



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 66

2 AMENDMENT NO. _____. Amend Senate Bill 66, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Horse Racing Act of 1975 is
6 amended by changing Sections 26 and 27 and by adding Sections
7 26.8 and 26.9 as follows:

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

1 to guarantee a minimum distribution. Such pari-mutuel method of
2 wagering shall not, under any circumstances if conducted under
3 the provisions of this Act, be held or construed to be
4 unlawful, other statutes of this State to the contrary
5 notwithstanding. Subject to rules for advance wagering
6 promulgated by the Board, any licensee may accept wagers in
7 advance of the day of the race wagered upon occurs.

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

14 (b-5) An individual may place a wager under the pari-mutuel
15 system from any licensed location authorized under this Act
16 provided that wager is electronically recorded in the manner
17 described in Section 3.12 of this Act. Any wager made
18 electronically by an individual while physically on the
19 premises of a licensee shall be deemed to have been made at the
20 premises of that licensee.

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

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

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

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

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

1 an owner, trainer, jockey, driver, or employee thereof at a
2 race track is a Class C misdemeanor.

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

22 An organization licensee may permit one or more of its
23 races to be utilized for pari-mutuel wagering at one or more
24 locations in other states and may transmit audio and visual
25 signals of races the organization licensee conducts to one or
26 more locations outside the State or country and may also permit

1 pari-mutuel pools in other states or countries to be combined
2 with its gross or net wagering pools or with wagering pools
3 established by other states.

4 (g) A host track may accept interstate simulcast wagers on
5 horse races conducted in other states or countries and shall
6 control the number of signals and types of breeds of racing in
7 its simulcast program, subject to the disapproval of the Board.
8 The Board may prohibit a simulcast program only if it finds
9 that the simulcast program is clearly adverse to the integrity
10 of racing. The host track simulcast program shall include the
11 signal of live racing of all organization licensees. All
12 non-host licensees and advance deposit wagering licensees
13 shall carry the signal of and accept wagers on live racing of
14 all organization licensees. Advance deposit wagering licensees
15 shall not be permitted to accept out-of-state wagers on any
16 Illinois signal provided pursuant to this Section without the
17 approval and consent of the organization licensee providing the
18 signal. Non-host licensees may carry the host track simulcast
19 program and shall accept wagers on all races included as part
20 of the simulcast program upon which wagering is permitted. All
21 organization licensees shall provide their live signal to all
22 advance deposit wagering licensees for a simulcast commission
23 fee not to exceed 6% of the advance deposit wagering licensee's
24 Illinois handle on the organization licensee's signal without
25 prior approval by the Board. The Board may adopt rules under
26 which it may permit simulcast commission fees in excess of 6%.

1 The Board shall adopt rules limiting the interstate commission
2 fees charged to an advance deposit wagering licensee. The Board
3 shall adopt rules regarding advance deposit wagering on
4 interstate simulcast races that shall reflect, among other
5 things, the General Assembly's desire to maximize revenues to
6 the State, horsemen purses, and organizational licensees.
7 However, organization licensees providing live signals
8 pursuant to the requirements of this subsection (g) may
9 petition the Board to withhold their live signals from an
10 advance deposit wagering licensee if the organization licensee
11 discovers and the Board finds reputable or credible information
12 that the advance deposit wagering licensee is under
13 investigation by another state or federal governmental agency,
14 the advance deposit wagering licensee's license has been
15 suspended in another state, or the advance deposit wagering
16 licensee's license is in revocation proceedings in another
17 state. The organization licensee's provision of their live
18 signal to an advance deposit wagering licensee under this
19 subsection (g) pertains to wagers placed from within Illinois.
20 Advance deposit wagering licensees may place advance deposit
21 wagering terminals at wagering facilities as a convenience to
22 customers. The advance deposit wagering licensee shall not
23 charge or collect any fee from purses for the placement of the
24 advance deposit wagering terminals. The costs and expenses of
25 the host track and non-host licensees associated with
26 interstate simulcast wagering, other than the interstate

1 commission fee, shall be borne by the host track and all
2 non-host licensees incurring these costs. The interstate
3 commission fee shall not exceed 5% of Illinois handle on the
4 interstate simulcast race or races without prior approval of
5 the Board. The Board shall promulgate rules under which it may
6 permit interstate commission fees in excess of 5%. The
7 interstate commission fee and other fees charged by the sending
8 racetrack, including, but not limited to, satellite decoder
9 fees, shall be uniformly applied to the host track and all
10 non-host licensees.

