

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by changing Sections 26, 26.8, 26.9, 27, and 31 as follows:

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

7 Sec. 26. Wagering.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 of racing. The host track simulcast program shall include the
2 signal of live racing of all organization licensees. All
3 non-host licensees and advance deposit wagering licensees
4 shall carry the signal of and accept wagers on live racing of
5 all organization licensees. Advance deposit wagering licensees
6 shall not be permitted to accept out-of-state wagers on any
7 Illinois signal provided pursuant to this Section without the
8 approval and consent of the organization licensee providing the
9 signal. For one year after the effective date of this
10 amendatory Act of the 98th General Assembly, non-host licensees
11 may carry the host track simulcast program and shall accept
12 wagers on all races included as part of the simulcast program
13 of horse races conducted at race tracks located within North
14 America upon which wagering is permitted. For a period of one
15 year after the effective date of this amendatory Act of the
16 98th General Assembly, on horse races conducted at race tracks
17 located outside of North America, non-host licensees may accept
18 wagers on all races included as part of the simulcast program
19 upon which wagering is permitted. Beginning one year after the
20 effective date of this amendatory Act of the 98th General
21 Assembly, non-host licensees may carry the host track simulcast
22 program and shall accept wagers on all races included as part
23 of the simulcast program upon which wagering is permitted. All
24 organization licensees shall provide their live signal to all
25 advance deposit wagering licensees for a simulcast commission
26 fee not to exceed 6% of the advance deposit wagering licensee's

1 Illinois handle on the organization licensee's signal without
2 prior approval by the Board. The Board may adopt rules under
3 which it may permit simulcast commission fees in excess of 6%.
4 The Board shall adopt rules limiting the interstate commission
5 fees charged to an advance deposit wagering licensee. The Board
6 shall adopt rules regarding advance deposit wagering on
7 interstate simulcast races that shall reflect, among other
8 things, the General Assembly's desire to maximize revenues to
9 the State, horsemen purses, and organizational licensees.
10 However, organization licensees providing live signals
11 pursuant to the requirements of this subsection (g) may
12 petition the Board to withhold their live signals from an
13 advance deposit wagering licensee if the organization licensee
14 discovers and the Board finds reputable or credible information
15 that the advance deposit wagering licensee is under
16 investigation by another state or federal governmental agency,
17 the advance deposit wagering licensee's license has been
18 suspended in another state, or the advance deposit wagering
19 licensee's license is in revocation proceedings in another
20 state. The organization licensee's provision of their live
21 signal to an advance deposit wagering licensee under this
22 subsection (g) pertains to wagers placed from within Illinois.
23 Advance deposit wagering licensees may place advance deposit
24 wagering terminals at wagering facilities as a convenience to
25 customers. The advance deposit wagering licensee shall not
26 charge or collect any fee from purses for the placement of the

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

14 Notwithstanding any other provision of this Act, through
15 December 31, 2018 ~~until February 1, 2017~~, an organization
16 licensee, with the consent of the horsemen association
17 representing the largest number of owners, trainers, jockeys,
18 or standardbred drivers who race horses at that organization
19 licensee's racing meeting, may maintain a system whereby
20 advance deposit wagering may take place or an organization
21 licensee, with the consent of the horsemen association
22 representing the largest number of owners, trainers, jockeys,
23 or standardbred drivers who race horses at that organization
24 licensee's racing meeting, may contract with another person to
25 carry out a system of advance deposit wagering. Such consent
26 may not be unreasonably withheld. Only with respect to an

1 appeal to the Board that consent for an organization licensee
2 that maintains its own advance deposit wagering system is being
3 unreasonably withheld, the Board shall issue a final order
4 within 30 days after initiation of the appeal, and the
5 organization licensee's advance deposit wagering system may
6 remain operational during that 30-day period. The actions of
7 any organization licensee who conducts advance deposit
8 wagering or any person who has a contract with an organization
9 licensee to conduct advance deposit wagering who conducts
10 advance deposit wagering on or after January 1, 2013 and prior
11 to the effective date of this amendatory Act of the 98th
12 General Assembly taken in reliance on the changes made to this
13 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. With the
7 exception of any organization licensee that is owned by a
8 publicly traded company that is incorporated in a state other
9 than Illinois and advance deposit wagering licensees under
10 contract with such organization licensees, organization
11 licensees that maintain advance deposit wagering systems and
12 advance deposit wagering licensees that contract with
13 organization licensees shall provide sufficiently detailed
14 monthly accountings to the horsemen association representing
15 the largest number of owners, trainers, jockeys, or
16 standardbred drivers who race horses at that organization
17 licensee's racing meeting so that the horsemen association, as
18 an interested party, can confirm the accuracy of the amounts
19 paid to the purse account at the horsemen association's
20 affiliated organization licensee from advance deposit
21 wagering. If more than one breed races at the same race track
22 facility, then the 50% of the moneys to be paid to an
23 organization licensee's purse account shall be allocated among
24 all organization licensees' purse accounts operating at that
25 race track facility proportionately based on the actual number
26 of host days that the Board grants to that breed at that race

