



Rep. Robert Rita

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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, 27, and 28.1 and by adding
7 Sections 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 February 1, 2017 ~~January 31, 2014~~, an organization licensee,
13 with the consent of the horseman 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 With the exception of any organization licensee that is owned
4 by a publicly traded company that is incorporated in a state
5 other than Illinois and advance deposit wagering licensees
6 under contract with such organization licensees, organization
7 licensees that maintain advance deposit wagering systems and
8 advance deposit wagering licensees that contract with
9 organization licensees shall provide sufficiently detailed
10 monthly accountings to the horsemen association representing
11 the largest number of owners, trainers, jockeys, or
12 standardbred drivers who race horses at that organization
13 licensee's racing meeting so that the horsemen association, as
14 an interested party, can confirm the accuracy of the amounts
15 paid to the purse account at the horsemen association's
16 affiliated organization licensee from advance deposit
17 wagering. If more than one breed races at the same race track
18 facility, then the 50% of the moneys to be paid to an
19 organization licensee's purse account shall be allocated among
20 all organization licensees' purse accounts operating at that
21 race track facility proportionately based on the actual number
22 of host days that the Board grants to that breed at that race
23 track facility in the current calendar year. To the extent any
24 fees from advance deposit wagering conducted in Illinois for
25 wagers in Illinois or other states have been placed in escrow
26 or otherwise withheld from wagers pending a determination of

1 the legality of advance deposit wagering, no action shall be
2 brought to declare such wagers or the disbursement of any fees
3 previously escrowed illegal.

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

21 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
22 intertrack wagering licensee other than the host track may
23 receive supplemental interstate simulcasts only with the
24 consent of the host track, except when the Board finds that
25 the simulcast is clearly adverse to the integrity of
26 racing. Consent granted under this paragraph (2) to any

1 intertrack wagering licensee shall be deemed consent to all
2 non-host licensees. The interstate commission fee for the
3 supplemental interstate simulcast shall be paid by all
4 participating non-host licensees.

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

21 (4) A licensee who receives an interstate simulcast may
22 combine its gross or net pools with pools at the sending
23 racetracks pursuant to rules established by the Board. All
24 licensees combining their gross pools at a sending
25 racetrack shall adopt the take-out percentages of the
26 sending racetrack. A licensee may also establish a separate

1 pool and takeout structure for wagering purposes on races
2 conducted at race tracks outside of the State of Illinois.
3 The licensee may permit pari-mutuel wagers placed in other
4 states or countries to be combined with its gross or net
5 wagering pools or other wagering pools.

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

15 (A) For interstate simulcast wagers made at a host
16 track, 50% to the host track and 50% to purses at the
17 host track.

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

25 (6) Notwithstanding any provision in this Act to the
26 contrary, non-host licensees who derive their licenses

1 from a track located in a county with a population in
2 excess of 230,000 and that borders the Mississippi River
3 may receive supplemental interstate simulcast races at all
4 times subject to Board approval, which shall be withheld
5 only upon a finding that a supplemental interstate
6 simulcast is clearly adverse to the integrity of racing.

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

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

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

1 (g);

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

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

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

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

26 (A) If the licensee that conducts horse racing at

1 that racetrack requests from the Board at least as many
2 racing dates as were conducted in calendar year 2000,
3 80% shall be paid to its thoroughbred purse account;
4 and

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

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

1 p.m. during that calendar year shall be deposited as
2 follows:

3 (A) If the licensee that conducts horse racing at
4 that racetrack requests from the Board at least as many
5 racing dates as were conducted in calendar year 2000,
6 80% shall be deposited into its standardbred purse
7 account; and

8 (B) Twenty percent shall be deposited into the
9 Illinois Colt Stakes Purse Distribution Fund. Moneys
10 deposited into the Illinois Colt Stakes Purse
11 Distribution Fund pursuant to this subparagraph (B)
12 shall be paid to Illinois conceived and foaled
13 thoroughbred breeders' programs and to thoroughbred
14 purses for races conducted at any county fairgrounds
15 for Illinois conceived and foaled horses at the
16 discretion of the Department of Agriculture, with the
17 advice and assistance of the Illinois Thoroughbred
18 Breeders Fund Advisory Board. The moneys deposited
19 into the Illinois Colt Stakes Purse Distribution Fund
20 pursuant to this subparagraph (B) shall be deposited
21 within 2 weeks after the day they were generated, shall
22 be in addition to and not in lieu of any other moneys
23 paid to thoroughbred purses under this Act, and shall
24 not be commingled with other moneys deposited into that
25 Fund.