11 Notwithstanding any other provision of this Act, until
12 December 31, 2015 ~~January 31, 2014~~, an organization licensee,
13 with the consent of the horsemen association representing the
14 largest number of owners, trainers, jockeys, or standardbred
15 drivers who race horses at that organization licensee's racing
16 meeting, may maintain a system whereby advance deposit wagering
17 may take place or an organization licensee, with the consent of
18 the horsemen association representing the largest number of
19 owners, trainers, jockeys, or standardbred drivers who race
20 horses at that organization licensee's racing meeting, may
21 contract with another person to carry out a system of advance
22 deposit wagering. Such consent may not be unreasonably
23 withheld. Only with respect to an appeal to the Board that
24 consent for an organization licensee that maintains its own
25 advance deposit wagering system is being unreasonably
26 withheld, the Board shall issue a final order within 30 days

1 after initiation of the appeal, and the organization licensee's
2 advance deposit wagering system may remain operational during
3 that 30-day period. The actions of any organization licensee
4 who conducts advance deposit wagering or any person who has a
5 contract with an organization licensee to conduct advance
6 deposit wagering who conducts advance deposit wagering on or
7 after January 1, 2013 and prior to the effective date of this
8 amendatory Act of the 98th General Assembly taken in reliance
9 on the changes made to this subsection (g) by this amendatory
10 Act of the 98th General Assembly are hereby validated, provided
11 payment of all applicable pari-mutuel taxes are remitted to the
12 Board. All advance deposit wagers placed from within Illinois
13 must be placed through a Board-approved advance deposit
14 wagering licensee; no other entity may accept an advance
15 deposit wager from a person within Illinois. All advance
16 deposit wagering is subject to any rules adopted by the Board.
17 The Board may adopt rules necessary to regulate advance deposit
18 wagering through the use of emergency rulemaking in accordance
19 with Section 5-45 of the Illinois Administrative Procedure Act.
20 The General Assembly finds that the adoption of rules to
21 regulate advance deposit wagering is deemed an emergency and
22 necessary for the public interest, safety, and welfare. An
23 advance deposit wagering licensee may retain all moneys as
24 agreed to by contract with an organization licensee. Any moneys
25 retained by the organization licensee from advance deposit
26 wagering, not including moneys retained by the advance deposit

1 wagering licensee, shall be paid 50% to the organization
2 licensee's purse account and 50% to the organization licensee.
3 Organization licensees that maintain advance deposit wagering
4 systems and advance deposit wagering licensees that contract
5 with organization licensees shall provide sufficiently
6 detailed monthly accountings to the horsemen association
7 representing the largest number of owners, trainers, jockeys,
8 or standardbred drivers who race horses at that organization
9 licensee's racing meeting so that the horsemen association, as
10 an interested party, can confirm the accuracy of the amounts
11 paid to the purse account at the horsemen association's
12 affiliated organization licensee from advance deposit
13 wagering. If more than one breed races at the same race track
14 facility, then the 50% of the moneys to be paid to an
15 organization licensee's purse account shall be allocated among
16 all organization licensees' purse accounts operating at that
17 race track facility proportionately based on the actual number
18 of host days that the Board grants to that breed at that race
19 track facility in the current calendar year. To the extent any
20 fees from advance deposit wagering conducted in Illinois for
21 wagers in Illinois or other states have been placed in escrow
22 or otherwise withheld from wagers pending a determination of
23 the legality of advance deposit wagering, no action shall be
24 brought to declare such wagers or the disbursement of any fees
25 previously escrowed illegal.