1 track facility in the current calendar year. To the extent any
2 fees from advance deposit wagering conducted in Illinois for
3 wagers in Illinois or other states have been placed in escrow
4 or otherwise withheld from wagers pending a determination of
5 the legality of advance deposit wagering, no action shall be
6 brought to declare such wagers or the disbursement of any fees
7 previously escrowed illegal.

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

25 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
26 intertrack wagering licensee other than the host track may

1 receive supplemental interstate simulcasts only with the
2 consent of the host track, except when the Board finds that
3 the simulcast is clearly adverse to the integrity of
4 racing. Consent granted under this paragraph (2) to any
5 intertrack wagering licensee shall be deemed consent to all
6 non-host licensees. The interstate commission fee for the
7 supplemental interstate simulcast shall be paid by all
8 participating non-host licensees.

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

25 (4) A licensee who receives an interstate simulcast may
26 combine its gross or net pools with pools at the sending

1 racetracks pursuant to rules established by the Board. All
2 licensees combining their gross pools at a sending
3 racetrack shall adopt the take-out percentages of the
4 sending racetrack. A licensee may also establish a separate
5 pool and takeout structure for wagering purposes on races
6 conducted at race tracks outside of the State of Illinois.
7 The licensee may permit pari-mutuel wagers placed in other
8 states or countries to be combined with its gross or net
9 wagering pools or other wagering pools.

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

19 (A) For interstate simulcast wagers made at a host
20 track, 50% to the host track and 50% to purses at the
21 host track.

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

1 non-host licensee, and 50% to the purses at the host
2 track.

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

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

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

25 (B) Between January 1 and the third Friday in
26 February, inclusive, if no live thoroughbred racing is

1 occurring in Illinois during this period, and the
2 interstate simulcast is a thoroughbred race, the purse
3 share to its interstate simulcast purse pool to be
4 distributed under paragraph (10) of this subsection
5 (g);

6 (C) Between January 1 and the third Friday in
7 February, inclusive, if live thoroughbred racing is
8 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
9 the purse share from wagers made during this time
10 period to its thoroughbred purse account and between
11 6:30 p.m. and 6:30 a.m. the purse share from wagers
12 made during this time period to its standardbred purse
13 accounts;

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

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

22 (7.1) Notwithstanding any other provision of this Act
23 to the contrary, if no standardbred racing is conducted at
24 a racetrack located in Madison County during any calendar
25 year beginning on or after January 1, 2002, all moneys
26 derived by that racetrack from simulcast wagering and

1 inter-track wagering that (1) are to be used for purses and
2 (2) are generated between the hours of 6:30 p.m. and 6:30
3 a.m. during that calendar year shall be paid as follows:

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

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

24 (7.2) Notwithstanding any other provision of this Act
25 to the contrary, if no thoroughbred racing is conducted at
26 a racetrack located in Madison County during any calendar

1 year beginning on or after January 1, 2002, all moneys
2 derived by that racetrack from simulcast wagering and
3 inter-track wagering that (1) are to be used for purses and
4 (2) are generated between the hours of 6:30 a.m. and 6:30
5 p.m. during that calendar year shall be deposited as
6 follows:

7 (A) If the licensee that conducts horse racing at
8 that racetrack requests from the Board at least as many
9 racing dates as were conducted in calendar year 2000,
10 80% shall be deposited into its standardbred purse
11 account; and

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

1 paid to thoroughbred purses under this Act, and shall
2 not be commingled with other moneys deposited into that
3 Fund.

4 (7.3) If no live standardbred racing is conducted at a
5 racetrack located in Madison County in calendar year 2000
6 or 2001, an organization licensee who is licensed to
7 conduct horse racing at that racetrack shall, before
8 January 1, 2002, pay all moneys derived from simulcast
9 wagering and inter-track wagering in calendar years 2000
10 and 2001 and paid into the licensee's standardbred purse
11 account as follows:

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

14 (B) Twenty percent to the Illinois Colt Stakes
15 Purse Distribution Fund.

