Fund, created by Public Act 86-0018, of the State of
4 Illinois.

5 (14) In addition to the above, gambling must be
6 conducted in accordance with all rules adopted by the
7 Board.

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

9 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

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

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

20 (230 ILCS 10/12) (from Ch. 120, par. 2412)

21 Sec. 12. Admission tax; fees.

22 (a) A tax is hereby imposed upon admissions to riverboat
23 and casino gambling facilities and electronic gaming
24 facilities ~~riverboats~~ operated by licensed owners authorized

1 pursuant to this Act. Until July 1, 2002, the rate is \$2 per
2 person admitted. From July 1, 2002 until July 1, 2003, the rate
3 is \$3 per person admitted. From July 1, 2003 until August 23,
4 2005 (the effective date of Public Act 94-673) ~~this amendatory~~
5 ~~Act of the 94th General Assembly,~~ for a licensee that admitted
6 1,000,000 persons or fewer in the previous calendar year, the
7 rate is \$3 per person admitted; for a licensee that admitted
8 more than 1,000,000 but no more than 2,300,000 persons in the
9 previous calendar year, the rate is \$4 per person admitted; and
10 for a licensee that admitted more than 2,300,000 persons in the
11 previous calendar year, the rate is \$5 per person admitted.
12 From August 23, 2005 (the effective date of Public Act 94-673)
13 until the effective date of this amendatory Act of the 95th
14 General Assembly ~~Beginning on the effective date of this~~
15 ~~amendatory Act of the 94th General Assembly,~~ for a licensee
16 that admitted 1,000,000 persons or fewer in calendar year 2004,
17 the rate is \$2 per person admitted, and for all other licensees
18 the rate is \$3 per person admitted. Beginning on the effective
19 date of this amendatory Act of the 95th General Assembly, the
20 rate is \$2 per person for the first 1,500,000 persons admitted
21 by a licensee per year and \$3 per person for all persons
22 admitted by that licensee in excess of 1,500,000 per year. This
23 admission tax is imposed upon the licensed owner conducting
24 gambling.

25 (1) The admission tax shall be paid for each admission,
26 except that a person who exits a gambling facility and

1 reenters that gambling facility within a reasonable time,
2 as determined by the Board by rule, shall be subject only
3 to the initial admission tax.

4 (2) (Blank).

5 (3) The owners ~~riverboat~~ licensee may issue tax-free
6 passes to actual and necessary officials and employees of
7 the licensee or other persons actually working on the
8 riverboat, in the casino, or in the electronic gaming
9 facility.

10 (4) The number and issuance of tax-free passes is
11 subject to the rules of the Board, and a list of all
12 persons to whom the tax-free passes are issued shall be
13 filed with the Board.

14 (a-5) A fee is hereby imposed upon admissions operated by
15 licensed managers on behalf of the State pursuant to Section
16 7.3 at the rates provided in this subsection (a-5). Until the
17 effective date of this amendatory Act of the 95th General
18 Assembly, For a licensee that admitted 1,000,000 persons or
19 fewer in the previous calendar year, the rate is \$3 per person
20 admitted; for a licensee that admitted more than 1,000,000 but
21 no more than 2,300,000 persons in the previous calendar year,
22 the rate is \$4 per person admitted; and for a licensee that
23 admitted more than 2,300,000 persons in the previous calendar
24 year, the rate is \$5 per person admitted. Beginning on the
25 effective date of this amendatory Act of the 95th General
26 Assembly, the rate is \$2 per person for the first 1,500,000

1 persons admitted by a licensee per year and \$3 per person for
2 all persons admitted by that licensee in excess of 1,500,000
3 per year.

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

5 (2) (Blank).

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

9 (4) The number and issuance of fee-free passes is
10 subject to the rules of the Board, and a list of all
11 persons to whom the fee-free passes are issued shall be
12 filed with the Board.

13 (b) From the tax imposed under subsection (a) and the fee
14 imposed under subsection (a-5), a municipality shall receive
15 from the State \$1 for each person embarking on a riverboat
16 docked within the municipality or entering a casino located
17 within the municipality, and a county shall receive \$1 for each
18 person entering a casino or embarking on a riverboat docked
19 within the county but outside the boundaries of any
20 municipality. The municipality's or county's share shall be
21 collected by the Board on behalf of the State and remitted
22 quarterly by the State, subject to appropriation, to the
23 treasurer of the unit of local government for deposit in the
24 general fund.

25 (c) The licensed owner shall pay the entire admission tax
26 to the Board and the licensed manager shall pay the entire

1 admission fee to the Board. Such payments shall be made daily.
2 Accompanying each payment shall be a return on forms provided
3 by the Board which shall include other information regarding
4 admissions as the Board may require. Failure to submit either
5 the payment or the return within the specified time may result
6 in suspension or revocation of the owners or managers license.

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

13 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
14 eff. 8-23-05.)

15 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

20 (a-1) From January 1, 1998 until July 1, 2002, a privilege
21 tax is imposed on persons engaged in the business of conducting
22 riverboat gambling operations, based on the adjusted gross
23 receipts received by a licensed owner from gambling games
24 authorized under this Act at the following rates:

25 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 20% of annual adjusted gross receipts in excess of
3 \$25,000,000 but not exceeding \$50,000,000;

4 25% of annual adjusted gross receipts in excess of
5 \$50,000,000 but not exceeding \$75,000,000;

6 30% of annual adjusted gross receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000;

8 35% of annual adjusted gross receipts in excess of
9 \$100,000,000.

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

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;

19 22.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of
26 \$100,000,000 but not exceeding \$150,000,000;

1 45% of annual adjusted gross receipts in excess of
2 \$150,000,000 but not exceeding \$200,000,000;

3 50% of annual adjusted gross receipts in excess of
4 \$200,000,000.

5 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
6 persons engaged in the business of conducting riverboat
7 gambling operations, other than licensed managers conducting
8 riverboat gambling operations on behalf of the State, based on
9 the adjusted gross receipts received by a licensed owner from
10 gambling games authorized under this Act at the following
11 rates:

12 15% of annual adjusted gross receipts up to and
13 including \$25,000,000;

14 27.5% of annual adjusted gross receipts in excess of
15 \$25,000,000 but not exceeding \$37,500,000;

16 32.5% of annual adjusted gross receipts in excess of
17 \$37,500,000 but not exceeding \$50,000,000;

18 37.5% of annual adjusted gross receipts in excess of
19 \$50,000,000 but not exceeding \$75,000,000;

20 45% of annual adjusted gross receipts in excess of
21 \$75,000,000 but not exceeding \$100,000,000;

22 50% of annual adjusted gross receipts in excess of
23 \$100,000,000 but not exceeding \$250,000,000;

24 70% of annual adjusted gross receipts in excess of
25 \$250,000,000.

26 An amount equal to the amount of wagering taxes collected

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

5 The privilege tax imposed under this subsection (a-3) shall
6 no longer be imposed beginning on the earlier of (i) July 1,
7 2005; (ii) the first date after June 20, 2003 that riverboat
8 gambling operations are conducted pursuant to a dormant
9 license; or (iii) the first day that riverboat gambling
10 operations are conducted under the authority of an owners
11 license that is in addition to the 10 owners licenses initially
12 authorized under this Act. For the purposes of this subsection
13 (a-3), the term "dormant license" means an owners license that
14 is authorized by this Act under which no riverboat gambling
15 operations are being conducted on June 20, 2003.

16 (a-4) From ~~Beginning on~~ the first day on which the tax
17 imposed under subsection (a-3) is no longer imposed until the
18 effective date of this amendatory Act of the 95th General
19 Assembly, a privilege tax is imposed on persons engaged in the
20 business of conducting riverboat gambling operations, other
21 than licensed managers conducting riverboat gambling
22 operations on behalf of the State, based on the adjusted gross
23 receipts received by a licensed owner from gambling games
24 authorized under this Act at the following rates:

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

1 22.5% of annual adjusted gross receipts in excess of
2 \$25,000,000 but not exceeding \$50,000,000;

3 27.5% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 32.5% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 37.5% of annual adjusted gross receipts in excess of
8 \$100,000,000 but not exceeding \$150,000,000;

9 45% of annual adjusted gross receipts in excess of
10 \$150,000,000 but not exceeding \$200,000,000;

11 50% of annual adjusted gross receipts in excess of
12 \$200,000,000.