26 (7.3) If no live standardbred racing is conducted at a

1 racetrack located in Madison County in calendar year 2000
2 or 2001, an organization licensee who is licensed to
3 conduct horse racing at that racetrack shall, before
4 January 1, 2002, pay all moneys derived from simulcast
5 wagering and inter-track wagering in calendar years 2000
6 and 2001 and paid into the licensee's standardbred purse
7 account as follows:

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

10 (B) Twenty percent to the Illinois Colt Stakes
11 Purse Distribution Fund.

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

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

1 standardbred purses under this Act, and shall not be
2 commingled with any other moneys paid into that Fund.

3 (7.4) If live standardbred racing is conducted at a
4 racetrack located in Madison County at any time in calendar
5 year 2001 before the payment required under paragraph (7.3)
6 has been made, the organization licensee who is licensed to
7 conduct racing at that racetrack shall pay all moneys
8 derived by that racetrack from simulcast wagering and
9 inter-track wagering during calendar years 2000 and 2001
10 that (1) are to be used for purses and (2) are generated
11 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
12 2001 to the standardbred purse account at that racetrack to
13 be used for standardbred purses.

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

21 (8.1) Notwithstanding any provisions in this Act to the
22 contrary, if 2 organization licensees are conducting
23 standardbred race meetings concurrently between the hours
24 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
25 State and local taxes and interstate commission fees, the
26 remainder of the amount retained from simulcast wagering

1 otherwise attributable to the host track and to host track
2 purses shall be split daily between the 2 organization
3 licensees and the purses at the tracks of the 2
4 organization licensees, respectively, based on each
5 organization licensee's share of the total live handle for
6 that day, provided that this provision shall not apply to
7 any non-host licensee that derives its license from a track
8 located in a county with a population in excess of 230,000
9 and that borders the Mississippi River.

10 (9) (Blank).

11 (10) (Blank).

12 (11) (Blank).

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

18 (13) Notwithstanding any other provision of this Act,
19 in the event that the total Illinois pari-mutuel handle on
20 Illinois horse races at all wagering facilities in any
21 calendar year is less than 75% of the total Illinois
22 pari-mutuel handle on Illinois horse races at all such
23 wagering facilities for calendar year 1994, then each
24 wagering facility that has an annual total Illinois
25 pari-mutuel handle on Illinois horse races that is less
26 than 75% of the total Illinois pari-mutuel handle on

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

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

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

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

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

1 payable to the order of the Board for an amount equal to
2 \$500. The application shall be on forms prescribed and
3 furnished by the Board. The application shall comply with
4 all other rules, regulations and conditions imposed by the
5 Board in connection therewith.

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

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

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

1 distribution by the licensee, upon presentation of the
2 winning ticket or tickets, of all sums payable to the
3 patrons of pari-mutuel pools.

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

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

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

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

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

1 licensee is licensed to conduct racing in the case of race
2 tracks in counties of less than 400,000 that were operating
3 on or before June 1, 1986. However, inter-track wagering
4 and simulcast wagering shall not be conducted by those
5 licensees at any location within 5 miles of any race track
6 at which a horse race meeting has been licensed in the
7 current year, unless the person having operating control of
8 such race track has given its written consent to such
9 inter-track wagering location licensees, which consent
10 must be filed with the Board at or prior to the time
11 application is made. In the case of the additional
12 inter-track wagering location licenses authorized under
13 paragraph (1) of this subsection (h) by this amendatory Act
14 of the 98th General Assembly, inter-track wagering and
15 simulcast wagering shall not be conducted by those
16 inter-track wagering location licensees that are located
17 outside the City of Chicago at any location within 8 miles
18 of any race track at which a horse race meeting has been
19 licensed in the current year, unless the person having
20 operating control of such race track has given its written
21 consent to such inter-track wagering location licensees,
22 which consent must be filed with the Board at or prior to
23 the time application is made.

