

1 AN ACT concerning State government.

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

4 Section 5. The State Finance Act is amended by adding
5 Sections 5.826 and 6z-98 and by changing Section 6z-45 as
6 follows:

7 (30 ILCS 105/5.826 new)

8 Sec. 5.826. The Chicago State University Education
9 Improvement Fund.

10 (30 ILCS 105/6z-45)

11 Sec. 6z-45. The School Infrastructure Fund.

12 (a) The School Infrastructure Fund is created as a special
13 fund in the State Treasury.

14 In addition to any other deposits authorized by law,
15 beginning January 1, 2000, on the first day of each month, or
16 as soon thereafter as may be practical, the State Treasurer and
17 State Comptroller shall transfer the sum of \$5,000,000 from the
18 General Revenue Fund to the School Infrastructure Fund, except
19 that, notwithstanding any other provision of law, and in
20 addition to any other transfers that may be provided for by
21 law, before June 30, 2012, the Comptroller and the Treasurer
22 shall transfer \$45,000,000 from the General Revenue Fund into

1 the School Infrastructure Fund, and, for fiscal year 2013 only,
2 the Treasurer and the Comptroller shall transfer \$1,250,000
3 from the General Revenue Fund to the School Infrastructure Fund
4 on the first day of each month; provided, however, that no such
5 transfers shall be made from July 1, 2001 through June 30,
6 2003.

7 (b) Subject to the transfer provisions set forth below,
8 money in the School Infrastructure Fund shall, if and when the
9 State of Illinois incurs any bonded indebtedness for the
10 construction of school improvements under the School
11 Construction Law, be set aside and used for the purpose of
12 paying and discharging annually the principal and interest on
13 that bonded indebtedness then due and payable, and for no other
14 purpose.

15 In addition to other transfers to the General Obligation
16 Bond Retirement and Interest Fund made pursuant to Section 15
17 of the General Obligation Bond Act, upon each delivery of bonds
18 issued for construction of school improvements under the School
19 Construction Law, the State Comptroller shall compute and
20 certify to the State Treasurer the total amount of principal
21 of, interest on, and premium, if any, on such bonds during the
22 then current and each succeeding fiscal year. With respect to
23 the interest payable on variable rate bonds, such
24 certifications shall be calculated at the maximum rate of
25 interest that may be payable during the fiscal year, after
26 taking into account any credits permitted in the related

1 indenture or other instrument against the amount of such
2 interest required to be appropriated for that period.

3 On or before the last day of each month, the State
4 Treasurer and State Comptroller shall transfer from the School
5 Infrastructure Fund to the General Obligation Bond Retirement
6 and Interest Fund an amount sufficient to pay the aggregate of
7 the principal of, interest on, and premium, if any, on the
8 bonds payable on their next payment date, divided by the number
9 of monthly transfers occurring between the last previous
10 payment date (or the delivery date if no payment date has yet
11 occurred) and the next succeeding payment date. Interest
12 payable on variable rate bonds shall be calculated at the
13 maximum rate of interest that may be payable for the relevant
14 period, after taking into account any credits permitted in the
15 related indenture or other instrument against the amount of
16 such interest required to be appropriated for that period.
17 Interest for which moneys have already been deposited into the
18 capitalized interest account within the General Obligation
19 Bond Retirement and Interest Fund shall not be included in the
20 calculation of the amounts to be transferred under this
21 subsection.

22 (b-5) The money deposited into the School Infrastructure
23 Fund from transfers pursuant to subsections (c-30) and (c-35)
24 of Section 13 of the Riverboat Gambling Act shall be applied,
25 without further direction, as provided in subsection (b-3) of
26 Section 5-35 of the School Construction Law.

1 (c) The surplus, if any, in the School Infrastructure Fund
2 after payments made pursuant to subsections (b) and (b-5) of
3 this Section ~~the payment of principal and interest on that~~
4 ~~bonded indebtedness then annually due~~ shall, subject to
5 appropriation, be used as follows:

6 First - to make 3 payments to the School Technology
7 Revolving Loan Fund as follows:

8 Transfer of \$30,000,000 in fiscal year 1999;

9 Transfer of \$20,000,000 in fiscal year 2000; and

10 Transfer of \$10,000,000 in fiscal year 2001.

11 Second - to pay the expenses of the State Board of
12 Education and the Capital Development Board in administering
13 programs under the School Construction Law, the total expenses
14 not to exceed \$1,200,000 in any fiscal year.

15 Third - to pay any amounts due for grants for school
16 construction projects and debt service under the School
17 Construction Law.

18 Fourth - to pay any amounts due for grants for school
19 maintenance projects under the School Construction Law.

20 (Source: P.A. 97-732, eff. 6-30-12.)

21 (30 ILCS 105/6z-98 new)

22 Sec. 6z-98. The Chicago State University Education
23 Improvement Fund. The Chicago State University Education
24 Improvement Fund is hereby created as a special fund in the
25 State treasury. The moneys deposited into the Fund shall be

1 used by Chicago State University, subject to appropriation, for
2 expenses incurred by the University. All interest earned on
3 moneys in the Fund shall remain in the Fund.

4 Section 10. The School Construction Law is amended by
5 changing Section 5-35 as follows:

6 (105 ILCS 230/5-35)

7 Sec. 5-35. School construction project grant amounts;
8 permitted use; prohibited use.

9 (a) The product of the district's grant index and the
10 recognized project cost, as determined by the Capital
11 Development Board, for an approved school construction project
12 shall equal the amount of the grant the Capital Development
13 Board shall provide to the eligible district. The grant index
14 shall not be used in cases where the General Assembly and the
15 Governor approve appropriations designated for specifically
16 identified school district construction projects.

17 The average of the grant indexes of the member districts in
18 a joint agreement shall be used to calculate the amount of a
19 school construction project grant awarded to an eligible Type
20 40 area vocational center.