13 (a-5) Beginning on the effective date of this amendatory
14 Act of the 95th General Assembly, a privilege tax is imposed on
15 persons engaged in the business of conducting riverboat or
16 casino gambling operations, based on the adjusted gross
17 receipts received by a licensed owner from gambling games
18 authorized under this Act, and on persons conducting electronic
19 gaming, based on the adjusted gross receipts received by an
20 electronic gaming licensee from electronic gambling, at the
21 following rates:

22 15% of annual adjusted gross receipts up to and
23 including \$25,000,000;

24 20% of annual adjusted gross receipts in excess of
25 \$25,000,000 but not exceeding \$50,000,000;

26 25% of annual adjusted gross receipts in excess of

1 \$50,000,000 but not exceeding \$75,000,000;

2 30% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$100,000,000;

4 35% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$400,000,000;

6 40% of annual adjusted gross receipts in excess of
7 \$400,000,000 but not exceeding \$450,000,000;

8 45% of annual adjusted gross receipts in excess of
9 \$450,000,000 but not exceeding \$500,000,000;

10 50% of annual adjusted gross receipts in excess of
11 \$500,000,000.

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

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

19 (a-15) If the privilege tax imposed under subsection (a-3)
20 is no longer imposed pursuant to item (i) of the last paragraph
21 of subsection (a-3), then by June 15 of each year, each owners
22 licensee, other than an owners licensee that admitted 1,000,000
23 persons or fewer in calendar year 2004, must, in addition to
24 the payment of all amounts otherwise due under this Section,
25 pay to the Board a reconciliation payment in the amount, if
26 any, by which the licensed owner's base amount exceeds the

1 amount of net privilege tax paid by the licensed owner to the
2 Board in the then current State fiscal year. A licensed owner's
3 net privilege tax obligation due for the balance of the State
4 fiscal year shall be reduced up to the total of the amount paid
5 by the licensed owner in its June 15 reconciliation payment.
6 The obligation imposed by this subsection (a-15) is binding on
7 any person, firm, corporation, or other entity that acquires an
8 ownership interest in any such owners license. The obligation
9 imposed under this subsection (a-15) terminates on the earliest
10 of: (i) July 1, 2007, (ii) the first day after the effective
11 date of this amendatory Act of the 94th General Assembly that
12 riverboat gambling operations are conducted pursuant to a
13 dormant license, (iii) the first day that riverboat gambling
14 operations are conducted under the authority of an owners
15 license that is in addition to the 10 owners licenses initially
16 authorized under this Act, or (iv) the first day that a
17 licensee under the Illinois Horse Racing Act of 1975 conducts
18 gaming operations with slot machines or other electronic gaming
19 devices. The Board must reduce the obligation imposed under
20 this subsection (a-15) by an amount the Board deems reasonable
21 for any of the following reasons: (A) an act or acts of God,
22 (B) an act of bioterrorism or terrorism or a bioterrorism or
23 terrorism threat that was investigated by a law enforcement
24 agency, or (C) a condition beyond the control of the owners
25 licensee that does not result from any act or omission by the
26 owners licensee or any of its agents and that poses a hazardous

1 threat to the health and safety of patrons. If an owners
2 licensee pays an amount in excess of its liability under this
3 Section, the Board shall apply the overpayment to future
4 payments required under this Section.

5 For purposes of this subsection (a-15):

6 "Act of God" means an incident caused by the operation of
7 an extraordinary force that cannot be foreseen, that cannot be
8 avoided by the exercise of due care, and for which no person
9 can be held liable.

10 "Base amount" means the following:

11 For a riverboat in Alton, \$31,000,000.

12 For a riverboat in East Peoria, \$43,000,000.

13 For the Empress riverboat in Joliet, \$86,000,000.

14 For a riverboat in Metropolis, \$45,000,000.

15 For the Harrah's riverboat in Joliet, \$114,000,000.

16 For a riverboat in Aurora, \$86,000,000.

17 For a riverboat in East St. Louis, \$48,500,000.

18 For a riverboat in Elgin, \$198,000,000.

19 "Dormant license" has the meaning ascribed to it in
20 subsection (a-3).

21 "Net privilege tax" means all privilege taxes paid by a
22 licensed owner to the Board under this Section, less all
23 payments made from the State Gaming Fund pursuant to subsection
24 (b) of this Section.

25 The changes made to this subsection (a-15) by Public Act
26 94-839 ~~this amendatory Act of the 94th General Assembly~~ are

1 intended to restate and clarify the intent of Public Act 94-673
2 with respect to the amount of the payments required to be made
3 under this subsection by an owners licensee to the Board.

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

16 For calendar year 2007 and each year thereafter, the unit
17 of local government (1) that is designated as the home dock of
18 a riverboat or (2) in which a casino is located shall not
19 receive more money pursuant to this subsection (b) than it
20 received in the calendar year in which 90% of the positions
21 certified by the licensee under subsection (h) of Section 7 are
22 operational.

23 (b-5) Beginning on the effective date of this amendatory
24 Act of the 95th General Assembly, from the tax revenue from
25 electronic gaming deposited into the State Gaming Fund under
26 this Section, an amount equal to 1% of the adjusted gross

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

9 (b-10) Beginning on the effective date of this amendatory
10 Act of the 95th General Assembly, from the tax revenue from
11 electronic gaming deposited into the State Gaming Fund under
12 this Section, an amount equal to 1% of the adjusted gross
13 receipts generated by an electronic gaming licensee, but in no
14 event more than \$25,000,000 in any year, shall be paid monthly
15 into the Intercity Development Fund.

16 (b-12) Beginning on the effective date of this amendatory
17 Act of the 95th General Assembly, from the tax revenue from
18 electronic gaming deposited into the State Gaming Fund under
19 this Section, an amount equal to 2% of the adjusted gross
20 receipts generated by an electronic gaming licensee, but in no
21 event more than \$5,900,000 in any year, shall be paid monthly
22 into the Illinois Colt Stakes Purse Distribution Fund to be
23 used for horse racing purses at the Illinois State Fair and
24 DuQuoin State Fair and for bonus programs to pay owners of
25 horses that win multiple stake races that are restricted to
26 Illinois conceived and foaled horses.

1 (b-13) Beginning on the effective date of this amendatory
2 Act of the 95th General Assembly, from the tax revenue from
3 electronic gaming deposited into the State Gaming Fund under
4 this Section, an amount equal to one-twelfth of \$100,000 shall
5 be transferred monthly to the Agricultural Premium Fund to be
6 used for drug testing of horses at county fairs authorized in
7 Section 34.3 of the Illinois Horse Racing Act of 1975.

8 (b-15) Beginning on the effective date of this amendatory
9 Act of the 95th General Assembly, after the payments required
10 under subsections (b), (b-5), (b-10), (b-12), and (b-13) have
11 been made, the first \$5,000,000 of tax revenue derived from
12 electronic gaming shall be paid to the Department of Human
13 Services to be used for compulsive gambling programs and the
14 next \$2,000,000 of tax revenue derived from electronic gaming
15 shall be paid to the Department of Agriculture to be used to
16 premium reimbursement at Illinois county fairs under the
17 Agricultural Fair Act. From the tax revenue deposited in the
18 State Gaming Fund pursuant to riverboat gambling operations
19 conducted by a licensed manager on behalf of the State, an
20 amount equal to 5% of adjusted gross receipts generated
21 pursuant to those riverboat gambling operations shall be paid
22 monthly, subject to appropriation by the General Assembly, to
23 the unit of local government that is designated as the home
24 dock of the riverboat upon which those riverboat gambling
25 operations are conducted.

26 (b-20) Beginning on the effective date of this amendatory

1 Act of the 95th General Assembly, after the payments required
2 under subsections (b), (b-5), (b-10), (b-12), (b-13), and
3 (b-15) have been made, from the tax revenue from electronic
4 gaming deposited into the State Gaming Fund under this Section,
5 the following payments shall be made:

6 (1) \$250,000 to the Illinois Racing Quarterhorse
7 Breeders Fund.

8 (2) \$400,000 to the University of Illinois for equine
9 research.

10 (3) \$400,000 to Southern Illinois University for
11 equine research.

12 (b-25) Beginning on the effective date of this amendatory
13 Act of the 95th General Assembly, after the payments required
14 under subsections (b), (b-5), (b-10), (b-12), (b-13), (b-15),
15 and (b-20) have been made, from the tax revenue from electronic
16 gaming deposited into the State Gaming Fund under this Section,
17 an amount equal to 15% of the adjusted gross receipts generated
18 by an electronic gaming licensee, minus the distribution
19 provided pursuant to subsection (b) of Section 56 of the
20 Illinois Horse Racing Act of 1975 to purse equity accounts,
21 shall be paid monthly to the electronic gaming licensee for
22 deposit into their purse equity accounts.