24 (8.2) Inter-track wagering or simulcast wagering shall
25 not be conducted by an inter-track wagering location
26 licensee at any location within 500 feet of an existing

1 church or existing school, nor within 500 feet of the
2 residences of more than 50 registered voters if ~~without~~
3 ~~receiving written permission from~~ a majority of the
4 registered voters at such residences object in writing to
5 the Board. The applicant for the inter-track wagering
6 location licensee shall provide written notice to all
7 registered voters residing within 500 feet of the proposed
8 location of the proposed use if there are more than 50
9 registered within 500 feet. Such written objection
10 ~~permission~~ statements shall be filed with the Board within
11 30 days of the notice being sent by the applicant, and the
12 Board must hold a hearing on the objections. The distance
13 of 500 feet shall be measured to the nearest part of any
14 building used for worship services, education programs,
15 residential purposes, or conducting inter-track wagering
16 by an inter-track wagering location licensee, and not to
17 property boundaries. However, inter-track wagering or
18 simulcast wagering may be conducted at a site within 500
19 feet of a church , school or residences of 50 or more
20 registered voters if such church , school or residences
21 have been erected or established, or such voters have been
22 registered, after the Board issues the original
23 inter-track wagering location license at the site in
24 question. Inter-track wagering location licensees may
25 conduct inter-track wagering and simulcast wagering only
26 in areas that are zoned for commercial or manufacturing

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

13 (9) (Blank).

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

24 (10.1) Except as provided in subsection (g) of Section
25 27 of this Act, inter-track wagering location licensees
26 shall pay 1% of the pari-mutuel handle at each location to

1 the municipality in which such location is situated and 1%
2 of the pari-mutuel handle at each location to the county in
3 which such location is situated. In the event that an
4 inter-track wagering location licensee is situated in an
5 unincorporated area of a county, such licensee shall pay 2%
6 of the pari-mutuel handle from such location to such
7 county.

8 (10.2) Notwithstanding any other provision of this
9 Act, with respect to intertrack wagering at a race track
10 located in a county that has a population of more than
11 230,000 and that is bounded by the Mississippi River ("the
12 first race track"), or at a facility operated by an
13 inter-track wagering licensee or inter-track wagering
14 location licensee that derives its license from the
15 organization licensee that operates the first race track,
16 on races conducted at the first race track or on races
17 conducted at another Illinois race track and
18 simultaneously televised to the first race track or to a
19 facility operated by an inter-track wagering licensee or
20 inter-track wagering location licensee that derives its
21 license from the organization licensee that operates the
22 first race track, those moneys shall be allocated as
23 follows:

24 (A) That portion of all moneys wagered on
25 standardbred racing that is required under this Act to
26 be paid to purses shall be paid to purses for

1 standardbred races.

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

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

26 (B) From the sums permitted to be retained pursuant to

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

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

1 licensee during the calendar year in question; and (iv) 8%
2 of the pari-mutuel handle on inter-track wagering wagered
3 at such location to satisfy all costs and expenses of
4 conducting its wagering. The remainder of the monies
5 retained by the inter-track wagering location licensee
6 shall be allocated 40% to the location licensee and 60% to
7 the organization licensee which provides the Illinois
8 races to the location, except that an intertrack wagering
9 location licensee that derives its license from a track
10 located in a county with a population in excess of 230,000
11 and that borders the Mississippi River shall not divide any
12 remaining retention with the organization licensee that
13 provides the race or races and an intertrack wagering
14 location licensee that accepts wagers on races conducted by
15 an organization licensee that conducts a race meet in a
16 county with a population in excess of 230,000 and that
17 borders the Mississippi River shall not divide any
18 remaining retention with the organization licensee.
19 Notwithstanding the provisions of clauses (ii) and (iv) of
20 this paragraph, in the case of the additional inter-track
21 wagering location licenses authorized under paragraph (1)
22 of this subsection (h) by this amendatory Act of 1991,
23 those licensees shall pay the following amounts as purses:
24 during the first 12 months the licensee is in operation,
25 5.25% of the pari-mutuel handle wagered at the location on
26 races; during the second 12 months, 5.25%; during the third