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.

22 (7.3) If no live standardbred racing is conducted at a
23 racetrack located in Madison County in calendar year 2000
24 or 2001, an organization licensee who is licensed to
25 conduct horse racing at that racetrack shall, before
26 January 1, 2002, pay all moneys derived from simulcast

1 waging and inter-track waging in calendar years 2000
2 and 2001 and paid into the licensee's standardbred purse
3 account as follows:

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

6 (B) Twenty percent to the Illinois Colt Stakes
7 Purse Distribution Fund.

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

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

25 (7.4) If live standardbred racing is conducted at a
26 racetrack located in Madison County at any time in calendar

1 year 2001 before the payment required under paragraph (7.3)
2 has been made, the organization licensee who is licensed to
3 conduct racing at that racetrack shall pay all moneys
4 derived by that racetrack from simulcast wagering and
5 inter-track wagering during calendar years 2000 and 2001
6 that (1) are to be used for purses and (2) are generated
7 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
8 2001 to the standardbred purse account at that racetrack to
9 be used for standardbred purses.

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

17 (8.1) Notwithstanding any provisions in this Act to the
18 contrary, if 2 organization licensees are conducting
19 standardbred race meetings concurrently between the hours
20 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
21 State and local taxes and interstate commission fees, the
22 remainder of the amount retained from simulcast wagering
23 otherwise attributable to the host track and to host track
24 purses shall be split daily between the 2 organization
25 licensees and the purses at the tracks of the 2
26 organization licensees, respectively, based on each

1 organization licensee's share of the total live handle for
2 that day, provided that this provision shall not apply to
3 any non-host licensee that derives its license from a track
4 located in a county with a population in excess of 230,000
5 and that borders the Mississippi River.

6 (9) (Blank).

7 (10) (Blank).

8 (11) (Blank).

9 (12) The Board shall have authority to compel all host
10 tracks to receive the simulcast of any or all races
11 conducted at the Springfield or DuQuoin State fairgrounds
12 and include all such races as part of their simulcast
13 programs.

14 (13) Notwithstanding any other provision of this Act,
15 in the event that the total Illinois pari-mutuel handle on
16 Illinois horse races at all wagering facilities in any
17 calendar year is less than 75% of the total Illinois
18 pari-mutuel handle on Illinois horse races at all such
19 wagering facilities for calendar year 1994, then each
20 wagering facility that has an annual total Illinois
21 pari-mutuel handle on Illinois horse races that is less
22 than 75% of the total Illinois pari-mutuel handle on
23 Illinois horse races at such wagering facility for calendar
24 year 1994, shall be permitted to receive, from any amount
25 otherwise payable to the purse account at the race track
26 with which the wagering facility is affiliated in the

1 succeeding calendar year, an amount equal to 2% of the
2 differential in total Illinois pari-mutuel handle on
3 Illinois horse races at the wagering facility between that
4 calendar year in question and 1994 provided, however, that
5 a wagering facility shall not be entitled to any such
6 payment until the Board certifies in writing to the
7 wagering facility the amount to which the wagering facility
8 is entitled and a schedule for payment of the amount to the
9 wagering facility, based on: (i) the racing dates awarded
10 to the race track affiliated with the wagering facility
11 during the succeeding year; (ii) the sums available or
12 anticipated to be available in the purse account of the
13 race track affiliated with the wagering facility for purses
14 during the succeeding year; and (iii) the need to ensure
15 reasonable purse levels during the payment period. The
16 Board's certification shall be provided no later than
17 January 31 of the succeeding year. In the event a wagering
18 facility entitled to a payment under this paragraph (13) is
19 affiliated with a race track that maintains purse accounts
20 for both standardbred and thoroughbred racing, the amount
21 to be paid to the wagering facility shall be divided
22 between each purse account pro rata, based on the amount of
23 Illinois handle on Illinois standardbred and thoroughbred
24 racing respectively at the wagering facility during the
25 previous calendar year. Annually, the General Assembly
26 shall appropriate sufficient funds from the General