21 (b) In each fiscal year in which school construction
22 project grants are awarded, 20% of the total amount awarded
23 statewide shall be awarded to a school district with a
24 population exceeding 500,000, provided such district complies

1 with the provisions of this Article.

2 In addition to the uses otherwise authorized by this Law,
3 any school district with a population exceeding 500,000 is
4 authorized to use any or all of the school construction project
5 grants (i) to pay debt service, as defined in the Local
6 Government Debt Reform Act, on bonds, as defined in the Local
7 Government Debt Reform Act, issued to finance one or more
8 school construction projects and (ii) to the extent that any
9 such bond is a lease or other installment or financing contract
10 between the school district and a public building commission
11 that has issued bonds to finance one or more qualifying school
12 construction projects, to make lease payments under the lease.

13 (b-3) The Capital Development Board shall make payment in
14 an amount equal to 20% of each amount deposited into the School
15 Infrastructure Fund pursuant to subsection (b-5) of Section
16 6z-45 of the State Finance Act to the Board of Education of the
17 City of Chicago within 10 days after such deposit. The Board of
18 Education of the City of Chicago shall use such moneys received
19 (i) for application to the costs of a school construction
20 project, (ii) to pay debt service on bonds, as those terms are
21 defined in the Local Government Debt Reform Act, that are
22 issued to finance one or more school construction projects, and
23 (iii) to the extent that any such bond is a lease or other
24 installment or financing contract between the school district
25 and a public building commission that has issued bonds to
26 finance one or more qualifying school construction projects, to

1 make lease payments under the lease. The Board of Education of
2 the City of Chicago shall submit quarterly to the Capital
3 Development Board documentation sufficient to establish that
4 this money is being used as authorized by this Section. The
5 Capital Development Board may withhold payments if the
6 documentation is not provided. The remaining 80% of each such
7 deposit shall be applied in accordance with the provisions of
8 subsection (a) of this Section; however, no portion of this
9 remaining 80% shall be awarded to a school district with a
10 population of more than 500,000.

11 (b-5) In addition to the uses otherwise authorized by this
12 Law, any school district that (1) was organized prior to 1860
13 and (2) is located in part in a city originally incorporated
14 prior to 1840 is authorized to use any or all of the school
15 construction project grants (i) to pay debt service on bonds,
16 as those terms are defined in the Local Government Debt Reform
17 Act, that are issued to finance one or more school construction
18 projects and (ii) to the extent that any such bond is a lease
19 or other installment or financing contract between the school
20 district and a public building commission that has issued bonds
21 to finance one or more qualifying school construction projects,
22 to make lease payments under the lease.

23 (c) No portion of a school construction project grant
24 awarded by the Capital Development Board shall be used by a
25 school district for any on-going operational costs.

26 (Source: P.A. 96-731, eff. 8-25-09; 96-1467, eff. 8-20-10.)

1 Section 15. The Illinois Horse Racing Act of 1975 is
2 amended by changing Sections 26, 26.7, 27, and 54 as follows:

3 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

4 Sec. 26. Wagering.

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

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

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

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

18 (c-5) Beginning January 1, 2000, the sum held by any
19 licensee for payment of outstanding pari-mutuel tickets, if
20 unclaimed prior to December 31 of the next year, shall be
21 retained by the licensee for payment of such tickets until that
22 date. Within 10 days thereafter, the balance of such sum
23 remaining unclaimed, less any uncashed supplements contributed
24 by such licensee for the purpose of guaranteeing minimum
25 distributions of any pari-mutuel pool, shall be evenly
26 distributed to the purse account of the organization licensee

1 and the organization licensee.

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

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

16 (f) Notwithstanding the other provisions of this Act, an
17 organization licensee may contract with an entity in another
18 state or country to permit any legal wagering entity in another
19 state or country to accept wagers solely within such other
20 state or country on races conducted by the organization
21 licensee in this State. Beginning January 1, 2000, these wagers
22 shall not be subject to State taxation. Until January 1, 2000,
23 when the out-of-State entity conducts a pari-mutuel pool
24 separate from the organization licensee, a privilege tax equal
25 to 7 1/2% of all monies received by the organization licensee
26 from entities in other states or countries pursuant to such

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

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

17 (g) A host track may accept interstate simulcast wagers on
18 horse races conducted in other states or countries and shall
19 control the number of signals and types of breeds of racing in
20 its simulcast program, subject to the disapproval of the Board.
21 The Board may prohibit a simulcast program only if it finds
22 that the simulcast program is clearly adverse to the integrity
23 of racing. The host track simulcast program shall include the
24 signal of live racing of all organization licensees. All
25 non-host licensees and advance deposit wagering licensees
26 shall carry the signal of and accept wagers on live racing of

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

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

24 Notwithstanding any other provision of this Act, until
25 January 31, 2014 ~~1, 2013~~, an organization licensee may maintain
26 a system whereby advance deposit wagering may take place or an

1 organization licensee, with the consent of the horsemen
2 association representing the largest number of owners,
3 trainers, jockeys, or standardbred drivers who race horses at
4 that organization licensee's racing meeting, may contract with
5 another person to carry out a system of advance deposit
6 wagering. Such consent may not be unreasonably withheld. The
7 actions of any organization licensee who conducts advance
8 deposit wagering or any person who has a contract with an
9 organization licensee to conduct advance deposit wagering who
10 conducts advance deposit wagering on or after January 1, 2013
11 and prior to the effective date of this amendatory Act of the
12 98th General Assembly taken in reliance on the changes made to
13 this subsection (g) by this amendatory Act of the 98th General
14 Assembly are hereby validated, provided payment of all
15 applicable pari-mutuel taxes are remitted to the Board. All
16 advance deposit wagers placed from within Illinois must be
17 placed through a Board-approved advance deposit wagering
18 licensee; no other entity may accept an advance deposit wager
19 from a person within Illinois. All advance deposit wagering is
20 subject to any rules adopted by the Board. The Board may adopt
21 rules necessary to regulate advance deposit wagering through
22 the use of emergency rulemaking in accordance with Section 5-45
23 of the Illinois Administrative Procedure Act. The General
24 Assembly finds that the adoption of rules to regulate advance
25 deposit wagering is deemed an emergency and necessary for the
26 public interest, safety, and welfare. An advance deposit