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

22 (C) There is hereby created the Horse Racing Tax
23 Allocation Fund which shall remain in existence until
24 December 31, 1999. Moneys remaining in the Fund after
25 December 31, 1999 shall be paid into the General Revenue
26 Fund. Until January 1, 2000, all monies paid into the Horse

1 Racing Tax Allocation Fund pursuant to this paragraph (11)
2 by inter-track wagering location licensees located in park
3 districts of 500,000 population or less, or in a
4 municipality that is not included within any park district
5 but is included within a conservation district and is the
6 county seat of a county that (i) is contiguous to the state
7 of Indiana and (ii) has a 1990 population of 88,257
8 according to the United States Bureau of the Census, and
9 operating on May 1, 1994 shall be allocated by
10 appropriation as follows:

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

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

22 Four-sevenths to park districts or municipalities
23 that do not have a park district of 500,000 population
24 or less for museum purposes (if an inter-track wagering
25 location licensee is located in such a park district)
26 or to conservation districts for museum purposes (if an

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

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

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

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

23 Two-sevenths to the Department of Agriculture.
24 Fifty percent of this two-sevenths shall be used to
25 promote the Illinois horse racing and breeding
26 industry, and shall be distributed by the Department of

1 Agriculture upon the advice of a 9-member committee
2 appointed by the Governor consisting of the following
3 members: the Director of Agriculture, who shall serve
4 as chairman; 2 representatives of organization
5 licensees conducting thoroughbred race meetings in
6 this State, recommended by those licensees; 2
7 representatives of organization licensees conducting
8 standardbred race meetings in this State, recommended
9 by those licensees; a representative of the Illinois
10 Thoroughbred Breeders and Owners Foundation,
11 recommended by that Foundation; a representative of
12 the Illinois Standardbred Owners and Breeders
13 Association, recommended by that Association; a
14 representative of the Horsemen's Benevolent and
15 Protective Association or any successor organization
16 thereto established in Illinois comprised of the
17 largest number of owners and trainers, recommended by
18 that Association or that successor organization; and a
19 representative of the Illinois Harness Horsemen's
20 Association, recommended by that Association.
21 Committee members shall serve for terms of 2 years,
22 commencing January 1 of each even-numbered year. If a
23 representative of any of the above-named entities has
24 not been recommended by January 1 of any even-numbered
25 year, the Governor shall appoint a committee member to
26 fill that position. Committee members shall receive no

1 compensation for their services as members but shall be
2 reimbursed for all actual and necessary expenses and
3 disbursements incurred in the performance of their
4 official duties. The remaining 50% of this
5 two-sevenths shall be distributed to county fairs for
6 premiums and rehabilitation as set forth in the
7 Agricultural Fair Act;

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

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

23 (D) Except as provided in paragraph (11) of this
24 subsection (h), with respect to purse allocation from
25 intertrack wagering, the monies so retained shall be
26 divided as follows:

1 (i) If the inter-track wagering licensee,
2 except an intertrack wagering licensee that
3 derives its license from an organization licensee
4 located in a county with a population in excess of
5 230,000 and bounded by the Mississippi River, is
6 not conducting its own race meeting during the same
7 dates, then the entire purse allocation shall be to
8 purses at the track where the races wagered on are
9 being conducted.

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

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

1 Mississippi River, the entire purse allocation for
2 Illinois races shall be to purses at the track
3 where the race meeting being wagered on is being
4 held.