1 Revenue Fund to the Department of Agriculture for payment
2 into the thoroughbred and standardbred horse racing purse
3 accounts at Illinois pari-mutuel tracks. The amount paid to
4 each purse account shall be the amount certified by the
5 Illinois Racing Board in January to be transferred from
6 each account to each eligible racing facility in accordance
7 with the provisions of this Section.

8 (h) The Board may approve and license the conduct of
9 inter-track wagering and simulcast wagering by inter-track
10 wagering licensees and inter-track wagering location licensees
11 subject to the following terms and conditions:

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

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

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

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

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

25 (5) Each license to conduct inter-track wagering and
26 simulcast wagering shall specify the person to whom it is

1 issued, the dates on which such wagering is permitted, and
2 the track or location where the wagering is to be
3 conducted.

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

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

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

15 (8.1) Inter-track wagering location licensees who
16 derive their licenses from a particular organization
17 licensee shall conduct inter-track wagering and simulcast
18 wagering only at locations which are either within 90 miles
19 of that race track where the particular organization
20 licensee is licensed to conduct racing, or within 135 miles
21 of that race track where the particular organization
22 licensee is licensed to conduct racing in the case of race
23 tracks in counties of less than 400,000 that were operating
24 on or before June 1, 1986. However, inter-track wagering
25 and simulcast wagering shall not be conducted by those
26 licensees at any location within 5 miles of any race track

1 at which a horse race meeting has been licensed in the
2 current year, unless the person having operating control of
3 such race track has given its written consent to such
4 inter-track wagering location licensees, which consent
5 must be filed with the Board at or prior to the time
6 application is made. Inter-track wagering and simulcast
7 wagering shall not be conducted by an inter-track wagering
8 location licensee that derived its license from a
9 particular organization licensee after December 31, 2013
10 at any location that is within 8 miles of a race track that
11 had an on-track handle of more than \$50,000,000 in 2013.

12 (8.2) Inter-track wagering or simulcast wagering shall
13 not be conducted by an inter-track wagering location
14 licensee at any location within 500 feet of an existing
15 church or existing school. ~~nor within 500 feet of the~~
16 ~~residences of more than 50 registered voters without~~
17 ~~receiving written permission from a majority of the~~
18 ~~registered voters at such residences. Such written~~
19 ~~permission statements shall be filed with the Board.~~ The
20 distance of 500 feet shall be measured to the nearest part
21 of any building used for worship services, education
22 programs, ~~residential purposes,~~ or conducting inter-track
23 wagering by an inter-track wagering location licensee, and
24 not to property boundaries. However, inter-track wagering
25 or simulcast wagering may be conducted at a site within 500
26 feet of a church or ~~7~~ school ~~or residences of 50 or more~~

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

20 (9) (Blank).

21 (10) An inter-track wagering licensee or an
22 inter-track wagering location licensee may retain, subject
23 to the payment of the privilege taxes and the purses, an
24 amount not to exceed 17% of all money wagered. Each program
25 of racing conducted by each inter-track wagering licensee
26 or inter-track wagering location licensee shall be

1 considered a separate racing day for the purpose of
2 determining the daily handle and computing the privilege
3 tax or pari-mutuel tax on such daily handle as provided in
4 Section 27.

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

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

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

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

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

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

1 an intertrack wagering licensee that accepts wagers on
2 races conducted by an organization licensee that conducts a
3 race meet in a county with a population in excess of
4 230,000 and that borders the Mississippi River shall not
5 divide any remaining retention with that organization
6 licensee.

