

SB3827



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3827

Introduced 2/10/2012, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

230 ILCS 5/26

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Provides that, for a period of 5 years after the effective date of the amendatory Act (rather than for a period of 3 years after the effective date of Public Act 96-762), an organization licensee may maintain a system whereby advance deposit wagering may take place or an organization licensee may contract with another person to carry out a system of advance deposit wagering. Effective immediately.

LRB097 16844 AMC 62026 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Section 26 as follows:

6 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

7 Sec. 26. Wagering.

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

22 (b) No other method of betting, pool making, wagering or
23 gambling shall be used or permitted by the licensee. Each

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

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

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

22 (c-5) Beginning January 1, 2000, the sum held by any
23 licensee for payment of outstanding pari-mutuel tickets, if
24 unclaimed prior to December 31 of the next year, shall be
25 retained by the licensee for payment of such tickets until that
26 date. Within 10 days thereafter, the balance of such sum

1 remaining unclaimed, less any uncashed supplements contributed
2 by such licensee for the purpose of guaranteeing minimum
3 distributions of any pari-mutuel pool, shall be evenly
4 distributed to the purse account of the organization licensee
5 and the organization licensee.

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

11 (e) No licensee shall knowingly permit any minor, other
12 than an employee of such licensee or an owner, trainer, jockey,
13 driver, or employee thereof, to be admitted during a racing
14 program unless accompanied by a parent or guardian, or any
15 minor to be a patron of the pari-mutuel system of wagering
16 conducted or supervised by it. The admission of any
17 unaccompanied minor, other than an employee of the licensee or
18 an owner, trainer, jockey, driver, or employee thereof at a
19 race track is a Class C misdemeanor.

20 (f) Notwithstanding the other provisions of this Act, an
21 organization licensee may contract with an entity in another
22 state or country to permit any legal wagering entity in another
23 state or country to accept wagers solely within such other
24 state or country on races conducted by the organization
25 licensee in this State. Beginning January 1, 2000, these wagers
26 shall not be subject to State taxation. Until January 1, 2000,

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

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

21 (g) A host track may accept interstate simulcast wagers on
22 horse races conducted in other states or countries and shall
23 control the number of signals and types of breeds of racing in
24 its simulcast program, subject to the disapproval of the Board.
25 The Board may prohibit a simulcast program only if it finds
26 that the simulcast program is clearly adverse to the integrity

1 of racing. The host track simulcast program shall include the
2 signal of live racing of all organization licensees. All
3 non-host licensees and advance deposit wagering licensees
4 shall carry the signal of and accept wagers on live racing of
5 all organization licensees. Advance deposit wagering licensees
6 shall not be permitted to accept out-of-state wagers on any
7 Illinois signal provided pursuant to this Section without the
8 approval and consent of the organization licensee providing the
9 signal. Non-host licensees may carry the host track simulcast
10 program and shall accept wagers on all races included as part
11 of the simulcast program upon which wagering is permitted. All
12 organization licensees shall provide their live signal to all
13 advance deposit wagering licensees for a simulcast commission
14 fee not to exceed 6% of the advance deposit wagering licensee's
15 Illinois handle on the organization licensee's signal without
16 prior approval by the Board. The Board may adopt rules under
17 which it may permit simulcast commission fees in excess of 6%.
18 The Board shall adopt rules limiting the interstate commission
19 fees charged to an advance deposit wagering licensee. The Board
20 shall adopt rules regarding advance deposit wagering on
21 interstate simulcast races that shall reflect, among other
22 things, the General Assembly's desire to maximize revenues to
23 the State, horsemen purses, and organizational licensees.
24 However, organization licensees providing live signals
25 pursuant to the requirements of this subsection (g) may
26 petition the Board to withhold their live signals from an