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

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

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

25 (C) The Board, and any person or persons to whom it
26 delegates this power, may eject or exclude from any

1 licensee's facilities, any person whose conduct or
2 reputation is such that his presence on such premises
3 may, in the opinion of the Board, call into the
4 question the honesty and integrity of, or interfere
5 with the orderly conduct of such wagering; provided,
6 however, that no person shall be excluded or ejected
7 from such premises solely on the grounds of race,
8 color, creed, national origin, ancestry, or sex.

9 (D) (Blank).

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

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

23 (G) The Board is vested with the power to impose
24 civil penalties of up to \$5,000 against individuals and
25 up to \$10,000 against licensees for each violation of
26 any provision of this Act relating to the conduct of

1 this wagering, any rules adopted by the Board, any
2 order of the Board or any other action which in the
3 Board's discretion, is a detriment or impediment to
4 such wagering.

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

1 Illinois State Fair in Sangamon County or the DuQuoin State
2 Fair in Perry County, or to any wagering conducted on those
3 race meetings.

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

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

9 (230 ILCS 5/26.8 new)

10 Sec. 26.8. Beginning on February 1, 2014 and until January
11 31, 2017, each wagering licensee may impose a surcharge of up
12 to 0.5% on winning wagers and winnings from wagers. The
13 surcharge shall be deducted from winnings prior to payout. All
14 amounts collected from the imposition of this surcharge shall
15 be evenly distributed to the organization licensee and the
16 purse account of the organization licensee with which the
17 licensee is affiliated. The amounts distributed under this
18 Section shall be in addition to the amounts paid pursuant to
19 paragraph (10) of subsection (h) of Section 26, Section 26.3,
20 Section 26.4, Section 26.5, and Section 26.7.

21 (230 ILCS 5/26.9 new)

22 Sec. 26.9. Beginning on February 1, 2014 until January 31,
23 2017, in addition to the surcharge imposed in Sections 26.3,
24 26.4, 26.5, 26.7, and 26.8 of this Act, each licensee shall

1 impose a surcharge of 0.2% on winning wagers and winnings from
2 wagers. The surcharge shall be deducted from winnings prior to
3 payout. All amounts collected from the surcharges imposed under
4 this Section shall be remitted to the Board. From amounts
5 collected under this Section, the Board shall deposit an amount
6 not to exceed \$100,000 annually into the Quarter Horse Purse
7 Fund and all remaining amounts into the Horse Racing Fund.

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

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

1 In addition, every organization licensee, except as
2 provided in Section 27.1 of this Act, which conducts multiple
3 wagering shall pay, until January 1, 2000, as a privilege tax
4 on multiple wagers an amount equal to 1.25% of all moneys
5 wagered each day on such multiple wagers, plus an additional
6 amount equal to 3.5% of the amount wagered each day on any
7 other multiple wager which involves a single betting interest
8 on 3 or more horses. The licensee shall remit the amount of
9 such taxes to the Department of Revenue within 48 hours after
10 the close of the racing day on which it is assessed or within
11 such other time as the Board prescribes.

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

14 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
15 at the rate of 1.5% of the daily pari-mutuel handle is imposed
16 at all pari-mutuel wagering facilities and on advance deposit
17 wagering from a location other than a wagering facility, except
18 as otherwise provided for in this subsection (a-5). In addition
19 to the pari-mutuel tax imposed on advance deposit wagering
20 pursuant to this subsection (a-5), beginning on August 24, 2012
21 (the effective date of Public Act 97-1060) ~~this amendatory Act~~
22 ~~of the 97th General Assembly~~ until February 1, 2017 ~~January 31,~~
23 ~~2014~~, an additional pari-mutuel tax at the rate of 0.25% shall
24 be imposed on advance deposit wagering. Until August 25, 2012,
25 the additional 0.25% pari-mutuel tax imposed on advance deposit
26 wagering by Public Act 96-972 shall be deposited into the