7 (B) From the sums permitted to be retained pursuant to
8 this Act each inter-track wagering location licensee shall
9 pay (i) the privilege or pari-mutuel tax to the State; (ii)
10 4.75% of the pari-mutuel handle on intertrack wagering at
11 such location on races as purses, except that an intertrack
12 wagering location licensee that derives its license from a
13 track located in a county with a population in excess of
14 230,000 and that borders the Mississippi River shall retain
15 all purse moneys for its own purse account consistent with
16 distribution set forth in this subsection (h), and
17 intertrack wagering location licensees that accept wagers
18 on races conducted by an organization licensee located in a
19 county with a population in excess of 230,000 and that
20 borders the Mississippi River shall distribute all purse
21 moneys to purses at the operating host track; (iii) until
22 January 1, 2000, except as provided in subsection (g) of
23 Section 27 of this Act, 1% of the pari-mutuel handle
24 wagered on inter-track wagering and simulcast wagering at
25 each inter-track wagering location licensee facility to
26 the Horse Racing Tax Allocation Fund, provided that, to the

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

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

1 this paragraph, in the case of the additional inter-track
2 wagering location licenses authorized under paragraph (1)
3 of this subsection (h) by this amendatory Act of 1991,
4 those licensees shall pay the following amounts as purses:
5 during the first 12 months the licensee is in operation,
6 5.25% of the pari-mutuel handle wagered at the location on
7 races; during the second 12 months, 5.25%; during the third
8 12 months, 5.75%; during the fourth 12 months, 6.25%; and
9 during the fifth 12 months and thereafter, 6.75%. The
10 following amounts shall be retained by the licensee to
11 satisfy all costs and expenses of conducting its wagering:
12 during the first 12 months the licensee is in operation,
13 8.25% of the pari-mutuel handle wagered at the location;
14 during the second 12 months, 8.25%; during the third 12
15 months, 7.75%; during the fourth 12 months, 7.25%; and
16 during the fifth 12 months and thereafter, 6.75%. For
17 additional intertrack wagering location licensees
18 authorized under this amendatory Act of 1995, purses for
19 the first 12 months the licensee is in operation shall be
20 5.75% of the pari-mutuel wagered at the location, purses
21 for the second 12 months the licensee is in operation shall
22 be 6.25%, and purses thereafter shall be 6.75%. For
23 additional intertrack location licensees authorized under
24 this amendatory Act of 1995, the licensee shall be allowed
25 to retain to satisfy all costs and expenses: 7.75% of the
26 pari-mutuel handle wagered at the location during its first

1 12 months of operation, 7.25% during its second 12 months
2 of operation, and 6.75% thereafter.

3 (C) There is hereby created the Horse Racing Tax
4 Allocation Fund which shall remain in existence until
5 December 31, 1999. Moneys remaining in the Fund after
6 December 31, 1999 shall be paid into the General Revenue
7 Fund. Until January 1, 2000, all monies paid into the Horse
8 Racing Tax Allocation Fund pursuant to this paragraph (11)
9 by inter-track wagering location licensees located in park
10 districts of 500,000 population or less, or in a
11 municipality that is not included within any park district
12 but is included within a conservation district and is the
13 county seat of a county that (i) is contiguous to the state
14 of Indiana and (ii) has a 1990 population of 88,257
15 according to the United States Bureau of the Census, and
16 operating on May 1, 1994 shall be allocated by
17 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 park districts or municipalities
4 that do not have a park district of 500,000 population
5 or less for museum purposes (if an inter-track wagering
6 location licensee is located in such a park district)
7 or to conservation districts for museum purposes (if an
8 inter-track wagering location licensee is located in a
9 municipality that is not included within any park
10 district but is included within a conservation
11 district and is the county seat of a county that (i) is
12 contiguous to the state of Indiana and (ii) has a 1990
13 population of 88,257 according to the United States
14 Bureau of the Census, except that if the conservation
15 district does not maintain a museum, the monies shall
16 be allocated equally between the county and the
17 municipality in which the inter-track wagering
18 location licensee is located for general purposes) or
19 to a municipal recreation board for park purposes (if
20 an inter-track wagering location licensee is located
21 in a municipality that is not included within any park
22 district and park maintenance is the function of the
23 municipal recreation board and the municipality has a
24 1990 population of 9,302 according to the United States
25 Bureau of the Census); provided that the monies are
26 distributed to each park district or conservation