1 advance deposit wagering licensee if the organization licensee
2 discovers and the Board finds reputable or credible information
3 that the advance deposit wagering licensee is under
4 investigation by another state or federal governmental agency,
5 the advance deposit wagering licensee's license has been
6 suspended in another state, or the advance deposit wagering
7 licensee's license is in revocation proceedings in another
8 state. The organization licensee's provision of their live
9 signal to an advance deposit wagering licensee under this
10 subsection (g) pertains to wagers placed from within Illinois.
11 Advance deposit wagering licensees may place advance deposit
12 wagering terminals at wagering facilities as a convenience to
13 customers. The advance deposit wagering licensee shall not
14 charge or collect any fee from purses for the placement of the
15 advance deposit wagering terminals. The costs and expenses of
16 the host track and non-host licensees associated with
17 interstate simulcast wagering, other than the interstate
18 commission fee, shall be borne by the host track and all
19 non-host licensees incurring these costs. The interstate
20 commission fee shall not exceed 5% of Illinois handle on the
21 interstate simulcast race or races without prior approval of
22 the Board. The Board shall promulgate rules under which it may
23 permit interstate commission fees in excess of 5%. The
24 interstate commission fee and other fees charged by the sending
25 racetrack, including, but not limited to, satellite decoder
26 fees, shall be uniformly applied to the host track and all

1 non-host licensees.

2 Notwithstanding any other provision of this Act, for a
3 period of 5 3 years after the effective date of this amendatory
4 Act of the 97th General Assembly ~~this amendatory Act of the~~
5 ~~96th General Assembly~~, an organization licensee may maintain a
6 system whereby advance deposit wagering may take place or an
7 organization licensee, with the consent of the horsemen
8 association representing the largest number of owners,
9 trainers, jockeys, or standardbred drivers who race horses at
10 that organization licensee's racing meeting, may contract with
11 another person to carry out a system of advance deposit
12 wagering. Such consent may not be unreasonably withheld. All
13 advance deposit wagers placed from within Illinois must be
14 placed through a Board-approved advance deposit wagering
15 licensee; no other entity may accept an advance deposit wager
16 from a person within Illinois. All advance deposit wagering is
17 subject to any rules adopted by the Board. The Board may adopt
18 rules necessary to regulate advance deposit wagering through
19 the use of emergency rulemaking in accordance with Section 5-45
20 of the Illinois Administrative Procedure Act. The General
21 Assembly finds that the adoption of rules to regulate advance
22 deposit wagering is deemed an emergency and necessary for the
23 public interest, safety, and welfare. An advance deposit
24 wagering licensee may retain all moneys as agreed to by
25 contract with an organization licensee. Any moneys retained by
26 the organization licensee from advance deposit wagering, not

1 including moneys retained by the advance deposit wagering
2 licensee, shall be paid 50% to the organization licensee's
3 purse account and 50% to the organization licensee. If more
4 than one breed races at the same race track facility, then the
5 50% of the moneys to be paid to an organization licensee's
6 purse account shall be allocated among all organization
7 licensees' purse accounts operating at that race track facility
8 proportionately based on the actual number of host days that
9 the Board grants to that breed at that race track facility in
10 the current calendar year. To the extent any fees from advance
11 deposit wagering conducted in Illinois for wagers in Illinois
12 or other states have been placed in escrow or otherwise
13 withheld from wagers pending a determination of the legality of
14 advance deposit wagering, no action shall be brought to declare
15 such wagers or the disbursement of any fees previously escrowed
16 illegal.

17 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
18 intertrack wagering licensee other than the host track may
19 supplement the host track simulcast program with
20 additional simulcast races or race programs, provided that
21 between January 1 and the third Friday in February of any
22 year, inclusive, if no live thoroughbred racing is
23 occurring in Illinois during this period, only
24 thoroughbred races may be used for supplemental interstate
25 simulcast purposes. The Board shall withhold approval for a
26 supplemental interstate simulcast only if it finds that the

1 simulcast is clearly adverse to the integrity of racing. A
2 supplemental interstate simulcast may be transmitted from
3 an intertrack wagering licensee to its affiliated non-host
4 licensees. The interstate commission fee for a
5 supplemental interstate simulcast shall be paid by the
6 non-host licensee and its affiliated non-host licensees
7 receiving the simulcast.

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

18 (3) Each licensee conducting interstate simulcast
19 wagering may retain, subject to the payment of all
20 applicable taxes and the purses, an amount not to exceed
21 17% of all money wagered. If any licensee conducts the
22 pari-mutuel system wagering on races conducted at
23 racetracks in another state or country, each such race or
24 race program shall be considered a separate racing day for
25 the purpose of determining the daily handle and computing
26 the privilege tax of that daily handle as provided in

1 subsection (a) of Section 27. Until January 1, 2000, from
2 the sums permitted to be retained pursuant to this
3 subsection, each intertrack wagering location licensee
4 shall pay 1% of the pari-mutuel handle wagered on simulcast
5 wagering to the Horse Racing Tax Allocation Fund, subject
6 to the provisions of subparagraph (B) of paragraph (11) of
7 subsection (h) of Section 26 of this Act.