23 (b-30) Beginning on the effective date of this amendatory
24 act of the 95th General Assembly, after the payments required
25 under subsections (b), (b-5), (b-10), (b-12), (b-13), (b-15),
26 (b-20), and (b-25) have been made, from the tax revenue from

1 electronic gaming deposited into the State Gaming Fund under
2 this Section, an amount equal to one-twelfth of \$1,250,000
3 shall be paid monthly to the Illinois Racing Board for the
4 purpose of making grants to non-profit organizations that
5 provide medical and family, counseling, and similar services to
6 persons who reside or work on the backstretch of Illinois
7 racetracks.

8 (c) Appropriations, as approved by the General Assembly,
9 may be made from the State Gaming Fund to the Department of
10 Revenue and the Department of State Police for the
11 administration and enforcement of this Act, or to the
12 Department of Human Services for the administration of programs
13 to treat problem gambling.

14 (c-5) (Blank). ~~Before the effective date of this amendatory~~
15 ~~Act of the 94th General Assembly and beginning 2 years after~~
16 ~~the effective date of this amendatory Act of the 94th General~~
17 ~~Assembly, after the payments required under subsections (b) and~~
18 ~~(c) have been made, an amount equal to 15% of the adjusted~~
19 ~~gross receipts of (1) an owners licensee that relocates~~
20 ~~pursuant to Section 11.2, (2) an owners licensee conducting~~
21 ~~riverboat gambling operations pursuant to an owners license~~
22 ~~that is initially issued after June 25, 1999, or (3) the first~~
23 ~~riverboat gambling operations conducted by a licensed manager~~
24 ~~on behalf of the State under Section 7.3, whichever comes~~
25 ~~first, shall be paid from the State Gaming Fund into the Horse~~
26 ~~Racing Equity Fund.~~

1 (c-10) (Blank). ~~Each year the General Assembly shall~~
2 ~~appropriate from the General Revenue Fund to the Education~~
3 ~~Assistance Fund an amount equal to the amount paid into the~~
4 ~~Horse Racing Equity Fund pursuant to subsection (c-5) in the~~
5 ~~prior calendar year.~~

6 (c-12) After the payments required under subsections (b),
7 (b-5), (b-10), (b-12), (b-13), (b-15), (b-20), (b-25), and (c)
8 have been made, an amount equal to 2% of the adjusted gross
9 receipts of a licensee conducting gambling operations in a home
10 rule county with a population in excess of 3,000,000
11 inhabitants pursuant to a license issued by the Board under
12 this Act after the effective date of this amendatory Act of the
13 95th General Assembly shall be paid from the State Gaming Fund
14 to that home rule county.

15 (c-15) After the payments required under subsections (b)
16 ~~and~~, (c), ~~and (c-5)~~ have been made, an amount equal to 2% of
17 the adjusted gross receipts of (1) an owners licensee that
18 relocates pursuant to Section 11.2, (2) an owners licensee
19 conducting riverboat gambling operations pursuant to an owners
20 license that is initially issued after June 25, 1999, or (3)
21 the first riverboat gambling operations conducted by a licensed
22 manager on behalf of the State under Section 7.3, whichever
23 comes first, shall be paid, subject to appropriation from the
24 General Assembly, from the State Gaming Fund to each home rule
25 county with a population of over 3,000,000 inhabitants for the
26 purpose of enhancing the county's criminal justice system.

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

6 (c-25) After the payments required under subsections (b),
7 (c), ~~(c-5)~~ and (c-15) have been made, an amount equal to 2% of
8 the adjusted gross receipts of (1) an owners licensee that
9 relocates pursuant to Section 11.2, (2) an owners licensee
10 conducting riverboat gambling operations pursuant to an owners
11 license that is initially issued after June 25, 1999, or (3)
12 the first riverboat gambling operations conducted by a licensed
13 manager on behalf of the State under Section 7.3, whichever
14 comes first, shall be paid from the State Gaming Fund to
15 Chicago State University.

16 (d) From time to time, the Board shall transfer the
17 remainder of the funds generated by this Act into the Education
18 Assistance Fund, created by Public Act 86-0018, of the State of
19 Illinois.

20 (e) Nothing in this Act shall prohibit the unit of local
21 government designated as the home dock of the riverboat or the
22 municipality in which a casino is located from entering into
23 agreements with other units of local government in this State
24 or in other states to share its portion of the tax revenue.

25 (f) To the extent practicable, the Board shall administer
26 and collect the wagering taxes imposed by this Section in a

1 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
2 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
3 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
4 Penalty and Interest Act.

5 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
6 eff. 8-23-05; 94-804, eff. 5-26-06; 94-839, eff. 6-6-06;
7 revised 8-3-06.)

8 (230 ILCS 10/14) (from Ch. 120, par. 2414)

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

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

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

14 (2) The total amount of gross receipts.

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

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

20 (c) The books and records kept by a licensed owner or
21 electronic gaming licensee as provided by this Section are
22 public records and the examination, publication, and
23 dissemination of the books and records are governed by the
24 provisions of The Freedom of Information Act.

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

1 (230 ILCS 10/18) (from Ch. 120, par. 2418)

2 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

12 or

13 (2) violating paragraph (12) of subsection (a) of
14 Section 11 of this Act.

15 (c) A person wagering or accepting a wager at any location
16 outside the riverboat, casino, or electronic gaming facility in
17 violation of paragraph ~~is subject to the penalties in~~
18 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
19 Criminal Code of 1961 is subject to the penalties provided in
20 that Section.

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

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

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

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

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

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

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

26 (iii) In analyzing the probability of the

1 occurrence of an event relating to the gambling game.

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

5 (4) Cheats at a gambling game.

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

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

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

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

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

25 (10) Possesses any key or device designed for the
26 purpose of opening, entering, or affecting the operation of

1 a gambling game, drop box, or an electronic or mechanical
2 device connected with the gambling game or for removing
3 coins, tokens, chips or other contents of a gambling game.
4 This paragraph (10) does not apply to a gambling licensee
5 or employee of a gambling licensee acting in furtherance of
6 the employee's employment.

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

11 An action to prosecute any crime occurring on a riverboat
12 shall be tried in the county of the dock at which the riverboat
13 is based. An action to prosecute any crime occurring in a
14 casino shall be tried in the county in which the casino is
15 located.

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

17 (230 ILCS 10/19) (from Ch. 120, par. 2419)

18 Sec. 19. Forfeiture of property.

19 (a) Except as provided in subsection (b), any riverboat,
20 casino, or electronic gaming facility used for the conduct of
21 gambling games in violation of this Act shall be considered a
22 gambling place in violation of Section 28-3 of the Criminal
23 Code of 1961, as now or hereafter amended. Every gambling
24 device found on a riverboat, in a casino, or at an electronic
25 gaming facility operating gambling games in violation of this

1 Act and every slot machine found at an electronic gaming
2 facility operating gambling games in violation of this Act
3 shall be subject to seizure, confiscation and destruction as
4 provided in Section 28-5 of the Criminal Code of 1961, as now
5 or hereafter amended.

6 (b) It is not a violation of this Act for a riverboat or
7 other watercraft which is licensed for gaming by a contiguous
8 state to dock on the shores of this State if the municipality
9 having jurisdiction of the shores, or the county in the case of
10 unincorporated areas, has granted permission for docking and no
11 gaming is conducted on the riverboat or other watercraft while
12 it is docked on the shores of this State. No gambling device
13 shall be subject to seizure, confiscation or destruction if the
14 gambling device is located on a riverboat or other watercraft
15 which is licensed for gaming by a contiguous state and which is
16 docked on the shores of this State if the municipality having
17 jurisdiction of the shores, or the county in the case of
18 unincorporated areas, has granted permission for docking and no
19 gaming is conducted on the riverboat or other watercraft while
20 it is docked on the shores of this State.

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

22 (230 ILCS 10/20) (from Ch. 120, par. 2420)

23 Sec. 20. Prohibited activities - civil penalties. Any
24 person who conducts a gambling operation without first
25 obtaining a license to do so, or who continues to conduct such

1 games after revocation of his license, or any licensee who
2 conducts or allows to be conducted any unauthorized gambling
3 games on a riverboat, in a casino, or at an electronic gaming
4 facility where it is authorized to conduct its ~~riverboat~~
5 gambling operation, in addition to other penalties provided,
6 shall be subject to a civil penalty equal to the amount of
7 gross receipts derived from wagering on the gambling games,
8 whether unauthorized or authorized, conducted on that day as
9 well as confiscation and forfeiture of all gambling game
10 equipment used in the conduct of unauthorized gambling games.