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

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

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

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

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

15 Four-sevenths to museums and aquariums located in
16 park districts of over 500,000 population; provided
17 that the monies are distributed in accordance with the
18 previous year's distribution of the maintenance tax
19 for such museums and aquariums as provided in Section 2
20 of the Park District Aquarium and Museum Act; and

21 One-seventh to the Agricultural Premium Fund to be
22 used for distribution to agricultural home economics
23 extension councils in accordance with "An Act in
24 relation to additional support and finances for the
25 Agricultural and Home Economic Extension Councils in
26 the several counties of this State and making an

1 appropriation therefor", approved July 24, 1967. This
2 subparagraph (C) shall be inoperative and of no force
3 and effect on and after January 1, 2000.

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

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

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

1 is accepting such wagers.

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

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

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

26 (B) The Board, and any person or persons to whom it

1 delegates this power, is vested with the power to enter
2 the facilities of any licensee to determine whether
3 there has been compliance with the provisions of this
4 Act and the rules and regulations relating to the
5 conduct of such wagering.

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

16 (D) (Blank).

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

22 (F) The Board shall name and appoint a State
23 director of this wagering who shall be a representative
24 of the Board and whose duty it shall be to supervise
25 the conduct of inter-track wagering as may be provided
26 for by the rules and regulations of the Board; such

1 rules and regulation shall specify the method of
2 appointment and the Director's powers, authority and
3 duties.

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

12 (13) The Department of Agriculture may enter into
13 agreements with licensees authorizing such licensees to
14 conduct inter-track wagering on races to be held at the
15 licensed race meetings conducted by the Department of
16 Agriculture. Such agreement shall specify the races of the
17 Department of Agriculture's licensed race meeting upon
18 which the licensees will conduct wagering. In the event
19 that a licensee conducts inter-track pari-mutuel wagering
20 on races from the Illinois State Fair or DuQuoin State Fair
21 which are in addition to the licensee's previously approved
22 racing program, those races shall be considered a separate
23 racing day for the purpose of determining the daily handle
24 and computing the privilege or pari-mutuel tax on that
25 daily handle as provided in Sections 27 and 27.1. Such
26 agreements shall be approved by the Board before such

1 wagering may be conducted. In determining whether to grant
2 approval, the Board shall give due consideration to the
3 best interests of the public and of horse racing. The
4 provisions of paragraphs (1), (8), (8.1), and (8.2) of
5 subsection (h) of this Section which are not specified in
6 this paragraph (13) shall not apply to licensed race
7 meetings conducted by the Department of Agriculture at the
8 Illinois State Fair in Sangamon County or the DuQuoin State
9 Fair in Perry County, or to any wagering conducted on those
10 race meetings.

11 (i) Notwithstanding the other provisions of this Act, the
12 conduct of wagering at wagering facilities is authorized on all
13 days, except as limited by subsection (b) of Section 19 of this
14 Act.

15 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

16 (230 ILCS 5/26.8 new)

17 Sec. 26.8. Inter-track wagering licensee and inter-track
18 wagering location licensee surcharges. Beginning on the
19 effective date of this amendatory Act of the 98th General
20 Assembly, each inter-track wagering licensee and inter-track
21 wagering location licensee may impose a surcharge of up to 0.5%
22 on winning wagers and winnings from wagers. The surcharge shall
23 be deducted from winnings prior to payout. All amounts
24 collected from the imposition of this surcharge shall be evenly
25 distributed to the organization licensee and the purse account

1 of the organization licensee with which the inter-track
2 wagering licensee and inter-track wagering location licensee
3 is affiliated. The amounts distributed under this Section shall
4 be in addition to the amounts received pursuant to paragraph
5 (10) of subsection (h) of Section 26, Section 26.5, and Section
6 26.7.