1 wagering licensee may retain all moneys as agreed to by
2 contract with an organization licensee. Any moneys retained by
3 the organization licensee from advance deposit wagering, not
4 including moneys retained by the advance deposit wagering
5 licensee, shall be paid 50% to the organization licensee's
6 purse account and 50% to the organization licensee. If more
7 than one breed races at the same race track facility, then the
8 50% of the moneys to be paid to an organization licensee's
9 purse account shall be allocated among all organization
10 licensees' purse accounts operating at that race track facility
11 proportionately based on the actual number of host days that
12 the Board grants to that breed at that race track facility in
13 the current calendar year. To the extent any fees from advance
14 deposit wagering conducted in Illinois for wagers in Illinois
15 or other states have been placed in escrow or otherwise
16 withheld from wagers pending a determination of the legality of
17 advance deposit wagering, no action shall be brought to declare
18 such wagers or the disbursement of any fees previously escrowed
19 illegal.

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

1 thoroughbred races may be used for supplemental interstate
2 simulcast purposes. The Board shall withhold approval for a
3 supplemental interstate simulcast only if it finds that the
4 simulcast is clearly adverse to the integrity of racing. A
5 supplemental interstate simulcast may be transmitted from
6 an intertrack wagering licensee to its affiliated non-host
7 licensees. The interstate commission fee for a
8 supplemental interstate simulcast shall be paid by the
9 non-host licensee and its affiliated non-host licensees
10 receiving the simulcast.

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

21 (3) Each licensee conducting interstate simulcast
22 wagering may retain, subject to the payment of all
23 applicable taxes and the purses, an amount not to exceed
24 17% of all money wagered. If any licensee conducts the
25 pari-mutuel system wagering on races conducted at
26 racetracks in another state or country, each such race or

1 race program shall be considered a separate racing day for
2 the purpose of determining the daily handle and computing
3 the privilege tax of that daily handle as provided in
4 subsection (a) of Section 27. Until January 1, 2000, from
5 the sums permitted to be retained pursuant to this
6 subsection, each intertrack wagering location licensee
7 shall pay 1% of the pari-mutuel handle wagered on simulcast
8 wagering to the Horse Racing Tax Allocation Fund, subject
9 to the provisions of subparagraph (B) of paragraph (11) of
10 subsection (h) of Section 26 of this Act.

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

22 (5) After the payment of the interstate commission fee
23 (except for the interstate commission fee on a supplemental
24 interstate simulcast, which shall be paid by the host track
25 and by each non-host licensee through the host-track) and
26 all applicable State and local taxes, except as provided in

1 subsection (g) of Section 27 of this Act, the remainder of
2 moneys retained from simulcast wagering pursuant to this
3 subsection (g), and Section 26.2 shall be divided as
4 follows:

5 (A) For interstate simulcast wagers made at a host
6 track, 50% to the host track and 50% to purses at the
7 host track.

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

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

23 (7) Notwithstanding any provision of this Act to the
24 contrary, after payment of all applicable State and local
25 taxes and interstate commission fees, non-host licensees
26 who derive their licenses from a track located in a county

1 with a population in excess of 230,000 and that borders the
2 Mississippi River shall retain 50% of the retention from
3 interstate simulcast wagers and shall pay 50% to purses at
4 the track from which the non-host licensee derives its
5 license as follows:

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

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

18 (C) Between January 1 and the third Friday in
19 February, inclusive, if live thoroughbred racing is
20 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
21 the purse share from wagers made during this time
22 period to its thoroughbred purse account and between
23 6:30 p.m. and 6:30 a.m. the purse share from wagers
24 made during this time period to its standardbred purse
25 accounts;

26 (D) Between the third Saturday in February and

1 December 31, when the interstate simulcast occurs
2 between the hours of 6:30 a.m. and 6:30 p.m., the purse
3 share to its thoroughbred purse account;

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

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

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

21 (B) Twenty percent shall be deposited into the
22 Illinois Colt Stakes Purse Distribution Fund and shall
23 be paid to purses for standardbred races for Illinois
24 conceived and foaled horses conducted at any county
25 fairgrounds. The moneys deposited into the Fund
26 pursuant to this subparagraph (B) shall be deposited

1 within 2 weeks after the day they were generated, shall
2 be in addition to and not in lieu of any other moneys
3 paid to standardbred purses under this Act, and shall
4 not be commingled with other moneys paid into that
5 Fund. The moneys deposited pursuant to this
6 subparagraph (B) shall be allocated as provided by the
7 Department of Agriculture, with the advice and
8 assistance of the Illinois Standardbred Breeders Fund
9 Advisory Board.

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

19 (A) If the licensee that conducts horse racing at
20 that racetrack requests from the Board at least as many
21 racing dates as were conducted in calendar year 2000,
22 80% shall be deposited into its standardbred purse
23 account; and

24 (B) Twenty percent shall be deposited into the
25 Illinois Colt Stakes Purse Distribution Fund. Moneys
26 deposited into the Illinois Colt Stakes Purse

1 Distribution Fund pursuant to this subparagraph (B)
2 shall be paid to Illinois conceived and foaled
3 thoroughbred breeders' programs and to thoroughbred
4 purses for races conducted at any county fairgrounds
5 for Illinois conceived and foaled horses at the
6 discretion of the Department of Agriculture, with the
7 advice and assistance of the Illinois Thoroughbred
8 Breeders Fund Advisory Board. The moneys deposited
9 into the Illinois Colt Stakes Purse Distribution 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 thoroughbred purses under this Act, and shall
14 not be commingled with other moneys deposited into that
15 Fund.