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

19 (5) After the payment of the interstate commission fee
20 (except for the interstate commission fee on a supplemental
21 interstate simulcast, which shall be paid by the host track
22 and by each non-host licensee through the host-track) and
23 all applicable State and local taxes, except as provided in
24 subsection (g) of Section 27 of this Act, the remainder of
25 moneys retained from simulcast wagering pursuant to this
26 subsection (g), and Section 26.2 shall be divided as

1 follows:

2 (A) For interstate simulcast wagers made at a host
3 track, 50% to the host track and 50% to purses at the
4 host track.

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

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

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

1 the track from which the non-host licensee derives its
2 license as follows:

3 (A) Between January 1 and the third Friday in
4 February, inclusive, if no live thoroughbred racing is
5 occurring in Illinois during this period, when the
6 interstate simulcast is a standardbred race, the purse
7 share to its standardbred purse account;

8 (B) Between January 1 and the third Friday in
9 February, inclusive, if no live thoroughbred racing is
10 occurring in Illinois during this period, and the
11 interstate simulcast is a thoroughbred race, the purse
12 share to its interstate simulcast purse pool to be
13 distributed under paragraph (10) of this subsection
14 (g);

15 (C) Between January 1 and the third Friday in
16 February, inclusive, if live thoroughbred racing is
17 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
18 the purse share from wagers made during this time
19 period to its thoroughbred purse account and between
20 6:30 p.m. and 6:30 a.m. the purse share from wagers
21 made during this time period to its standardbred purse
22 accounts;

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

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

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

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

18 (B) Twenty percent shall be deposited into the
19 Illinois Colt Stakes Purse Distribution Fund and shall
20 be paid to purses for standardbred races for Illinois
21 conceived and foaled horses conducted at any county
22 fairgrounds. The moneys deposited into the Fund
23 pursuant to this subparagraph (B) shall be deposited
24 within 2 weeks after the day they were generated, shall
25 be in addition to and not in lieu of any other moneys
26 paid to standardbred purses under this Act, and shall

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

7 (7.2) Notwithstanding any other provision of this Act
8 to the contrary, if no thoroughbred racing is conducted at
9 a racetrack located in Madison County during any calendar
10 year beginning on or after January 1, 2002, all moneys
11 derived by that racetrack from simulcast wagering and
12 inter-track wagering that (1) are to be used for purses and
13 (2) are generated between the hours of 6:30 a.m. and 6:30
14 p.m. during that calendar year shall be deposited as
15 follows:

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

21 (B) Twenty percent shall be deposited into the
22 Illinois Colt Stakes Purse Distribution Fund. Moneys
23 deposited into the Illinois Colt Stakes Purse
24 Distribution Fund pursuant to this subparagraph (B)
25 shall be paid to Illinois conceived and foaled
26 thoroughbred breeders' programs and to thoroughbred

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

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

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

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

25 Failure to make the payment to the Illinois Colt Stakes
26 Purse Distribution Fund before January 1, 2002 shall result

1 in the immediate revocation of the licensee's organization
2 license, inter-track wagering license, and inter-track
3 wagering location license.

4 Moneys paid into the Illinois Colt Stakes Purse
5 Distribution Fund pursuant to this paragraph (7.3) shall be
6 paid to purses for standardbred races for Illinois
7 conceived and foaled horses conducted at any county
8 fairgrounds. Moneys paid into the Illinois Colt Stakes
9 Purse Distribution Fund pursuant to this paragraph (7.3)
10 shall be used as determined by the Department of
11 Agriculture, with the advice and assistance of the Illinois
12 Standardbred Breeders Fund Advisory Board, shall be in
13 addition to and not in lieu of any other moneys paid to
14 standardbred purses under this Act, and shall not be
15 commingled with any other moneys paid into that Fund.