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

12 Section 935. The Illinois Pull Tabs and Jar Games Act is
13 amended by changing Sections 1.1, 4, and 5 as follows:

14 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

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

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

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

7 "Pull tabs and jar games", as used in this Act, does not
8 include the following: numbers, policy, bolita or similar
9 games, dice, slot machines, bookmaking and wagering pools with
10 respect to a sporting event, or that game commonly known as
11 punch boards, or any other game or activity not expressly
12 defined in this Section.

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

16 "Non-profit organization" means an organization or
17 institution organized and conducted on a not-for-profit basis
18 with no personal profit inuring to anyone as a result of the
19 operation.

20 "Charitable organization" means an organization or
21 institution organized and operated to benefit an indefinite
22 number of the public.

23 "Educational organization" means an organization or
24 institution organized and operated to provide systematic
25 instruction in useful branches of learning by methods common to
26 schools and institutions of learning which compare favorably in

1 their scope and intensity with the course of study presented in
2 tax-supported schools.

3 "Religious organization" means any church, congregation,
4 society, or organization founded for the purpose of religious
5 worship.

6 "Fraternal organization" means an organization of persons,
7 including but not limited to ethnic organizations, having a
8 common interest, organized and operated exclusively to promote
9 the welfare of its members and to benefit the general public on
10 a continuing and consistent basis.

11 "Veterans' organization" means an organization comprised
12 of members of which substantially all are individuals who are
13 veterans or spouses, widows, or widowers of veterans, the
14 primary purpose of which is to promote the welfare of its
15 members and to provide assistance to the general public in such
16 a way as to confer a public benefit.

17 "Labor organization" means an organization composed of
18 labor unions or workers organized with the objective of
19 betterment of the conditions of those engaged in such pursuit
20 and the development of a higher degree of efficiency in their
21 respective occupations.

22 "Youth athletic organization" means an organization having
23 as its exclusive purpose the promotion and provision of
24 athletic activities for youth aged 18 and under.

25 "Senior citizens organization" means an organization or
26 association comprised of members of which substantially all are

1 individuals who are senior citizens, as defined in the Illinois
2 Act on the Aging, the primary purpose of which is to promote
3 the welfare of its members.

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

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

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

12 (230 ILCS 20/4) (from Ch. 120, par. 1054)

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

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

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

24 (3) No person may receive any remuneration or profit for
25 participating in the management or operation of such pull tabs

1 or jar games; however, nothing herein shall conflict with pull
2 tabs and jar games conducted under the provisions of the
3 Charitable Games Act.

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

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

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

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

24 (230 ILCS 20/5) (from Ch. 120, par. 1055)

25 Sec. 5. There shall be paid to the Department of Revenue 5%

1 of the gross proceeds of any pull tabs and jar games conducted
2 under this Act. Such payments shall be made 4 times per year,
3 between the first and the 20th day of April, July, October and
4 January. Payment must be made by money order or certified
5 check. Accompanying each payment shall be a report, on forms
6 provided by the Department of Revenue, listing the number of
7 drawings conducted, the gross income derived therefrom and such
8 other information as the Department of Revenue may require.
9 Failure to submit either the payment or the report within the
10 specified time shall result in automatic revocation of the
11 license. All payments made to the Department of Revenue under
12 this Act shall be deposited as follows:

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

14 (b) 50% shall be deposited in the Illinois Gaming Law
15 Enforcement Fund. Of the monies deposited in the Illinois
16 Gaming Law Enforcement Fund under this Section, the General
17 Assembly shall appropriate two-thirds to the Department of
18 Revenue, Department of State Police and the Office of the
19 Attorney General for State law enforcement purposes, and
20 one-third shall be appropriated to the Department of Revenue
21 for the purpose of distribution in the form of grants to
22 counties or municipalities for law enforcement purposes. The
23 amounts of grants to counties or municipalities shall bear the
24 same ratio as the number of licenses issued in counties or
25 municipalities bears to the total number of licenses issued in
26 the State. In computing the number of licenses issued in a

1 county, licenses issued for locations within a municipality's
2 boundaries shall be excluded.

3 The Department of Revenue shall license suppliers and
4 manufacturers of pull tabs and jar games at an annual fee of
5 \$5,000. Suppliers and manufacturers shall meet the
6 requirements and qualifications established by rule by the
7 Department. Licensed manufacturers shall sell pull tabs and jar
8 games only to licensed suppliers. Licensed suppliers shall buy
9 pull tabs and jar games only from licensed manufacturers and
10 shall sell pull tabs and jar games only to licensed
11 organizations. Licensed organizations shall buy pull tabs and
12 jar games only from licensed suppliers.

13 The Department of Revenue shall adopt by rule minimum
14 quality production standards for pull tabs and jar games. In
15 determining such standards, the Department shall consider the
16 standards adopted by the National Association of Gambling
17 Regulatory Agencies and the National Association of
18 Fundraising Ticket Manufacturers. ~~Such standards shall include~~
19 ~~the name of the supplier which shall appear in plain view to~~
20 ~~the casual observer on the face side of each pull tab ticket~~
21 ~~and on each jar game ticket.~~ The pull tab ticket shall contain
22 the name of the game, the selling price of the ticket, the
23 amount of the prize and the serial number of the ticket. The
24 back side of a pull tab ticket shall contain a series of
25 perforated tabs ~~marked "open here"~~. The logo of the
26 manufacturer shall be clearly visible on each jar game ticket.

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

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

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

1 Section 940. The Liquor Control Act of 1934 is amended by
2 changing Sections 5-1 and 6-30 as follows:

3 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

4 Sec. 5-1. Licenses issued by the Illinois Liquor Control
5 Commission shall be of the following classes:

- 6 (a) Manufacturer's license - Class 1. Distiller, Class 2.
7 Rectifier, Class 3. Brewer, Class 4. First Class Wine
8 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
9 First Class Winemaker, Class 7. Second Class Winemaker, Class
10 8. Limited Wine Manufacturer,
11 (b) Distributor's license,
12 (c) Importing Distributor's license,
13 (d) Retailer's license,
14 (e) Special Event Retailer's license (not-for-profit),
15 (f) Railroad license,
16 (g) Boat license,
17 (h) Non-Beverage User's license,
18 (i) Wine-maker's premises license,
19 (j) Airplane license,
20 (k) Foreign importer's license,
21 (l) Broker's license,
22 (m) Non-resident dealer's license,
23 (n) Brew Pub license,
24 (o) Auction liquor license,

1 (p) Caterer retailer license,

2 (q) Special use permit license.

3 No person, firm, partnership, corporation, or other legal
4 business entity that is engaged in the manufacturing of wine
5 may concurrently obtain and hold a wine-maker's license and a
6 wine manufacturer's license.

7 (a) A manufacturer's license shall allow the manufacture,
8 importation in bulk, storage, distribution and sale of
9 alcoholic liquor to persons without the State, as may be
10 permitted by law and to licensees in this State as follows:

11 Class 1. A Distiller may make sales and deliveries of
12 alcoholic liquor to distillers, rectifiers, importing
13 distributors, distributors and non-beverage users and to no
14 other licensees.

15 Class 2. A Rectifier, who is not a distiller, as defined
16 herein, may make sales and deliveries of alcoholic liquor to
17 rectifiers, importing distributors, distributors, retailers
18 and non-beverage users and to no other licensees.

19 Class 3. A Brewer may make sales and deliveries of beer to
20 importing distributors, distributors, and to non-licensees,
21 and to retailers provided the brewer obtains an importing
22 distributor's license or distributor's license in accordance
23 with the provisions of this Act.

24 Class 4. A first class wine-manufacturer may make sales and
25 deliveries of up to 50,000 gallons of wine to manufacturers,
26 importing distributors and distributors, and to no other

1 licensees.

2 Class 5. A second class Wine manufacturer may make sales
3 and deliveries of more than 50,000 gallons of wine to
4 manufacturers, importing distributors and distributors and to
5 no other licensees.