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

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

26 (B) Twenty percent to the Illinois Colt Stakes

1 Purse Distribution Fund.

2 Failure to make the payment to the Illinois Colt Stakes
3 Purse Distribution Fund before January 1, 2002 shall result
4 in the immediate revocation of the licensee's organization
5 license, inter-track wagering license, and inter-track
6 wagering location license.

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

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

1 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
2 2001 to the standardbred purse account at that racetrack to
3 be used for standardbred purses.

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

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

26 (9) (Blank).

1 (10) (Blank).

2 (11) (Blank).

3 (12) The Board shall have authority to compel all host
4 tracks to receive the simulcast of any or all races
5 conducted at the Springfield or DuQuoin State fairgrounds
6 and include all such races as part of their simulcast
7 programs.

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

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

1 with the provisions of this Section.

2 (h) The Board may approve and license the conduct of
3 inter-track wagering and simulcast wagering by inter-track
4 wagering licensees and inter-track wagering location licensees
5 subject to the following terms and conditions:

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

1 extraordinary circumstances and that it was in the best
2 interest of the public and the sport to conduct fewer than
3 100 days of live racing. Any such person having operating
4 control of the racing facility may also receive up to 6
5 inter-track wagering location licenses. In no event shall
6 more than 6 inter-track wagering locations be established
7 for each eligible race track, except that an eligible race
8 track located in a county that has a population of more
9 than 230,000 and that is bounded by the Mississippi River
10 may establish up to 7 inter-track wagering locations. An
11 application for said license shall be filed with the Board
12 prior to such dates as may be fixed by the Board. With an
13 application for an inter-track wagering location license
14 there shall be delivered to the Board a certified check or
15 bank draft payable to the order of the Board for an amount
16 equal to \$500. The application shall be on forms prescribed
17 and furnished by the Board. The application shall comply
18 with all other rules, regulations and conditions imposed by
19 the Board in connection therewith.

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

1 Board at a meeting to be held on such date as may be fixed
2 by the Board.

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

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

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

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

1 (7) An inter-track wagering licensee or inter-track
2 wagering location licensee may accept wagers at the track
3 or location where it is licensed, or as otherwise provided
4 under this Act.

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

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

26 (8.2) Inter-track wagering or simulcast wagering shall

1 not be conducted by an inter-track wagering location
2 licensee at any location within 500 feet of an existing
3 church or existing school, nor within 500 feet of the
4 residences of more than 50 registered voters without
5 receiving written permission from a majority of the
6 registered voters at such residences. Such written
7 permission statements shall be filed with the Board. The
8 distance of 500 feet shall be measured to the nearest part
9 of any building used for worship services, education
10 programs, residential purposes, or conducting inter-track
11 wagering by an inter-track wagering location licensee, and
12 not to property boundaries. However, inter-track wagering
13 or simulcast wagering may be conducted at a site within 500
14 feet of a church, school or residences of 50 or more
15 registered voters if such church, school or residences have
16 been erected or established, or such voters have been
17 registered, after the Board issues the original
18 inter-track wagering location license at the site in
19 question. Inter-track wagering location licensees may
20 conduct inter-track wagering and simulcast wagering only
21 in areas that are zoned for commercial or manufacturing
22 purposes or in areas for which a special use has been
23 approved by the local zoning authority. However, no license
24 to conduct inter-track wagering and simulcast wagering
25 shall be granted by the Board with respect to any
26 inter-track wagering location within the jurisdiction of

1 any local zoning authority which has, by ordinance or by
2 resolution, prohibited the establishment of an inter-track
3 wagering location within its jurisdiction. However,
4 inter-track wagering and simulcast wagering may be
5 conducted at a site if such ordinance or resolution is
6 enacted after the Board licenses the original inter-track
7 wagering location licensee for the site in question.

8 (9) (Blank).

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

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

1 of the pari-mutuel handle from such location to such
2 county.

3 (10.2) Notwithstanding any other provision of this
4 Act, with respect to intertrack wagering at a race track
5 located in a county that has a population of more than
6 230,000 and that is bounded by the Mississippi River ("the
7 first race track"), or at a facility operated by an
8 inter-track wagering licensee or inter-track wagering
9 location licensee that derives its license from the
10 organization licensee that operates the first race track,
11 on races conducted at the first race track or on races
12 conducted at another Illinois race track and
13 simultaneously televised to the first race track or to a
14 facility operated by an inter-track wagering licensee or
15 inter-track wagering location licensee that derives its
16 license from the organization licensee that operates the
17 first race track, those moneys shall be allocated as
18 follows:

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

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

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

21 (B) From the sums permitted to be retained pursuant to
22 this Act each inter-track wagering location licensee shall
23 pay (i) the privilege or pari-mutuel tax to the State; (ii)
24 4.75% of the pari-mutuel handle on intertrack wagering at
25 such location on races as purses, except that an intertrack
26 wagering location licensee that derives its license from a

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

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

1 shall be allocated 40% to the location licensee and 60% to
2 the organization licensee which provides the Illinois
3 races to the location, except that an intertrack wagering
4 location licensee that derives its license from a track
5 located in a county with a population in excess of 230,000
6 and that borders the Mississippi River shall not divide any
7 remaining retention with the organization licensee that
8 provides the race or races and an intertrack wagering
9 location licensee that accepts wagers on races conducted by
10 an organization licensee that conducts a race meet in a
11 county with a population in excess of 230,000 and that
12 borders the Mississippi River shall not divide any
13 remaining retention with the organization licensee.
14 Notwithstanding the provisions of clauses (ii) and (iv) of
15 this paragraph, in the case of the additional inter-track
16 wagering location licenses authorized under paragraph (1)
17 of this subsection (h) by this amendatory Act of 1991,
18 those licensees shall pay the following amounts as purses:
19 during the first 12 months the licensee is in operation,
20 5.25% of the pari-mutuel handle wagered at the location on
21 races; during the second 12 months, 5.25%; during the third
22 12 months, 5.75%; during the fourth 12 months, 6.25%; and
23 during the fifth 12 months and thereafter, 6.75%. The
24 following amounts shall be retained by the licensee to
25 satisfy all costs and expenses of conducting its wagering:
26 during the first 12 months the licensee is in operation,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (D) (Blank).