1 Quarter Horse Purse Fund, which shall be created as a
2 non-appropriated trust fund administered by the Board for
3 grants to thoroughbred organization licensees for payment of
4 purses for quarter horse races conducted by the organization
5 licensee. Beginning on August 26, 2012, the additional 0.25%
6 pari-mutuel tax imposed on advance deposit wagering shall be
7 deposited into the Standardbred Purse Fund, which shall be
8 created as a non-appropriated trust fund administered by the
9 Board, for grants to the standardbred organization licensees
10 for payment of purses for standardbred horse races conducted by
11 the organization licensee. Thoroughbred organization licensees
12 may petition the Board to conduct quarter horse racing and
13 receive purse grants from the Quarter Horse Purse Fund. The
14 Board shall have complete discretion in distributing the
15 Quarter Horse Purse Fund to the petitioning organization
16 licensees. Beginning on July 26, 2010 (the effective date of
17 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of
18 the daily pari-mutuel handle is imposed at a pari-mutuel
19 facility whose license is derived from a track located in a
20 county that borders the Mississippi River and conducted live
21 racing in the previous year. The pari-mutuel tax imposed by
22 this subsection (a-5) shall be remitted to the Department of
23 Revenue within 48 hours after the close of the racing day upon
24 which it is assessed or within such other time as the Board
25 prescribes.

26 (b) On or before December 31, 1999, in the event that any

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

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

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

26 (e) No other license fee, privilege tax, excise tax, or

1 racing fee, except as provided in this Act, shall be assessed
2 or collected from any such licensee by the State.

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

24 (g) Notwithstanding any provision in this Act to the
25 contrary, if in any calendar year the total taxes and fees
26 required to be collected from licensees and distributed under

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

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

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

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

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

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

16 (230 ILCS 5/28.1)

17 Sec. 28.1. Payments.

18 (a) Beginning on January 1, 2000, moneys collected by the
19 Department of Revenue and the Racing Board pursuant to Section
20 26 or Section 27 of this Act shall be deposited into the Horse
21 Racing Fund, which is hereby created as a special fund in the
22 State Treasury.

23 (b) Appropriations, as approved by the General Assembly,
24 may be made from the Horse Racing Fund to the Board to pay the
25 salaries of the Board members, secretary, stewards, directors

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

8 (c) (Blank) ~~Beginning on January 1, 2000, the Board shall~~
9 ~~transfer the remainder of the funds generated pursuant to~~
10 ~~Sections 26 and 27 from the Horse Racing Fund into the General~~
11 ~~Revenue Fund.~~

12 (d) Beginning January 1, 2000, payments to all programs in
13 existence on the effective date of this amendatory Act of 1999
14 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
15 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
16 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),
17 and (h) of Section 31 shall be made from the General Revenue
18 Fund at the funding levels determined by amounts paid under
19 this Act in calendar year 1998. Beginning on the effective date
20 of this amendatory Act of the 93rd General Assembly, payments
21 to the Peoria Park District shall be made from the General
22 Revenue Fund at the funding level determined by amounts paid to
23 that park district for museum purposes under this Act in
24 calendar year 1994.

25 If an inter-track wagering location licensee's facility
26 changes its location, then the payments associated with that

1 facility under this subsection (d) for museum purposes shall be
2 paid to the park district in the area where the facility
3 relocates, and the payments shall be used for museum purposes.
4 If the facility does not relocate to a park district, then the
5 payments shall be paid to the taxing district that is
6 responsible for park or museum expenditures.

7 (e) Beginning July 1, 2006, the payment authorized under
8 subsection (d) to museums and aquariums located in park
9 districts of over 500,000 population shall be paid to museums,
10 aquariums, and zoos in amounts determined by Museums in the
11 Park, an association of museums, aquariums, and zoos located on
12 Chicago Park District property.

13 (f) Beginning July 1, 2007, the Children's Discovery Museum
14 in Normal, Illinois shall receive payments from the General
15 Revenue Fund at the funding level determined by the amounts
16 paid to the Miller Park Zoo in Bloomington, Illinois under this
17 Section in calendar year 2006.

18 (Source: P.A. 95-222, eff. 8-16-07; 96-562, eff. 8-18-09.)".