6 Class 6. A first-class wine-maker's license shall allow the
7 manufacture of up to 50,000 gallons of wine per year, and the
8 storage and sale of such wine to distributors in the State and
9 to persons without the State, as may be permitted by law. A
10 first-class wine-maker's license shall allow the sale of no
11 more than 5,000 gallons of the licensee's wine to retailers.
12 The State Commission shall issue only one first-class
13 wine-maker's license to any person, firm, partnership,
14 corporation, or other legal business entity that is engaged in
15 the making of less than 50,000 gallons of wine annually that
16 applies for a first-class wine-maker's license. No subsidiary
17 or affiliate thereof, nor any officer, associate, member,
18 partner, representative, employee, agent, or shareholder may
19 be issued an additional wine-maker's license by the State
20 Commission.

21 Class 7. A second-class wine-maker's license shall allow
22 the manufacture of between 50,000 and 100,000 gallons of wine
23 per year, and the storage and sale of such wine to distributors
24 in this State and to persons without the State, as may be
25 permitted by law. A second-class wine-maker's license shall
26 allow the sale of no more than 10,000 gallons of the licensee's

1 wine directly to retailers. The State Commission shall issue
2 only one second-class wine-maker's license to any person, firm,
3 partnership, corporation, or other legal business entity that
4 is engaged in the making of less than 100,000 gallons of wine
5 annually that applies for a second-class wine-maker's license.
6 No subsidiary or affiliate thereof, or any officer, associate,
7 member, partner, representative, employee, agent, or
8 shareholder may be issued an additional wine-maker's license by
9 the State Commission.

10 Class 8. A limited wine-manufacturer may make sales and
11 deliveries not to exceed 40,000 gallons of wine per year to
12 distributors, and to non-licensees in accordance with the
13 provisions of this Act.

14 (a-1) A manufacturer which is licensed in this State to
15 make sales or deliveries of alcoholic liquor and which enlists
16 agents, representatives, or individuals acting on its behalf
17 who contact licensed retailers on a regular and continual basis
18 in this State must register those agents, representatives, or
19 persons acting on its behalf with the State Commission.

20 Registration of agents, representatives, or persons acting
21 on behalf of a manufacturer is fulfilled by submitting a form
22 to the Commission. The form shall be developed by the
23 Commission and shall include the name and address of the
24 applicant, the name and address of the manufacturer he or she
25 represents, the territory or areas assigned to sell to or
26 discuss pricing terms of alcoholic liquor, and any other

1 questions deemed appropriate and necessary. All statements in
2 the forms required to be made by law or by rule shall be deemed
3 material, and any person who knowingly misstates any material
4 fact under oath in an application is guilty of a Class B
5 misdemeanor. Fraud, misrepresentation, false statements,
6 misleading statements, evasions, or suppression of material
7 facts in the securing of a registration are grounds for
8 suspension or revocation of the registration.

9 (b) A distributor's license shall allow the wholesale
10 purchase and storage of alcoholic liquors and sale of alcoholic
11 liquors to licensees in this State and to persons without the
12 State, as may be permitted by law.

13 (c) An importing distributor's license may be issued to and
14 held by those only who are duly licensed distributors, upon the
15 filing of an application by a duly licensed distributor, with
16 the Commission and the Commission shall, without the payment of
17 any fee, immediately issue such importing distributor's
18 license to the applicant, which shall allow the importation of
19 alcoholic liquor by the licensee into this State from any point
20 in the United States outside this State, and the purchase of
21 alcoholic liquor in barrels, casks or other bulk containers and
22 the bottling of such alcoholic liquors before resale thereof,
23 but all bottles or containers so filled shall be sealed,
24 labeled, stamped and otherwise made to comply with all
25 provisions, rules and regulations governing manufacturers in
26 the preparation and bottling of alcoholic liquors. The

1 importing distributor's license shall permit such licensee to
2 purchase alcoholic liquor from Illinois licensed non-resident
3 dealers and foreign importers only.

4 (d) A retailer's license shall allow the licensee to sell
5 and offer for sale at retail, only in the premises specified in
6 the license, alcoholic liquor for use or consumption, but not
7 for resale in any form: Provided that any retail license issued
8 to a manufacturer shall only permit the manufacturer to sell
9 beer at retail on the premises actually occupied by the
10 manufacturer. For the purpose of further describing the type of
11 business conducted at a retail licensed premises, a retailer's
12 licensee may be designated by the State Commission as (i) an on
13 premise consumption retailer, (ii) an off premise sale
14 retailer, or (iii) a combined on premise consumption and off
15 premise sale retailer.

16 Notwithstanding any other provision of this subsection
17 (d), a retail licensee may sell alcoholic liquors to a special
18 event retailer licensee for resale to the extent permitted
19 under subsection (e).

20 (e) A special event retailer's license (not-for-profit)
21 shall permit the licensee to purchase alcoholic liquors from an
22 Illinois licensed distributor (unless the licensee purchases
23 less than \$500 of alcoholic liquors for the special event, in
24 which case the licensee may purchase the alcoholic liquors from
25 a licensed retailer) and shall allow the licensee to sell and
26 offer for sale, at retail, alcoholic liquors for use or

1 consumption, but not for resale in any form and only at the
2 location and on the specific dates designated for the special
3 event in the license. An applicant for a special event retailer
4 license must (i) furnish with the application: (A) a resale
5 number issued under Section 2c of the Retailers' Occupation Tax
6 Act or evidence that the applicant is registered under Section
7 2a of the Retailers' Occupation Tax Act, (B) a current, valid
8 exemption identification number issued under Section 1g of the
9 Retailers' Occupation Tax Act, and a certification to the
10 Commission that the purchase of alcoholic liquors will be a
11 tax-exempt purchase, or (C) a statement that the applicant is
12 not registered under Section 2a of the Retailers' Occupation
13 Tax Act, does not hold a resale number under Section 2c of the
14 Retailers' Occupation Tax Act, and does not hold an exemption
15 number under Section 1g of the Retailers' Occupation Tax Act,
16 in which event the Commission shall set forth on the special
17 event retailer's license a statement to that effect; (ii)
18 submit with the application proof satisfactory to the State
19 Commission that the applicant will provide dram shop liability
20 insurance in the maximum limits; and (iii) show proof
21 satisfactory to the State Commission that the applicant has
22 obtained local authority approval.

23 (f) A railroad license shall permit the licensee to import
24 alcoholic liquors into this State from any point in the United
25 States outside this State and to store such alcoholic liquors
26 in this State; to make wholesale purchases of alcoholic liquors

1 directly from manufacturers, foreign importers, distributors
2 and importing distributors from within or outside this State;
3 and to store such alcoholic liquors in this State; provided
4 that the above powers may be exercised only in connection with
5 the importation, purchase or storage of alcoholic liquors to be
6 sold or dispensed on a club, buffet, lounge or dining car
7 operated on an electric, gas or steam railway in this State;
8 and provided further, that railroad licensees exercising the
9 above powers shall be subject to all provisions of Article VIII
10 of this Act as applied to importing distributors. A railroad
11 license shall also permit the licensee to sell or dispense
12 alcoholic liquors on any club, buffet, lounge or dining car
13 operated on an electric, gas or steam railway regularly
14 operated by a common carrier in this State, but shall not
15 permit the sale for resale of any alcoholic liquors to any
16 licensee within this State. A license shall be obtained for
17 each car in which such sales are made.

18 (g) A boat license shall allow the sale of alcoholic liquor
19 in individual drinks, on any passenger boat regularly operated
20 as a common carrier on navigable waters in this State or on any
21 riverboat operated under the Riverboat and Casino Gambling Act,
22 which boat or riverboat maintains a public dining room or
23 restaurant thereon.