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

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

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

26 (13) The Department of Agriculture may enter into

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

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

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

3 (Source: P.A. 96-762, eff. 8-25-09; 97-1060, eff. 8-24-12.)

4 (230 ILCS 5/26.7)

5 Sec. 26.7. Advanced deposit wagering surcharge. Beginning
6 on August 26, 2012, each advance deposit wagering licensee
7 shall impose a surcharge of ~~up to~~ 0.18% on winning wagers and
8 winnings from wagers placed through advance deposit wagering.
9 The surcharge shall be deducted from winnings prior to payout.
10 Amounts derived from a surcharge imposed under this Section
11 shall be paid to the standardbred purse accounts of
12 organization licensees conducting standardbred racing.

13 (Source: P.A. 97-1060, eff. 8-24-12.)

14 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

15 Sec. 27. (a) In addition to the organization license fee
16 provided by this Act, until January 1, 2000, a graduated
17 privilege tax is hereby imposed for conducting the pari-mutuel
18 system of wagering permitted under this Act. Until January 1,
19 2000, except as provided in subsection (g) of Section 27 of
20 this Act, all of the breakage of each racing day held by any
21 licensee in the State shall be paid to the State. Until January
22 1, 2000, such daily graduated privilege tax shall be paid by
23 the licensee from the amount permitted to be retained under
24 this Act. Until January 1, 2000, each day's graduated privilege

1 tax, breakage, and Horse Racing Tax Allocation funds shall be
2 remitted to the Department of Revenue within 48 hours after the
3 close of the racing day upon which it is assessed or within
4 such other time as the Board prescribes. The privilege tax
5 hereby imposed, until January 1, 2000, shall be a flat tax at
6 the rate of 2% of the daily pari-mutuel handle except as
7 provided in Section 27.1.

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

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

21 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
22 at the rate of 1.5% of the daily pari-mutuel handle is imposed
23 at all pari-mutuel wagering facilities and on advance deposit
24 wagering from a location other than a wagering facility, except
25 as otherwise provided for in this subsection (a-5). In addition
26 to the pari-mutuel tax imposed on advance deposit wagering

1 pursuant to this subsection (a-5), beginning on the effective
2 date of this amendatory Act of the 97th General Assembly until
3 January 31, 2014 ~~1, 2013~~, an additional pari-mutuel tax at the
4 rate of 0.25% shall be imposed on advance deposit wagering.
5 Until August 25, 2012, the additional 0.25% pari-mutuel tax
6 imposed on advance deposit wagering by Public Act 96-972 shall
7 be deposited into the Quarter Horse Purse Fund, which shall be
8 created as a non-appropriated trust fund administered by the
9 Board for grants to thoroughbred organization licensees for
10 payment of purses for quarter horse races conducted by the
11 organization licensee. Beginning on August 26, 2012, the
12 additional 0.25% pari-mutuel tax imposed on advance deposit
13 wagering shall be deposited into the Standardbred Purse Fund,
14 which shall be created as a non-appropriated trust fund
15 administered by the Board, for grants to the standardbred
16 organization licensees for payment of purses for standardbred
17 horse races conducted by the organization licensee ~~equally into~~
18 ~~the standardbred purse accounts of organization licensees~~
19 ~~conducting standardbred racing.~~ Thoroughbred organization
20 licensees may petition the Board to conduct quarter horse
21 racing and receive purse grants from the Quarter Horse Purse
22 Fund. The Board shall have complete discretion in distributing
23 the Quarter Horse Purse Fund to the petitioning organization
24 licensees. Beginning on July 26, 2010 (the effective date of
25 Public Act 96-1287) ~~this amendatory Act of the 96th General~~
26 ~~Assembly and until moneys deposited pursuant to Section 54 are~~

1 ~~distributed and received,~~ a pari-mutuel tax at the rate of
2 0.75% of the daily pari-mutuel handle is imposed at a
3 pari-mutuel facility whose license is derived from a track
4 located in a county that borders the Mississippi River and
5 conducted live racing in the previous year. ~~After moneys~~
6 ~~deposited pursuant to Section 54 are distributed and received,~~
7 ~~a pari mutuel tax at the rate of 1.5% of the daily pari mutuel~~
8 ~~handle is imposed at a pari mutuel facility whose license is~~
9 ~~derived from a track located in a county that borders the~~
10 ~~Mississippi River and conducted live racing in the previous~~
11 ~~year.~~ The pari-mutuel tax imposed by this subsection (a-5)
12 shall be remitted to the Department of Revenue within 48 hours
13 after the close of the racing day upon which it is assessed or
14 within such other time as the Board prescribes.

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

21 (c) Licensees shall at all times keep accurate books and
22 records of all monies wagered on each day of a race meeting and
23 of the taxes paid to the Department of Revenue under the
24 provisions of this Section. The Board or its duly authorized
25 representative or representatives shall at all reasonable
26 times have access to such records for the purpose of examining

1 and checking the same and ascertaining whether the proper
2 amount of taxes is being paid as provided. The Board shall
3 require verified reports and a statement of the total of all
4 monies wagered daily at each wagering facility upon which the
5 taxes are assessed and may prescribe forms upon which such
6 reports and statement shall be made.