7 (230 ILCS 5/26.9 new)

8 Sec. 26.9. Advance deposit wagering licensee surcharges.
9 Beginning on the effective date of this amendatory Act of the
10 98th General Assembly, in addition to the surcharge imposed in
11 Section 26.7 of this Act, each advance deposit wagering
12 licensee shall impose a surcharge of 0.9% on winning wagers and
13 winnings from wagers placed through advance deposit wagering.
14 The surcharge shall be deducted from winnings prior to payout.
15 All amounts collected from the surcharge imposed under this
16 Section shall be remitted to the Board. From amounts collected
17 under this Section, the Board shall deposit an amount not to
18 exceed \$100,000 into the Quarter Horse Purse Fund and all
19 remaining amounts into the Horse Racing Fund.

20 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

21 Sec. 27. (a) In addition to the organization license fee
22 provided by this Act, until January 1, 2000, a graduated
23 privilege tax is hereby imposed for conducting the pari-mutuel
24 system of wagering permitted under this Act. Until January 1,

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

14 In addition, every organization licensee, except as
15 provided in Section 27.1 of this Act, which conducts multiple
16 wagering shall pay, until January 1, 2000, as a privilege tax
17 on multiple wagers an amount equal to 1.25% of all moneys
18 wagered each day on such multiple wagers, plus an additional
19 amount equal to 3.5% of the amount wagered each day on any
20 other multiple wager which involves a single betting interest
21 on 3 or more horses. The licensee shall remit the amount of
22 such taxes to the Department of Revenue within 48 hours after
23 the close of the racing day on which it is assessed or within
24 such other time as the Board prescribes.

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

1 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
2 at the rate of 1.5% of the daily pari-mutuel handle is imposed
3 at all pari-mutuel wagering facilities and on advance deposit
4 wagering from a location other than a wagering facility, except
5 as otherwise provided for in this subsection (a-5). In addition
6 to the pari-mutuel tax imposed on advance deposit wagering
7 pursuant to this subsection (a-5), beginning on the effective
8 date of this amendatory Act of the 97th General Assembly until
9 December 31, 2015 ~~January 31, 2014~~, an additional pari-mutuel
10 tax at the rate of 0.25% shall be imposed on advance deposit
11 wagering. Until August 25, 2012, the additional 0.25%
12 pari-mutuel tax imposed on advance deposit wagering by Public
13 Act 96-972 shall be deposited into the Quarter Horse Purse
14 Fund, which shall be created as a non-appropriated trust fund
15 administered by the Board for grants to thoroughbred
16 organization licensees for payment of purses for quarter horse
17 races conducted by the organization licensee. Beginning on
18 August 26, 2012, the additional 0.25% pari-mutuel tax imposed
19 on advance deposit wagering shall be deposited into the
20 Standardbred Purse Fund, which shall be created as a
21 non-appropriated trust fund administered by the Board, for
22 grants to the standardbred organization licensees for payment
23 of purses for standardbred horse races conducted by the
24 organization licensee. Thoroughbred organization licensees may
25 petition the Board to conduct quarter horse racing and receive
26 purse grants from the Quarter Horse Purse Fund. The Board shall

1 have complete discretion in distributing the Quarter Horse
2 Purse Fund to the petitioning organization licensees.
3 Beginning on July 26, 2010 (the effective date of Public Act
4 96-1287), a pari-mutuel tax at the rate of 0.75% of the daily
5 pari-mutuel handle is imposed at a pari-mutuel facility whose
6 license is derived from a track located in a county that
7 borders the Mississippi River and conducted live racing in the
8 previous year. The pari-mutuel tax imposed by this subsection
9 (a-5) shall be remitted to the Department of Revenue within 48
10 hours after the close of the racing day upon which it is
11 assessed or within such other time as the Board prescribes.