24 (h) A non-beverage user's license shall allow the licensee
25 to purchase alcoholic liquor from a licensed manufacturer or
26 importing distributor, without the imposition of any tax upon

1 the business of such licensed manufacturer or importing
 2 distributor as to such alcoholic liquor to be used by such
 3 licensee solely for the non-beverage purposes set forth in
 4 subsection (a) of Section 8-1 of this Act, and such licenses
 5 shall be divided and classified and shall permit the purchase,
 6 possession and use of limited and stated quantities of
 7 alcoholic liquor as follows:

- 8 Class 1, not to exceed 500 gallons
- 9 Class 2, not to exceed 1,000 gallons
- 10 Class 3, not to exceed 5,000 gallons
- 11 Class 4, not to exceed 10,000 gallons
- 12 Class 5, not to exceed 50,000 gallons

13 (i) A wine-maker's premises license shall allow a licensee
 14 that concurrently holds a first-class wine-maker's license to
 15 sell and offer for sale at retail in the premises specified in
 16 such license not more than 50,000 gallons of the first-class
 17 wine-maker's wine that is made at the first-class wine-maker's
 18 licensed premises per year for use or consumption, but not for
 19 resale in any form. A wine-maker's premises license shall allow
 20 a licensee who concurrently holds a second-class wine-maker's
 21 license to sell and offer for sale at retail in the premises
 22 specified in such license up to 100,000 gallons of the
 23 second-class wine-maker's wine that is made at the second-class
 24 wine-maker's licensed premises per year for use or consumption
 25 but not for resale in any form. A wine-maker's premises license
 26 shall allow a licensee that concurrently holds a first-class

1 wine-maker's license or a second-class wine-maker's license to
2 sell and offer for sale at retail at the premises specified in
3 the wine-maker's premises license, for use or consumption but
4 not for resale in any form, any beer, wine, and spirits
5 purchased from a licensed distributor. Upon approval from the
6 State Commission, a wine-maker's premises license shall allow
7 the licensee to sell and offer for sale at (i) the wine-maker's
8 licensed premises and (ii) at up to 2 additional locations for
9 use and consumption and not for resale. Each location shall
10 require additional licensing per location as specified in
11 Section 5-3 of this Act.

12 (j) An airplane license shall permit the licensee to import
13 alcoholic liquors into this State from any point in the United
14 States outside this State and to store such alcoholic liquors
15 in this State; to make wholesale purchases of alcoholic liquors
16 directly from manufacturers, foreign importers, distributors
17 and importing distributors from within or outside this State;
18 and to store such alcoholic liquors in this State; provided
19 that the above powers may be exercised only in connection with
20 the importation, purchase or storage of alcoholic liquors to be
21 sold or dispensed on an airplane; and provided further, that
22 airplane licensees exercising the above powers shall be subject
23 to all provisions of Article VIII of this Act as applied to
24 importing distributors. An airplane licensee shall also permit
25 the sale or dispensing of alcoholic liquors on any passenger
26 airplane regularly operated by a common carrier in this State,

1 but shall not permit the sale for resale of any alcoholic
2 liquors to any licensee within this State. A single airplane
3 license shall be required of an airline company if liquor
4 service is provided on board aircraft in this State. The annual
5 fee for such license shall be as determined in Section 5-3.

6 (k) A foreign importer's license shall permit such licensee
7 to purchase alcoholic liquor from Illinois licensed
8 non-resident dealers only, and to import alcoholic liquor other
9 than in bulk from any point outside the United States and to
10 sell such alcoholic liquor to Illinois licensed importing
11 distributors and to no one else in Illinois; provided that the
12 foreign importer registers with the State Commission every
13 brand of alcoholic liquor that it proposes to sell to Illinois
14 licensees during the license period and provided further that
15 the foreign importer complies with all of the provisions of
16 Section 6-9 of this Act with respect to registration of such
17 Illinois licensees as may be granted the right to sell such
18 brands at wholesale.

19 (l) (i) A broker's license shall be required of all persons
20 who solicit orders for, offer to sell or offer to supply
21 alcoholic liquor to retailers in the State of Illinois, or who
22 offer to retailers to ship or cause to be shipped or to make
23 contact with distillers, rectifiers, brewers or manufacturers
24 or any other party within or without the State of Illinois in
25 order that alcoholic liquors be shipped to a distributor,
26 importing distributor or foreign importer, whether such

1 solicitation or offer is consummated within or without the
2 State of Illinois.

3 No holder of a retailer's license issued by the Illinois
4 Liquor Control Commission shall purchase or receive any
5 alcoholic liquor, the order for which was solicited or offered
6 for sale to such retailer by a broker unless the broker is the
7 holder of a valid broker's license.

8 The broker shall, upon the acceptance by a retailer of the
9 broker's solicitation of an order or offer to sell or supply or
10 deliver or have delivered alcoholic liquors, promptly forward
11 to the Illinois Liquor Control Commission a notification of
12 said transaction in such form as the Commission may by
13 regulations prescribe.

14 (ii) A broker's license shall be required of a person
15 within this State, other than a retail licensee, who, for a fee
16 or commission, promotes, solicits, or accepts orders for
17 alcoholic liquor, for use or consumption and not for resale, to
18 be shipped from this State and delivered to residents outside
19 of this State by an express company, common carrier, or
20 contract carrier. This Section does not apply to any person who
21 promotes, solicits, or accepts orders for wine as specifically
22 authorized in Section 6-29 of this Act.

23 A broker's license under this subsection (1) shall not
24 entitle the holder to buy or sell any alcoholic liquors for his
25 own account or to take or deliver title to such alcoholic
26 liquors.

1 This subsection (1) shall not apply to distributors,
2 employees of distributors, or employees of a manufacturer who
3 has registered the trademark, brand or name of the alcoholic
4 liquor pursuant to Section 6-9 of this Act, and who regularly
5 sells such alcoholic liquor in the State of Illinois only to
6 its registrants thereunder.

7 Any agent, representative, or person subject to
8 registration pursuant to subsection (a-1) of this Section shall
9 not be eligible to receive a broker's license.

10 (m) A non-resident dealer's license shall permit such
11 licensee to ship into and warehouse alcoholic liquor into this
12 State from any point outside of this State, and to sell such
13 alcoholic liquor to Illinois licensed foreign importers and
14 importing distributors and to no one else in this State;
15 provided that said non-resident dealer shall register with the
16 Illinois Liquor Control Commission each and every brand of
17 alcoholic liquor which it proposes to sell to Illinois
18 licensees during the license period; and further provided that
19 it shall comply with all of the provisions of Section 6-9
20 hereof with respect to registration of such Illinois licensees
21 as may be granted the right to sell such brands at wholesale.

22 (n) A brew pub license shall allow the licensee to
23 manufacture beer only on the premises specified in the license,
24 to make sales of the beer manufactured on the premises to
25 importing distributors, distributors, and to non-licensees for
26 use and consumption, to store the beer upon the premises, and

1 to sell and offer for sale at retail from the licensed
2 premises, provided that a brew pub licensee shall not sell for
3 off-premises consumption more than 50,000 gallons per year.

4 (o) A caterer retailer license shall allow the holder to
5 serve alcoholic liquors as an incidental part of a food service
6 that serves prepared meals which excludes the serving of snacks
7 as the primary meal, either on or off-site whether licensed or
8 unlicensed.

9 (p) An auction liquor license shall allow the licensee to
10 sell and offer for sale at auction wine and spirits for use or
11 consumption, or for resale by an Illinois liquor licensee in
12 accordance with provisions of this Act. An auction liquor
13 license will be issued to a person and it will permit the
14 auction liquor licensee to hold the auction anywhere in the
15 State. An auction liquor license must be obtained for each
16 auction at least 14 days in advance of the auction date.

17 (q) A special use permit license shall allow an Illinois
18 licensed retailer to transfer a portion of its alcoholic liquor
19 inventory from its retail licensed premises to the premises
20 specified in the license hereby created, and to sell or offer
21 for sale at retail, only in the premises specified in the
22 license hereby created, the transferred alcoholic liquor for
23 use or consumption, but not for resale in any form. A special
24 use permit license may be granted for the following time
25 periods: one day or less; 2 or more days to a maximum of 15 days
26 per location in any 12 month period. An applicant for the

1 special use permit license must also submit with the
2 application proof satisfactory to the State Commission that the
3 applicant will provide dram shop liability insurance to the
4 maximum limits and have local authority approval.

5 (Source: P.A. 92-105, eff. 1-1-02; 92-378, eff. 8-16-01;
6 92-651, eff. 7-11-02; 92-672, eff. 7-16-02; 93-923, eff.
7 8-12-04; 93-1057, eff. 12-2-04; revised 12-6-04.)

8 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

9 Sec. 6-30. Notwithstanding any other provision of this Act,
10 the Illinois Gaming Board shall have exclusive authority to
11 establish the hours for sale and consumption of alcoholic
12 liquor on board a riverboat during riverboat gambling
13 excursions and in a casino conducted in accordance with the
14 Riverboat and Casino Gambling Act.