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

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

18 (f) No other license fee, privilege tax, excise tax or
19 racing fee shall be assessed or collected from any such
20 licensee by units of local government except as provided in
21 paragraph 10.1 of subsection (h) and subsection (f) of Section
22 26 of this Act. However, any municipality that has a Board
23 licensed horse race meeting at a race track wholly within its
24 corporate boundaries or a township that has a Board licensed
25 horse race meeting at a race track wholly within the
26 unincorporated area of the township may charge a local

1 amusement tax not to exceed 10¢ per admission to such horse
2 race meeting by the enactment of an ordinance. However, any
3 municipality or county that has a Board licensed inter-track
4 wagering location facility wholly within its corporate
5 boundaries may each impose an admission fee not to exceed \$1.00
6 per admission to such inter-track wagering location facility,
7 so that a total of not more than \$2.00 per admission may be
8 imposed. Except as provided in subparagraph (g) of Section 27
9 of this Act, the inter-track wagering location licensee shall
10 collect any and all such fees and within 48 hours remit the
11 fees to the Board, which shall, pursuant to rule, cause the
12 fees to be distributed to the county or municipality.

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

1 amount for purses as follows:

2 (i) the excess amount shall be initially divided
3 between thoroughbred and standardbred purses based on the
4 thoroughbred's and standardbred's respective percentages
5 of total Illinois live wagering in calendar year 1994;

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

25 To the extent the excess amount of taxes and fees to be
26 collected and distributed to State and local governmental

1 authorities exceeds \$11 million, that excess amount shall be
2 collected and distributed to State and local authorities as
3 provided for under this Act.

4 (Source: P.A. 96-762, eff. 8-25-09; 96-1287, eff. 7-26-10;
5 97-1060, eff. 8-24-12.)

6 (230 ILCS 5/54)

7 Sec. 54. Horse Racing Equity Fund.

8 (a) There is created in the State Treasury a Fund to be
9 known as the Horse Racing Equity Fund. The Fund shall consist
10 of moneys paid into it pursuant to subsection (c-5) of Section
11 13 of the Riverboat Gambling Act. The Fund shall be
12 administered by the Racing Board.

13 (b) The moneys deposited into the Fund shall be distributed
14 by the Racing Board ~~State Treasurer~~ within 10 days after those
15 moneys are deposited into the Fund as follows:

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

1 purses generated throughout the State for that breed during
2 the prior calendar year.

3 (2) The remaining 50% of the moneys distributed under
4 this subsection (b) shall be distributed pro rata according
5 to the aggregate proportion of state-wide handle at the
6 racetrack, inter-track, and inter-track wagering locations
7 that derive their licenses from a racetrack identified in
8 this paragraph (2) for calendar years 1994, 1996, and 1997
9 to (i) any person (or its successors or assigns) who had
10 operating control of a racing facility at which live racing
11 was conducted in calendar year 1997 and who has operating
12 control of an organization licensee that conducted racing
13 in calendar year 1997 and is a licensee in the current
14 year, or (ii) any person (or its successors or assigns) who
15 has operating control of a racing facility located in a
16 county that is bounded by the Mississippi River that has a
17 population of less than 150,000 according to the 1990
18 decennial census and conducted an average of 60 days of
19 racing per year between 1985 and 1993 and has been awarded
20 an inter-track wagering license in the current year.

21 If any person identified in this paragraph (2) becomes
22 ineligible to receive moneys from the Fund, such amount
23 shall be redistributed among the remaining persons in
24 proportion to their percentages otherwise calculated.

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

1 Section 20. The Riverboat Gambling Act is amended by
2 changing Section 13 as follows:

3 (230 ILCS 10/13) (from Ch. 120, par. 2413)

4 Sec. 13. Wagering tax; rate; distribution.

5 (a) Until January 1, 1998, a tax is imposed on the adjusted
6 gross receipts received from gambling games authorized under
7 this Act at the rate of 20%.

8 (a-1) From January 1, 1998 until July 1, 2002, a privilege
9 tax is imposed on persons engaged in the business of conducting
10 riverboat gambling operations, based on the adjusted gross
11 receipts received by a licensed owner from gambling games
12 authorized under this Act at the following rates:

13 15% of annual adjusted gross receipts up to and
14 including \$25,000,000;

15 20% of annual adjusted gross receipts in excess of
16 \$25,000,000 but not exceeding \$50,000,000;

17 25% of annual adjusted gross receipts in excess of
18 \$50,000,000 but not exceeding \$75,000,000;

19 30% of annual adjusted gross receipts in excess of
20 \$75,000,000 but not exceeding \$100,000,000;

21 35% of annual adjusted gross receipts in excess of
22 \$100,000,000.

23 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
24 is imposed on persons engaged in the business of conducting
25 riverboat gambling operations, other than licensed managers

1 conducting riverboat gambling operations on behalf of the
2 State, based on the adjusted gross receipts received by a
3 licensed owner from gambling games authorized under this Act at
4 the following rates:

5 15% of annual adjusted gross receipts up to and
6 including \$25,000,000;

7 22.5% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000;

9 27.5% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 32.5% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 37.5% of annual adjusted gross receipts in excess of
14 \$100,000,000 but not exceeding \$150,000,000;

15 45% of annual adjusted gross receipts in excess of
16 \$150,000,000 but not exceeding \$200,000,000;

17 50% of annual adjusted gross receipts in excess of
18 \$200,000,000.

