

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Sections 4, 5, and 21 as follows:

6 (230 ILCS 5/4) (from Ch. 8, par. 37-4)

7 Sec. 4. The Board shall consist of 11 members to be  
8 appointed by the Governor with the advice and consent of the  
9 Senate, not more than 6 of whom shall be of the same political  
10 party, and one of whom shall be designated by the Governor to  
11 be chairman. Each member shall have a reasonable knowledge of  
12 harness or thoroughbred racing practices and procedure and of  
13 the principles of harness or thoroughbred racing and breeding  
14 and, at the time of his appointment, shall be a resident of the  
15 State of Illinois and shall have resided therein for a period  
16 of at least 5 years next preceding his appointment and  
17 qualification and he shall be a qualified voter therein and not  
18 less than 25 years of age.

19 Notwithstanding any provision of this Section to the  
20 contrary, the term of office of each member of the Board ends  
21 30 days after the effective date of this amendatory Act of the  
22 96th General Assembly or when their successors are appointed  
23 and qualified. Within 30 days after the effective date of this

1 amendatory Act of the 96th General Assembly, the Governor shall  
2 appoint, with the advice and consent of the Senate, 11 members  
3 to the Board who otherwise meet the qualifications under this  
4 Section.

5 (Source: P.A. 91-798, eff. 7-9-00.)

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

7 Sec. 5. As soon as practicable following the effective date  
8 of this amendatory Act of 1995, the Governor shall appoint,  
9 with the advice and consent of the Senate, members to the Board  
10 as follows: 3 members for terms expiring July 1, 1996; 3  
11 members for terms expiring July 1, 1998; and 3 members for  
12 terms expiring July 1, 2000. Of the 2 additional members  
13 appointed pursuant to this amendatory Act of the 91st General  
14 Assembly, the initial term of one member shall expire on July  
15 1, 2002 and the initial term of the other member shall expire  
16 on July 1, 2004. Thereafter, the terms of office of the Board  
17 members shall be 6 years. Incumbent members on the effective  
18 date of this amendatory Act of 1995 shall continue to serve  
19 only until their successors are appointed and have qualified.

20 The terms of office of the initial Board members appointed  
21 pursuant to this amendatory Act of the 96th General Assembly  
22 will run as follows, to be determined by lot: one for a term  
23 expiring July 1 of the year following confirmation, 2 for a  
24 term expiring July 1 two years following confirmation, 2 for a  
25 term expiring July 1 three years following confirmation, 2 for

1 a term expiring July 1 four years following confirmation, 2 for  
2 a term expiring July 1 five years following confirmation, and 2  
3 for a term expiring July 1 six years following confirmation.  
4 Upon the expiration of the foregoing terms, the successors of  
5 such members shall serve a term of 6 years and until their  
6 successors are appointed and qualified for like terms.

7 Each member of the Board shall receive \$300 per day for  
8 each day the Board meets and for each day the member conducts a  
9 hearing pursuant to Section 16 of this Act, provided that no  
10 Board member shall receive more than \$5,000 in such fees during  
11 any calendar year, or an amount set by the Compensation Review  
12 Board, whichever is greater. Members of the Board shall also be  
13 reimbursed for all actual and necessary expenses and  
14 disbursements incurred in the execution of their official  
15 duties.

16 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

17 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

18 Sec. 21. (a) Applications for organization licenses must be  
19 filed with the Board at a time and place prescribed by the  
20 rules and regulations of the Board. The Board shall examine the  
21 applications within 21 days after the date allowed for filing  
22 with respect to their conformity with this Act and such rules  
23 and regulations as may be prescribed by the Board. If any  
24 application does not comply with this Act or the rules and  
25 regulations prescribed by the Board, such application may be

1 rejected and an organization license refused to the applicant,  
2 or the Board may, within 21 days of the receipt of such  
3 application, advise the applicant of the deficiencies of the  
4 application under the Act or the rules and regulations of the  
5 Board, and require the submittal of an amended application  
6 within a reasonable time determined by the Board; and upon  
7 submittal of the amended application by the applicant, the  
8 Board may consider the application consistent with the process  
9 described in subsection (e-5) of Section 20 of this Act. If it  
10 is found to be in compliance with this Act and the rules and  
11 regulations of the Board, the Board may then issue an  
12 organization license to such applicant.

13 (b) The Board may exercise discretion in granting racing  
14 dates to qualified applicants different from those requested by  
15 the applicants in their applications. However, if all eligible  
16 applicants for organization licenses whose tracks are located  
17 within 100 miles of each other execute and submit to the Board  
18 a written agreement among such applicants as to the award of  
19 racing dates, including where applicable racing programs, for  
20 up to 3 consecutive years, then subject to annual review of  
21 each applicant's compliance with Board rules and regulations,  
22 provisions of this Act and conditions contained in annual dates  
23 orders issued by the Board, the Board may grant such dates and  
24 programs to such applicants as so agreed by them if the Board  
25 determines that the grant of these racing dates is in the best  
26 interests of racing. The Board shall treat any such agreement

1 as the agreement signatories' joint and several application for  
2 racing dates during the term of the agreement. Unless otherwise  
3 provided by law, the Board and its employees may not, as a  
4 condition, or a factor, in determining the number of racing  
5 dates awarded to the race track require (i) the General  
6 Assembly to pass legislation; (ii) that a collective bargaining  
7 agreement be reached between the Board and any of its  
8 employees; or (iii) the inclusion of any provisions within a  
9 collective bargaining agreement between the Board and any of  
10 its employees.

11 (c) Where 2 or more applicants propose to conduct horse  
12 race meetings within 35 miles of each other, as certified to  
13 the Board under Section 19 (a) (1) of this Act, on conflicting  
14 dates, the Board may determine and grant the number of racing  
15 days to be awarded to the several applicants in accordance with  
16 the provisions of subsection (e-5) of Section 20 of this Act.

17 (d) (Blank).

18 (e) Prior to the issuance of an organization license, the  
19 applicant shall file with the Board a bond payable to the State  
20 of Illinois in the sum of \$200,000, executed by the applicant  
21 and a surety company or companies authorized to do business in  
22 this State, and conditioned upon the payment by the  
23 organization licensee of all taxes due under Section 27, other  
24 monies due and payable under this Act, all purses due and  
25 payable, and that the organization licensee will upon  
26 presentation of the winning ticket or tickets distribute all

1 sums due to the patrons of pari-mutuel pools.

2 (f) Each organization license shall specify the person to  
3 whom it is issued, the dates upon which horse racing is  
4 permitted, and the location, place, track, or enclosure where  
5 the horse race meeting is to be held.

6 (g) Any person who owns one or more race tracks within the  
7 State may seek, in its own name, a separate organization  
8 license for each race track.

9 (h) All racing conducted under such organization license is  
10 subject to this Act and to the rules and regulations from time  
11 to time prescribed by the Board, and every such organization  
12 license issued by the Board shall contain a recital to that  
13 effect.

14 (i) Each such organization licensee may provide that at  
15 least one race per day may be devoted to the racing of quarter  
16 horses, appaloosas, arabians, or paints.

17 (j) In acting on applications for organization licenses,  
18 the Board shall give weight to an organization license which  
19 has implemented a good faith affirmative action effort to  
20 recruit, train and upgrade minorities in all classifications  
21 within the organization license.

22 (Source: P.A. 90-754, eff. 1-1-99; 91-40, eff. 6-25-99.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.