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

16 Section 945. The Criminal Code of 1961 is amended by
17 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
18 follows:

19 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

20 Sec. 28-1. Gambling.

21 (a) A person commits gambling when he:

22 (1) Plays a game of chance or skill for money or other
23 thing of value, unless excepted in subsection (b) of this

1 Section; or

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

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

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

26 (5) Knowingly owns or possesses any book, instrument or

1 apparatus by means of which bets or wagers have been, or
2 are, recorded or registered, or knowingly possesses any
3 money which he has received in the course of a bet or
4 wager; or

5 (6) Sells pools upon the result of any game or contest
6 of skill or chance, political nomination, appointment or
7 election; or

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

10 (8) Sets up or promotes any policy game or sells,
11 offers to sell or knowingly possesses or transfers any
12 policy ticket, slip, record, document or other similar
13 device; or

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

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

24 (11) Knowingly transmits information as to wagers,
25 betting odds, or changes in betting odds by telephone,
26 telegraph, radio, semaphore or similar means; or knowingly

1 installs or maintains equipment for the transmission or
2 receipt of such information; except that nothing in this
3 subdivision (11) prohibits transmission or receipt of such
4 information for use in news reporting of sporting events or
5 contests; or

6 (12) Knowingly establishes, maintains, or operates an
7 Internet site that permits a person to play a game of
8 chance or skill for money or other thing of value by means
9 of the Internet or to make a wager upon the result of any
10 game, contest, political nomination, appointment, or
11 election by means of the Internet.

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

14 (1) Agreements to compensate for loss caused by the
15 happening of chance including without limitation contracts
16 of indemnity or guaranty and life or health or accident
17 insurance;

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

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

24 (4) Manufacture of gambling devices, including the
25 acquisition of essential parts therefor and the assembly
26 thereof, for transportation in interstate or foreign

1 commerce to any place outside this State when such
2 transportation is not prohibited by any applicable Federal
3 law;

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

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

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

13 (8) Raffles when conducted in accordance with the
14 Raffles Act;

15 (9) Charitable games when conducted in accordance with
16 the Charitable Games Act;

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

19 (11) Gambling games ~~conducted on riverboats~~ when
20 authorized by the Riverboat and Casino Gambling Act.

21 (c) Sentence.

22 Gambling under subsection (a) (1) or (a) (2) of this Section
23 is a Class A misdemeanor. Gambling under any of subsections
24 (a) (3) through (a) (11) of this Section is a Class A
25 misdemeanor. A second or subsequent conviction under any of
26 subsections (a) (3) through (a) (11), is a Class 4 felony.

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

4 (d) Circumstantial evidence.

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

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

9 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

10 Sec. 28-1.1. Syndicated gambling.

11 (a) Declaration of Purpose. Recognizing the close
12 relationship between professional gambling and other organized
13 crime, it is declared to be the policy of the legislature to
14 restrain persons from engaging in the business of gambling for
15 profit in this State. This Section shall be liberally construed
16 and administered with a view to carrying out this policy.

17 (b) A person commits syndicated gambling when he operates a
18 "policy game" or engages in the business of bookmaking.

19 (c) A person "operates a policy game" when he knowingly
20 uses any premises or property for the purpose of receiving or
21 knowingly does receive from what is commonly called "policy":

22 (1) money from a person other than the better or player
23 whose bets or plays are represented by such money; or

24 (2) written "policy game" records, made or used over
25 any period of time, from a person other than the better or

1 player whose bets or plays are represented by such written
2 record.

3 (d) A person engages in bookmaking when he receives or
4 accepts more than five bets or wagers upon the result of any
5 trials or contests of skill, speed or power of endurance or
6 upon any lot, chance, casualty, unknown or contingent event
7 whatsoever, which bets or wagers shall be of such size that the
8 total of the amounts of money paid or promised to be paid to
9 such bookmaker on account thereof shall exceed \$2,000.
10 Bookmaking is the receiving or accepting of such bets or wagers
11 regardless of the form or manner in which the bookmaker records
12 them.

13 (e) Participants in any of the following activities shall
14 not be convicted of syndicated gambling:

15 (1) Agreements to compensate for loss caused by the
16 happening of chance including without limitation contracts
17 of indemnity or guaranty and life or health or accident
18 insurance; and

19 (2) Offers of prizes, award or compensation to the
20 actual contestants in any bona fide contest for the
21 determination of skill, speed, strength or endurance or to
22 the owners of animals or vehicles entered in such contest;
23 and

24 (3) Pari-mutuel betting as authorized by law of this
25 State; and

26 (4) Manufacture of gambling devices, including the

1 acquisition of essential parts therefor and the assembly
2 thereof, for transportation in interstate or foreign
3 commerce to any place outside this State when such
4 transportation is not prohibited by any applicable Federal
5 law; and

6 (5) Raffles when conducted in accordance with the
7 Raffles Act; and

8 (6) Gambling games conducted on riverboats, in
9 casinos, or at electronic gaming facilities when
10 authorized by the Riverboat and Casino Gambling Act.

11 (f) Sentence. Syndicated gambling is a Class 3 felony.

12 (Source: P.A. 86-1029; 87-435.)

13 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

14 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
15 any real estate, vehicle, boat or any other property whatsoever
16 used for the purposes of gambling other than gambling conducted
17 in the manner authorized by the Riverboat and Casino Gambling
18 Act. Any person who knowingly permits any premises or property
19 owned or occupied by him or under his control to be used as a
20 gambling place commits a Class A misdemeanor. Each subsequent
21 offense is a Class 4 felony. When any premises is determined by
22 the circuit court to be a gambling place:

23 (a) Such premises is a public nuisance and may be proceeded
24 against as such, and

25 (b) All licenses, permits or certificates issued by the

1 State of Illinois or any subdivision or public agency thereof
2 authorizing the serving of food or liquor on such premises
3 shall be void; and no license, permit or certificate so
4 cancelled shall be reissued for such premises for a period of
5 60 days thereafter; nor shall any person convicted of keeping a
6 gambling place be reissued such license for one year from his
7 conviction and, after a second conviction of keeping a gambling
8 place, any such person shall not be reissued such license, and

9 (c) Such premises of any person who knowingly permits
10 thereon a violation of any Section of this Article shall be
11 held liable for, and may be sold to pay any unsatisfied
12 judgment that may be recovered and any unsatisfied fine that
13 may be levied under any Section of this Article.

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

15 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

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

17 (a) Every device designed for gambling which is incapable
18 of lawful use or every device used unlawfully for gambling
19 shall be considered a "gambling device", and shall be subject
20 to seizure, confiscation and destruction by the Department of
21 State Police or by any municipal, or other local authority,
22 within whose jurisdiction the same may be found. As used in
23 this Section, a "gambling device" includes any slot machine,
24 and includes any machine or device constructed for the
25 reception of money or other thing of value and so constructed

1 as to return, or to cause someone to return, on chance to the
2 player thereof money, property or a right to receive money or
3 property. With the exception of any device designed for
4 gambling which is incapable of lawful use, no gambling device
5 shall be forfeited or destroyed unless an individual with a
6 property interest in said device knows of the unlawful use of
7 the device.

8 (b) Every gambling device shall be seized and forfeited to
9 the county wherein such seizure occurs. Any money or other
10 thing of value integrally related to acts of gambling shall be
11 seized and forfeited to the county wherein such seizure occurs.

12 (c) If, within 60 days after any seizure pursuant to
13 subparagraph (b) of this Section, a person having any property
14 interest in the seized property is charged with an offense, the
15 court which renders judgment upon such charge shall, within 30
16 days after such judgment, conduct a forfeiture hearing to
17 determine whether such property was a gambling device at the
18 time of seizure. Such hearing shall be commenced by a written
19 petition by the State, including material allegations of fact,
20 the name and address of every person determined by the State to
21 have any property interest in the seized property, a
22 representation that written notice of the date, time and place
23 of such hearing has been mailed to every such person by
24 certified mail at least 10 days before such date, and a request
25 for forfeiture. Every such person may appear as a party and
26 present evidence at such hearing. The quantum of proof required

1 shall be a preponderance of the evidence, and the burden of
2 proof shall be on the State. If the court determines that the
3 seized property was a gambling device at the time of seizure,
4 an order of forfeiture and disposition of the seized property
5 shall be entered: a gambling device shall be received by the
6 State's Attorney, who shall effect its destruction, except that
7 valuable parts thereof may be liquidated and the resultant
8 money shall be deposited in the general fund of the county
9 wherein such seizure occurred; money and other things of value
10 shall be received by the State's Attorney and, upon
11 liquidation, shall be deposited in the general fund of the
12 county wherein such seizure occurred. However, in the event
13 that a defendant raises the defense that the seized slot
14 machine is an antique slot machine described in subparagraph
15 (b) (7) of Section 28-1 of this Code and therefore he is exempt
16 from the charge of a gambling activity participant, the seized
17 antique slot machine shall not be destroyed or otherwise
18 altered until a final determination is made by the Court as to
19 whether it is such an antique slot machine. Upon a final
20 determination by the Court of this question in favor of the
21 defendant, such slot machine shall be immediately returned to
22 the defendant. Such order of forfeiture and disposition shall,
23 for the purposes of appeal, be a final order and judgment in a
24 civil proceeding.