19 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
20 persons engaged in the business of conducting riverboat
21 gambling operations, other than licensed managers conducting
22 riverboat gambling operations on behalf of the State, based on
23 the adjusted gross receipts received by a licensed owner from
24 gambling games authorized under this Act at the following
25 rates:

26 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 27.5% of annual adjusted gross receipts in excess of
3 \$25,000,000 but not exceeding \$37,500,000;

4 32.5% of annual adjusted gross receipts in excess of
5 \$37,500,000 but not exceeding \$50,000,000;

6 37.5% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 45% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 50% of annual adjusted gross receipts in excess of
11 \$100,000,000 but not exceeding \$250,000,000;

12 70% of annual adjusted gross receipts in excess of
13 \$250,000,000.

14 An amount equal to the amount of wagering taxes collected
15 under this subsection (a-3) that are in addition to the amount
16 of wagering taxes that would have been collected if the
17 wagering tax rates under subsection (a-2) were in effect shall
18 be paid into the Common School Fund.

19 The privilege tax imposed under this subsection (a-3) shall
20 no longer be imposed beginning on the earlier of (i) July 1,
21 2005; (ii) the first date after June 20, 2003 that riverboat
22 gambling operations are conducted pursuant to a dormant
23 license; or (iii) the first day that riverboat gambling
24 operations are conducted under the authority of an owners
25 license that is in addition to the 10 owners licenses initially
26 authorized under this Act. For the purposes of this subsection

1 (a-3), the term "dormant license" means an owners license that
2 is authorized by this Act under which no riverboat gambling
3 operations are being conducted on June 20, 2003.

4 (a-4) Beginning on the first day on which the tax imposed
5 under subsection (a-3) is no longer imposed, a privilege tax is
6 imposed on persons engaged in the business of conducting
7 riverboat gambling operations, other than licensed managers
8 conducting riverboat gambling operations on behalf of the
9 State, based on the adjusted gross receipts received by a
10 licensed owner from gambling games authorized under this Act at
11 the following rates:

12 15% of annual adjusted gross receipts up to and
13 including \$25,000,000;

14 22.5% of annual adjusted gross receipts in excess of
15 \$25,000,000 but not exceeding \$50,000,000;

16 27.5% of annual adjusted gross receipts in excess of
17 \$50,000,000 but not exceeding \$75,000,000;

18 32.5% of annual adjusted gross receipts in excess of
19 \$75,000,000 but not exceeding \$100,000,000;

20 37.5% of annual adjusted gross receipts in excess of
21 \$100,000,000 but not exceeding \$150,000,000;

22 45% of annual adjusted gross receipts in excess of
23 \$150,000,000 but not exceeding \$200,000,000;

24 50% of annual adjusted gross receipts in excess of
25 \$200,000,000.

26 (a-8) Riverboat gambling operations conducted by a

1 licensed manager on behalf of the State are not subject to the
2 tax imposed under this Section.

3 (a-10) The taxes imposed by this Section shall be paid by
4 the licensed owner to the Board not later than 5:00 o'clock
5 p.m. of the day after the day when the wagers were made.

6 (a-15) If the privilege tax imposed under subsection (a-3)
7 is no longer imposed pursuant to item (i) of the last paragraph
8 of subsection (a-3), then by June 15 of each year, each owners
9 licensee, other than an owners licensee that admitted 1,000,000
10 persons or fewer in calendar year 2004, must, in addition to
11 the payment of all amounts otherwise due under this Section,
12 pay to the Board a reconciliation payment in the amount, if
13 any, by which the licensed owner's base amount exceeds the
14 amount of net privilege tax paid by the licensed owner to the
15 Board in the then current State fiscal year. A licensed owner's
16 net privilege tax obligation due for the balance of the State
17 fiscal year shall be reduced up to the total of the amount paid
18 by the licensed owner in its June 15 reconciliation payment.
19 The obligation imposed by this subsection (a-15) is binding on
20 any person, firm, corporation, or other entity that acquires an
21 ownership interest in any such owners license. The obligation
22 imposed under this subsection (a-15) terminates on the earliest
23 of: (i) July 1, 2007, (ii) the first day after the effective
24 date of this amendatory Act of the 94th General Assembly that
25 riverboat gambling operations are conducted pursuant to a
26 dormant license, (iii) the first day that riverboat gambling

1 operations are conducted under the authority of an owners
2 license that is in addition to the 10 owners licenses initially
3 authorized under this Act, or (iv) the first day that a
4 licensee under the Illinois Horse Racing Act of 1975 conducts
5 gaming operations with slot machines or other electronic gaming
6 devices. The Board must reduce the obligation imposed under
7 this subsection (a-15) by an amount the Board deems reasonable
8 for any of the following reasons: (A) an act or acts of God,
9 (B) an act of bioterrorism or terrorism or a bioterrorism or
10 terrorism threat that was investigated by a law enforcement
11 agency, or (C) a condition beyond the control of the owners
12 licensee that does not result from any act or omission by the
13 owners licensee or any of its agents and that poses a hazardous
14 threat to the health and safety of patrons. If an owners
15 licensee pays an amount in excess of its liability under this
16 Section, the Board shall apply the overpayment to future
17 payments required under this Section.

18 For purposes of this subsection (a-15):

19 "Act of God" means an incident caused by the operation of
20 an extraordinary force that cannot be foreseen, that cannot be
21 avoided by the exercise of due care, and for which no person
22 can be held liable.

23 "Base amount" means the following:

24 For a riverboat in Alton, \$31,000,000.

25 For a riverboat in East Peoria, \$43,000,000.

26 For the Empress riverboat in Joliet, \$86,000,000.

1 For a riverboat in Metropolis, \$45,000,000.

2 For the Harrah's riverboat in Joliet, \$114,000,000.

3 For a riverboat in Aurora, \$86,000,000.

4 For a riverboat in East St. Louis, \$48,500,000.

5 For a riverboat in Elgin, \$198,000,000.

6 "Dormant license" has the meaning ascribed to it in
7 subsection (a-3).