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

18 (c) Licensees shall at all times keep accurate books and
19 records of all monies wagered on each day of a race meeting and
20 of the taxes paid to the Department of Revenue under the
21 provisions of this Section. The Board or its duly authorized
22 representative or representatives shall at all reasonable
23 times have access to such records for the purpose of examining
24 and checking the same and ascertaining whether the proper
25 amount of taxes is being paid as provided. The Board shall
26 require verified reports and a statement of the total of all

1 monies wagered daily at each wagering facility upon which the
2 taxes are assessed and may prescribe forms upon which such
3 reports and statement shall be made.

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

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

15 (f) No other license fee, privilege tax, excise tax or
16 racing fee shall be assessed or collected from any such
17 licensee by units of local government except as provided in
18 paragraph 10.1 of subsection (h) and subsection (f) of Section
19 26 of this Act. However, any municipality that has a Board
20 licensed horse race meeting at a race track wholly within its
21 corporate boundaries or a township that has a Board licensed
22 horse race meeting at a race track wholly within the
23 unincorporated area of the township may charge a local
24 amusement tax not to exceed 10¢ per admission to such horse
25 race meeting by the enactment of an ordinance. However, any
26 municipality or county that has a Board licensed inter-track

1 wagering location facility wholly within its corporate
2 boundaries may each impose an admission fee not to exceed \$1.00
3 per admission to such inter-track wagering location facility,
4 so that a total of not more than \$2.00 per admission may be
5 imposed. Except as provided in subparagraph (g) of Section 27
6 of this Act, the inter-track wagering location licensee shall
7 collect any and all such fees and within 48 hours remit the
8 fees to the Board, which shall, pursuant to rule, cause the
9 fees to be distributed to the county or municipality.

10 (g) Notwithstanding any provision in this Act to the
11 contrary, if in any calendar year the total taxes and fees
12 required to be collected from licensees and distributed under
13 this Act to all State and local governmental authorities
14 exceeds the amount of such taxes and fees distributed to each
15 State and local governmental authority to which each State and
16 local governmental authority was entitled under this Act for
17 calendar year 1994, then the first \$11 million of that excess
18 amount shall be allocated at the earliest possible date for
19 distribution as purse money for the succeeding calendar year.
20 Upon reaching the 1994 level, and until the excess amount of
21 taxes and fees exceeds \$11 million, the Board shall direct all
22 licensees to cease paying the subject taxes and fees and the
23 Board shall direct all licensees to allocate any such excess
24 amount for purses as follows:

25 (i) the excess amount shall be initially divided
26 between thoroughbred and standardbred purses based on the

1 thoroughbred's and standardbred's respective percentages
2 of total Illinois live wagering in calendar year 1994;

3 (ii) each thoroughbred and standardbred organization
4 licensee issued an organization licensee in that
5 succeeding allocation year shall be allocated an amount
6 equal to the product of its percentage of total Illinois
7 live thoroughbred or standardbred wagering in calendar
8 year 1994 (the total to be determined based on the sum of
9 1994 on-track wagering for all organization licensees
10 issued organization licenses in both the allocation year
11 and the preceding year) multiplied by the total amount
12 allocated for standardbred or thoroughbred purses,
13 provided that the first \$1,500,000 of the amount allocated
14 to standardbred purses under item (i) shall be allocated to
15 the Department of Agriculture to be expended with the
16 assistance and advice of the Illinois Standardbred
17 Breeders Funds Advisory Board for the purposes listed in
18 subsection (g) of Section 31 of this Act, before the amount
19 allocated to standardbred purses under item (i) is
20 allocated to standardbred organization licensees in the
21 succeeding allocation year.

22 To the extent the excess amount of taxes and fees to be
23 collected and distributed to State and local governmental
24 authorities exceeds \$11 million, that excess amount shall be
25 collected and distributed to State and local authorities as
26 provided for under this Act.

1 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

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