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

21 Moneys paid into the Illinois Colt Stakes Purse
22 Distribution Fund pursuant to this paragraph (7.3) shall be
23 paid to purses for standardbred races for Illinois
24 conceived and foaled horses conducted at any county
25 fairgrounds. Moneys paid into the Illinois Colt Stakes
26 Purse Distribution Fund pursuant to this paragraph (7.3)

1 shall be used as determined by the Department of
2 Agriculture, with the advice and assistance of the Illinois
3 Standardbred Breeders Fund Advisory Board, shall be in
4 addition to and not in lieu of any other moneys paid to
5 standardbred purses under this Act, and shall not be
6 commingled with any other moneys paid into that Fund.

7 (7.4) If live standardbred racing is conducted at a
8 racetrack located in Madison County at any time in calendar
9 year 2001 before the payment required under paragraph (7.3)
10 has been made, the organization licensee who is licensed to
11 conduct racing at that racetrack shall pay all moneys
12 derived by that racetrack from simulcast wagering and
13 inter-track wagering during calendar years 2000 and 2001
14 that (1) are to be used for purses and (2) are generated
15 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
16 2001 to the standardbred purse account at that racetrack to
17 be used for standardbred purses.

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

25 (8.1) Notwithstanding any provisions in this Act to the
26 contrary, if 2 organization licensees are conducting

1 standardbred race meetings concurrently between the hours
2 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
3 State and local taxes and interstate commission fees, the
4 remainder of the amount retained from simulcast wagering
5 otherwise attributable to the host track and to host track
6 purses shall be split daily between the 2 organization
7 licensees and the purses at the tracks of the 2
8 organization licensees, respectively, based on each
9 organization licensee's share of the total live handle for
10 that day, provided that this provision shall not apply to
11 any non-host licensee that derives its license from a track
12 located in a county with a population in excess of 230,000
13 and that borders the Mississippi River.

14 (9) (Blank).

15 (10) (Blank).

16 (11) (Blank).

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

22 (13) Notwithstanding any other provision of this Act,
23 in the event that the total Illinois pari-mutuel handle on
24 Illinois horse races at all wagering facilities in any
25 calendar year is less than 75% of the total Illinois
26 pari-mutuel handle on Illinois horse races at all such

1 wagering facilities for calendar year 1994, then each
2 wagering facility that has an annual total Illinois
3 pari-mutuel handle on Illinois horse races that is less
4 than 75% of the total Illinois pari-mutuel handle on
5 Illinois horse races at such wagering facility for calendar
6 year 1994, shall be permitted to receive, from any amount
7 otherwise payable to the purse account at the race track
8 with which the wagering facility is affiliated in the
9 succeeding calendar year, an amount equal to 2% of the
10 differential in total Illinois pari-mutuel handle on
11 Illinois horse races at the wagering facility between that
12 calendar year in question and 1994 provided, however, that
13 a wagering facility shall not be entitled to any such
14 payment until the Board certifies in writing to the
15 wagering facility the amount to which the wagering facility
16 is entitled and a schedule for payment of the amount to the
17 wagering facility, based on: (i) the racing dates awarded
18 to the race track affiliated with the wagering facility
19 during the succeeding year; (ii) the sums available or
20 anticipated to be available in the purse account of the
21 race track affiliated with the wagering facility for purses
22 during the succeeding year; and (iii) the need to ensure
23 reasonable purse levels during the payment period. The
24 Board's certification shall be provided no later than
25 January 31 of the succeeding year. In the event a wagering
26 facility entitled to a payment under this paragraph (13) is

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

16 (h) The Board may approve and license the conduct of
17 inter-track wagering and simulcast wagering by inter-track
18 wagering licensees and inter-track wagering location licensees
19 subject to the following terms and conditions:

20 (1) Any person licensed to conduct a race meeting (i)
21 at a track where 60 or more days of racing were conducted
22 during the immediately preceding calendar year or where
23 over the 5 immediately preceding calendar years an average
24 of 30 or more days of racing were conducted annually may be
25 issued an inter-track wagering license; (ii) at a track
26 located in a county that is bounded by the Mississippi