8 "Net privilege tax" means all privilege taxes paid by a
9 licensed owner to the Board under this Section, less all
10 payments made from the State Gaming Fund pursuant to subsection
11 (b) of this Section.

12 The changes made to this subsection (a-15) by Public Act
13 94-839 are intended to restate and clarify the intent of Public
14 Act 94-673 with respect to the amount of the payments required
15 to be made under this subsection by an owners licensee to the
16 Board.

17 (b) Until January 1, 1998, 25% of the tax revenue deposited
18 in the State Gaming Fund under this Section shall be paid,
19 subject to appropriation by the General Assembly, to the unit
20 of local government which is designated as the home dock of the
21 riverboat. Beginning January 1, 1998, from the tax revenue
22 deposited in the State Gaming Fund under this Section, an
23 amount equal to 5% of adjusted gross receipts generated by a
24 riverboat shall be paid monthly, subject to appropriation by
25 the General Assembly, to the unit of local government that is
26 designated as the home dock of the riverboat. From the tax

1 revenue deposited in the State Gaming Fund pursuant to
2 riverboat gambling operations conducted by a licensed manager
3 on behalf of the State, an amount equal to 5% of adjusted gross
4 receipts generated pursuant to those riverboat gambling
5 operations shall be paid monthly, subject to appropriation by
6 the General Assembly, to the unit of local government that is
7 designated as the home dock of the riverboat upon which those
8 riverboat gambling operations are conducted.

9 (c) Appropriations, as approved by the General Assembly,
10 may be made from the State Gaming Fund to the Board (i) for the
11 administration and enforcement of this Act and the Video Gaming
12 Act, (ii) for distribution to the Department of State Police
13 and to the Department of Revenue for the enforcement of this
14 Act, and (iii) to the Department of Human Services for the
15 administration of programs to treat problem gambling.

16 (c-5) Before May 26, 2006 (the effective date of Public Act
17 94-804) and beginning on the effective date of this amendatory
18 Act of the 95th General Assembly, unless any organization
19 licensee under the Illinois Horse Racing Act of 1975 begins to
20 operate a slot machine or video game of chance under the
21 Illinois Horse Racing Act of 1975 or this Act, after the
22 payments required under subsections (b) and (c) have been made,
23 an amount equal to 15% of the adjusted gross receipts of (1) an
24 owners licensee that relocates pursuant to Section 11.2, (2) an
25 owners licensee conducting riverboat gambling operations
26 pursuant to an owners license that is initially issued after

1 June 25, 1999, or (3) the first riverboat gambling operations
2 conducted by a licensed manager on behalf of the State under
3 Section 7.3, whichever comes first, shall be paid from the
4 State Gaming Fund into the Horse Racing Equity Fund.

5 (c-10) Each year the General Assembly shall appropriate
6 from the General Revenue Fund to the Education Assistance Fund
7 an amount equal to the amount paid into the Horse Racing Equity
8 Fund pursuant to subsection (c-5) in the prior calendar year.

9 (c-15) After the payments required under subsections (b),
10 (c), and (c-5) have been made, an amount equal to 2% of the
11 adjusted gross receipts of (1) an owners licensee that
12 relocates pursuant to Section 11.2, (2) an owners licensee
13 conducting riverboat gambling operations pursuant to an owners
14 license that is initially issued after June 25, 1999, or (3)
15 the first riverboat gambling operations conducted by a licensed
16 manager on behalf of the State under Section 7.3, whichever
17 comes first, shall be paid, subject to appropriation from the
18 General Assembly, from the State Gaming Fund to each home rule
19 county with a population of over 3,000,000 inhabitants for the
20 purpose of enhancing the county's criminal justice system.

21 (c-20) Each year the General Assembly shall appropriate
22 from the General Revenue Fund to the Education Assistance Fund
23 an amount equal to the amount paid to each home rule county
24 with a population of over 3,000,000 inhabitants pursuant to
25 subsection (c-15) in the prior calendar year.

26 (c-25) On July 1, 2013 and each July 1 thereafter,

1 \$1,600,000 shall be transferred from the State Gaming Fund to
2 the Chicago State University Education Improvement Fund. After
3 the payments required under subsections (b), (c), (c-5) and
4 (c-15) have been made, an amount equal to 2% of the adjusted
5 gross receipts of (1) an owners licensee that relocates
6 pursuant to Section 11.2, (2) an owners licensee conducting
7 riverboat gambling operations pursuant to an owners license
8 that is initially issued after June 25, 1999, or (3) the first
9 riverboat gambling operations conducted by a licensed manager
10 on behalf of the State under Section 7.3, whichever comes
11 first, shall be paid from the State Gaming Fund to Chicago
12 State University.

13 (c-30) On July 1, 2013 or as soon as possible thereafter,
14 \$92,000,000 shall be transferred from the State Gaming Fund to
15 the School Infrastructure Fund and \$23,000,000 shall be
16 transferred from the State Gaming Fund to the Horse Racing
17 Equity Fund.

18 (c-35) Beginning on July 1, 2013, in addition to any amount
19 transferred under subsection (c-30) of this Section,
20 \$5,530,000 shall be transferred monthly from the State Gaming
21 Fund to the School Infrastructure Fund.

22 (d) From time to time, the Board shall transfer the
23 remainder of the funds generated by this Act into the Education
24 Assistance Fund, created by Public Act 86-0018, of the State of
25 Illinois.

26 (e) Nothing in this Act shall prohibit the unit of local

1 government designated as the home dock of the riverboat from
2 entering into agreements with other units of local government
3 in this State or in other states to share its portion of the
4 tax revenue.

5 (f) To the extent practicable, the Board shall administer
6 and collect the wagering taxes imposed by this Section in a
7 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
8 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
9 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
10 Penalty and Interest Act.

11 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;
12 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.