16 (7.4) If live standardbred racing is conducted at a
17 racetrack located in Madison County at any time in calendar
18 year 2001 before the payment required under paragraph (7.3)
19 has been made, the organization licensee who is licensed to
20 conduct racing at that racetrack shall pay all moneys
21 derived by that racetrack from simulcast wagering and
22 inter-track wagering during calendar years 2000 and 2001
23 that (1) are to be used for purses and (2) are generated
24 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
25 2001 to the standardbred purse account at that racetrack to
26 be used for standardbred purses.

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.

25 (h) The Board may approve and license the conduct of
26 inter-track wagering and simulcast wagering by inter-track

1 waging licensees and inter-track waging location licensees
2 subject to the following terms and conditions:

3 (1) Any person licensed to conduct a race meeting (i)
4 at a track where 60 or more days of racing were conducted
5 during the immediately preceding calendar year or where
6 over the 5 immediately preceding calendar years an average
7 of 30 or more days of racing were conducted annually may be
8 issued an inter-track waging license; (ii) at a track
9 located in a county that is bounded by the Mississippi
10 River, which has a population of less than 150,000
11 according to the 1990 decennial census, and an average of
12 at least 60 days of racing per year between 1985 and 1993
13 may be issued an inter-track waging license; or (iii) at
14 a track located in Madison County that conducted at least
15 100 days of live racing during the immediately preceding
16 calendar year may be issued an inter-track waging
17 license, unless a lesser schedule of live racing is the
18 result of (A) weather, unsafe track conditions, or other
19 acts of God; (B) an agreement between the organization
20 licensee and the associations representing the largest
21 number of owners, trainers, jockeys, or standardbred
22 drivers who race horses at that organization licensee's
23 racing meeting; or (C) a finding by the Board of
24 extraordinary circumstances and that it was in the best
25 interest of the public and the sport to conduct fewer than
26 100 days of live racing. Any such person having operating

1 control of the racing facility may also receive up to 6
2 inter-track wagering location licenses. In no event shall
3 more than 6 inter-track wagering locations be established
4 for each eligible race track, except that an eligible race
5 track located in a county that has a population of more
6 than 230,000 and that is bounded by the Mississippi River
7 may establish up to 7 inter-track wagering locations. An
8 application for said license shall be filed with the Board
9 prior to such dates as may be fixed by the Board. With an
10 application for an inter-track wagering location license
11 there shall be delivered to the Board a certified check or
12 bank draft payable to the order of the Board for an amount
13 equal to \$500. The application shall be on forms prescribed
14 and furnished by the Board. The application shall comply
15 with all other rules, regulations and conditions imposed by
16 the Board in connection therewith.

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

26 (3) In granting licenses to conduct inter-track

1 wagering and simulcast wagering, the Board shall give due
2 consideration to the best interests of the public, of horse
3 racing, and of maximizing revenue to the State.

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

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

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

24 (7) An inter-track wagering licensee or inter-track
25 wagering location licensee may accept wagers at the track
26 or location where it is licensed, or as otherwise provided

1 under this Act.

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

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

23 (8.2) Inter-track wagering or simulcast wagering shall
24 not be conducted by an inter-track wagering location
25 licensee at any location within 500 feet of an existing
26 church or existing school, nor within 500 feet of the

1 residences of more than 50 registered voters without
2 receiving written permission from a majority of the
3 registered voters at such residences. Such written
4 permission statements shall be filed with the Board. The
5 distance of 500 feet shall be measured to the nearest part
6 of any building used for worship services, education
7 programs, residential purposes, or conducting inter-track
8 wagering by an inter-track wagering location licensee, and
9 not to property boundaries. However, inter-track wagering
10 or simulcast wagering may be conducted at a site within 500
11 feet of a church, school or residences of 50 or more
12 registered voters if such church, school or residences have
13 been erected or established, or such voters have been
14 registered, after the Board issues the original
15 inter-track wagering location license at the site in
16 question. Inter-track wagering location licensees may
17 conduct inter-track wagering and simulcast wagering only
18 in areas that are zoned for commercial or manufacturing
19 purposes or in areas for which a special use has been
20 approved by the local zoning authority. However, no license
21 to conduct inter-track wagering and simulcast wagering
22 shall be granted by the Board with respect to any
23 inter-track wagering location within the jurisdiction of
24 any local zoning authority which has, by ordinance or by
25 resolution, prohibited the establishment of an inter-track
26 wagering location within its jurisdiction. However,

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

5 (9) (Blank).