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

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

11 (e) Any gambling device displayed for sale to a riverboat
12 gambling operation, casino gambling operation, or electronic
13 gaming facility or used to train occupational licensees of a
14 riverboat gambling operation, casino gambling operation, or
15 electronic gaming facility as authorized under the Riverboat
16 and Casino Gambling Act is exempt from seizure under this
17 Section.

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

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

24 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

25 Sec. 28-7. Gambling contracts void.

1 (a) All promises, notes, bills, bonds, covenants,
2 contracts, agreements, judgments, mortgages, or other
3 securities or conveyances made, given, granted, drawn, or
4 entered into, or executed by any person whatsoever, where the
5 whole or any part of the consideration thereof is for any money
6 or thing of value, won or obtained in violation of any Section
7 of this Article are null and void.

8 (b) Any obligation void under this Section may be set aside
9 and vacated by any court of competent jurisdiction, upon a
10 complaint filed for that purpose, by the person so granting,
11 giving, entering into, or executing the same, or by his
12 executors or administrators, or by any creditor, heir, legatee,
13 purchaser or other person interested therein; or if a judgment,
14 the same may be set aside on motion of any person stated above,
15 on due notice thereof given.

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

20 (d) This Section shall not prevent a licensed owner of a
21 riverboat gambling operation, casino gambling operation, or an
22 electronic gaming licensee under the Riverboat and Casino
23 Gambling Act and the Illinois Horse Racing Act of 1975 from
24 instituting a cause of action to collect any amount due and
25 owing under an extension of credit to a ~~riverboat~~ gambling
26 patron as authorized under Section 11.1 of the Riverboat and

1 Casino Gambling Act.

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

3 Section 950. The Payday Loan Reform Act is amended by
4 changing Section 3-5 as follows:

5 (815 ILCS 122/3-5)

6 Sec. 3-5. Licensure.

7 (a) A license to make a payday loan shall state the
8 address, including city and state, at which the business is to
9 be conducted and shall state fully the name of the licensee.
10 The license shall be conspicuously posted in the place of
11 business of the licensee and shall not be transferable or
12 assignable.

13 (b) An application for a license shall be in writing and in
14 a form prescribed by the Secretary. The Secretary may not issue
15 a payday loan license unless and until the following findings
16 are made:

17 (1) that the financial responsibility, experience,
18 character, and general fitness of the applicant are such as
19 to command the confidence of the public and to warrant the
20 belief that the business will be operated lawfully and
21 fairly and within the provisions and purposes of this Act;
22 and

23 (2) that the applicant has submitted such other
24 information as the Secretary may deem necessary.

1 (c) A license shall be issued for no longer than one year,
2 and no renewal of a license may be provided if a licensee has
3 substantially violated this Act and has not cured the violation
4 to the satisfaction of the Department.

5 (d) A licensee shall appoint, in writing, the Secretary as
6 attorney-in-fact upon whom all lawful process against the
7 licensee may be served with the same legal force and validity
8 as if served on the licensee. A copy of the written
9 appointment, duly certified, shall be filed in the office of
10 the Secretary, and a copy thereof certified by the Secretary
11 shall be sufficient evidence to subject a licensee to
12 jurisdiction in a court of law. This appointment shall remain
13 in effect while any liability remains outstanding in this State
14 against the licensee. When summons is served upon the Secretary
15 as attorney-in-fact for a licensee, the Secretary shall
16 immediately notify the licensee by registered mail, enclosing
17 the summons and specifying the hour and day of service.

18 (e) A licensee must pay an annual fee of \$1,000. In
19 addition to the license fee, the reasonable expense of any
20 examination or hearing by the Secretary under any provisions of
21 this Act shall be borne by the licensee. If a licensee fails to
22 renew its license by December 31, its license shall
23 automatically expire; however, the Secretary, in his or her
24 discretion, may reinstate an expired license upon:

25 (1) payment of the annual fee within 30 days of the
26 date of expiration; and

1 (2) proof of good cause for failure to renew.

2 (f) Not more than one place of business shall be maintained
3 under the same license, but the Secretary may issue more than
4 one license to the same licensee upon compliance with all the
5 provisions of this Act governing issuance of a single license.
6 The location, except those locations already in existence as of
7 June 1, 2005, may not be within one mile of a horse race track
8 subject to the Illinois Horse Racing Act of 1975, within one
9 mile of a facility at which gambling is conducted under the
10 Riverboat and Casino Gambling Act, within one mile of the
11 location at which a riverboat subject to the Riverboat and
12 Casino Gambling Act docks, or within one mile of any State of
13 Illinois or United States military base or naval installation.

14 (g) No licensee shall conduct the business of making loans
15 under this Act within any office, suite, room, or place of
16 business in which any other business is solicited or engaged in
17 unless the other business is licensed by the Department or, in
18 the opinion of the Secretary, the other business would not be
19 contrary to the best interests of consumers and is authorized
20 by the Secretary in writing.

21 (h) The Secretary shall maintain a list of licensees that
22 shall be available to interested consumers and lenders and the
23 public. The Secretary shall maintain a toll-free number whereby
24 consumers may obtain information about licensees. The
25 Secretary shall also establish a complaint process under which
26 an aggrieved consumer may file a complaint against a licensee

1 or non-licensee who violates any provision of this Act.

2 (Source: P.A. 94-13, eff. 12-6-05.)

3 Section 955. The Travel Promotion Consumer Protection Act
4 is amended by changing Section 2 as follows:

5 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

6 Sec. 2. Definitions.

7 (a) "Travel promoter" means a person, including a tour
8 operator, who sells, provides, furnishes, contracts for,
9 arranges or advertises that he or she will arrange wholesale or
10 retail transportation by air, land, sea or navigable stream,
11 either separately or in conjunction with other services.
12 "Travel promoter" does not include (1) an air carrier; (2) a
13 sea carrier; (3) an officially appointed agent of an air
14 carrier who is a member in good standing of the Airline
15 Reporting Corporation; (4) a travel promoter who has in force
16 \$1,000,000 or more of liability insurance coverage for
17 professional errors and omissions and a surety bond or
18 equivalent surety in the amount of \$100,000 or more for the
19 benefit of consumers in the event of a bankruptcy on the part
20 of the travel promoter; or (5) a riverboat subject to
21 regulation under the Riverboat and Casino Gambling Act.

22 (b) "Advertise" means to make any representation in the
23 solicitation of passengers and includes communication with
24 other members of the same partnership, corporation, joint

1 venture, association, organization, group or other entity.

2 (c) "Passenger" means a person on whose behalf money or
3 other consideration has been given or is to be given to
4 another, including another member of the same partnership,
5 corporation, joint venture, association, organization, group
6 or other entity, for travel.

7 (d) "Ticket or voucher" means a writing or combination of
8 writings which is itself good and sufficient to obtain
9 transportation and other services for which the passenger has
10 contracted.

11 (Source: P.A. 91-357, eff. 7-29-99.)

12 (230 ILCS 5/54 rep.)

13 Section 960. The Illinois Horse Racing Act of 1975 is
14 amended by repealing Section 54.

15 Section 965. "An Act in relation to gambling, amending
16 named Acts", approved June 25, 1999, Public Act 91-40, is
17 amended by changing Section 30 as follows:

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

19 Sec. 30. Severability. If any provision of this Act (Public
20 Act 91-40) or the application thereof to any person or
21 circumstance is held invalid, that invalidity does not affect
22 the other provisions or applications of the Act which can be
23 given effect without the invalid application or provision, and

1 to this end the provisions of this Act are severable. This
2 severability applies without regard to whether the action
3 challenging the validity was brought before the effective date
4 of this amendatory Act of the 95th General Assembly.

5 ~~Inseverability. The provisions of this Act are mutually~~
6 ~~dependent and inseverable. If any provision is held invalid~~
7 ~~other than as applied to a particular person or circumstance,~~
8 ~~then this entire Act is invalid.~~

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

10 Section 970. The State Finance Act is amended by adding
11 Section 5.675 as follows:

12 (30 ILCS 105/5.675 new)

13 Sec. 5.675. The Intercity Development Fund.

14 Section 999. Effective date. This Act takes effect July 1,
15 2007."