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

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

26 (10.2) Notwithstanding any other provision of this

1 Act, with respect to intertrack wagering at a race track
2 located in a county that has a population of more than
3 230,000 and that is bounded by the Mississippi River ("the
4 first race track"), or at a facility operated by an
5 inter-track wagering licensee or inter-track wagering
6 location licensee that derives its license from the
7 organization licensee that operates the first race track,
8 on races conducted at the first race track or on races
9 conducted at another Illinois race track and
10 simultaneously televised to the first race track or to a
11 facility operated by an inter-track wagering licensee or
12 inter-track wagering location licensee that derives its
13 license from the organization licensee that operates the
14 first race track, those moneys shall be allocated as
15 follows:

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

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

24 (11) (A) After payment of the privilege or pari-mutuel
25 tax, any other applicable taxes, and the costs and expenses
26 in connection with the gathering, transmission, and

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

18 (B) From the sums permitted to be retained pursuant to
19 this Act each inter-track wagering location licensee shall
20 pay (i) the privilege or pari-mutuel tax to the State; (ii)
21 4.75% of the pari-mutuel handle on intertrack wagering at
22 such location on races as purses, except that an intertrack
23 wagering location licensee that derives its license from a
24 track located in a county with a population in excess of
25 230,000 and that borders the Mississippi River shall retain
26 all purse moneys for its own purse account consistent with

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

1 amounts, which are to be redistributed to the host track or
2 to purses at the host track under subparagraph (B) of
3 paragraph (5) of subsection (g) of this Section 26 shall be
4 redistributed based on each host track's pro rata share of
5 the total inter-track wagering and simulcast wagering
6 handle at all host tracks during the calendar year in
7 question, and second, that any amounts redistributed as
8 described in part (I) to an inter-track wagering location
9 licensee that accepts wagers on races conducted by an
10 organization licensee that conducts a race meet in a county
11 with a population in excess of 230,000 and that borders the
12 Mississippi River shall be further redistributed as
13 provided in subparagraphs (D) and (E) of paragraph (7) of
14 subsection (g) of this Section 26, with the portion of that
15 further redistribution allocated to purses at that
16 organization licensee to be divided between standardbred
17 purses and thoroughbred purses based on the amounts
18 otherwise allocated to purses at that organization
19 licensee during the calendar year in question; and (iv) 8%
20 of the pari-mutuel handle on inter-track wagering wagered
21 at such location to satisfy all costs and expenses of
22 conducting its wagering. The remainder of the monies
23 retained by the inter-track wagering location licensee
24 shall be allocated 40% to the location licensee and 60% to
25 the organization licensee which provides the Illinois
26 races to the location, except that an intertrack wagering

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

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

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

1 operating on May 1, 1994 shall be allocated by
2 appropriation as follows:

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

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

14 Four-sevenths to park districts or municipalities
15 that do not have a park district of 500,000 population
16 or less for museum purposes (if an inter-track wagering
17 location licensee is located in such a park district)
18 or to conservation districts for museum purposes (if an
19 inter-track wagering location licensee is located in a
20 municipality that is not included within any park
21 district but is included within a conservation
22 district and is the county seat of a county that (i) is
23 contiguous to the state of Indiana and (ii) has a 1990
24 population of 88,257 according to the United States
25 Bureau of the Census, except that if the conservation
26 district does not maintain a museum, the monies shall

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

1 museum may deposit the monies in the corporate fund of
2 the park district or municipality where the
3 inter-track wagering location is located, to be used
4 for general purposes; and

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

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

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

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

26 Four-sevenths to museums and aquariums located in

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

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

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

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

1 being conducted.

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

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

23 (12) The Board shall have all powers necessary and
24 proper to fully supervise and control the conduct of
25 inter-track wagering and simulcast wagering by inter-track
26 wagering licensees and inter-track wagering location

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

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

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

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

1 (D) (Blank).

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

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

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

23 (13) The Department of Agriculture may enter into
24 agreements with licensees authorizing such licensees to
25 conduct inter-track wagering on races to be held at the
26 licensed race meetings conducted by the Department of

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

22 (i) Notwithstanding the other provisions of this Act, the
23 conduct of wagering at wagering facilities is authorized on all
24 days, except as limited by subsection (b) of Section 19 of this
25 Act.

26 (Source: P.A. 96-762, eff. 8-25-09.)

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