1 River, which has a population of less than 150,000
2 according to the 1990 decennial census, and an average of
3 at least 60 days of racing per year between 1985 and 1993
4 may be issued an inter-track wagering license; or (iii) at
5 a track located in Madison County that conducted at least
6 100 days of live racing during the immediately preceding
7 calendar year may be issued an inter-track wagering
8 license, unless a lesser schedule of live racing is the
9 result of (A) weather, unsafe track conditions, or other
10 acts of God; (B) an agreement between the organization
11 licensee and the associations representing the largest
12 number of owners, trainers, jockeys, or standardbred
13 drivers who race horses at that organization licensee's
14 racing meeting; or (C) a finding by the Board of
15 extraordinary circumstances and that it was in the best
16 interest of the public and the sport to conduct fewer than
17 100 days of live racing. Any such person having operating
18 control of the racing facility may also receive up to 6
19 inter-track wagering location licenses. In no event shall
20 more than 6 inter-track wagering locations be established
21 for each eligible race track, except that an eligible race
22 track located in a county that has a population of more
23 than 230,000 and that is bounded by the Mississippi River
24 may establish up to 7 inter-track wagering locations and an
25 eligible race track located in Cook County may establish up
26 to 8 inter-track wagering locations. An application for

1 said license shall be filed with the Board prior to such
2 dates as may be fixed by the Board. With an application for
3 an inter-track wagering location license there shall be
4 delivered to the Board a certified check or bank draft
5 payable to the order of the Board for an amount equal to
6 \$500. The application shall be on forms prescribed and
7 furnished by the Board. The application shall comply with
8 all other rules, regulations and conditions imposed by the
9 Board in connection therewith.

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

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

23 (4) Prior to the issuance of a license to conduct
24 inter-track wagering and simulcast wagering, the applicant
25 shall file with the Board a bond payable to the State of
26 Illinois in the sum of \$50,000, executed by the applicant

1 and a surety company or companies authorized to do business
2 in this State, and conditioned upon (i) the payment by the
3 licensee of all taxes due under Section 27 or 27.1 and any
4 other monies due and payable under this Act, and (ii)
5 distribution by the licensee, upon presentation of the
6 winning ticket or tickets, of all sums payable to the
7 patrons of pari-mutuel pools.

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

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

17 (7) An inter-track wagering licensee or inter-track
18 wagering location licensee may accept wagers at the track
19 or location where it is licensed, or as otherwise provided
20 under this Act.

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

24 (8.1) Inter-track wagering location licensees who
25 derive their licenses from a particular organization
26 licensee shall conduct inter-track wagering and simulcast

1 wagering only at locations that are within 140 miles of
2 that race track where the particular organization licensee
3 is licensed to conduct racing. However, inter-track
4 wagering and simulcast wagering shall not be conducted by
5 those licensees at any location within 5 miles of any race
6 track at which a horse race meeting has been licensed in
7 the current year, unless the person having operating
8 control of such race track has given its written consent to
9 such inter-track wagering location licensees, which
10 consent must be filed with the Board at or prior to the
11 time application is made. In the case of any inter-track
12 wagering location licensee initially licensed after
13 December 31, 2013, inter-track wagering and simulcast
14 wagering shall not be conducted by those inter-track
15 wagering location licensees that are located outside the
16 City of Chicago at any location within 8 miles of any race
17 track at which a horse race meeting has been licensed in
18 the current year, unless the person having operating
19 control of such race track has given its written consent to
20 such inter-track wagering location licensees, which
21 consent must be filed with the Board at or prior to the
22 time application is made.

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

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

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

5 (9) (Blank).

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

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

26 (10.2) Notwithstanding any other provision of this

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 Four-sevenths to museums and aquariums located in

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

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

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

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

1 being conducted.

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

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

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

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

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

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

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

1 (D) (Blank).

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

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

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

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

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

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

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

1 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)

2 (230 ILCS 5/26.8)

3 Sec. 26.8. Beginning on February 1, 2014 and through
4 December 31, 2018 ~~until January 31, 2017~~, each wagering
5 licensee may impose a surcharge of up to 0.5% on winning wagers
6 and winnings from wagers. The surcharge shall be deducted from
7 winnings prior to payout. All amounts collected from the
8 imposition of this surcharge shall be evenly distributed to the
9 organization licensee and the purse account of the organization
10 licensee with which the licensee is affiliated. The amounts
11 distributed under this Section shall be in addition to the
12 amounts paid pursuant to paragraph (10) of subsection (h) of
13 Section 26, Section 26.3, Section 26.4, Section 26.5, and
14 Section 26.7.

15 (Source: P.A. 98-624, eff. 1-29-14.)

16 (230 ILCS 5/26.9)

17 Sec. 26.9. Beginning on February 1, 2014 and through
18 December 31, 2018 ~~until January 31, 2017~~, in addition to the
19 surcharge imposed in Sections 26.3, 26.4, 26.5, 26.7, and 26.8
20 of this Act, each licensee shall impose a surcharge of 0.2% on
21 winning wagers and winnings from wagers. The surcharge shall be
22 deducted from winnings prior to payout. All amounts collected
23 from the surcharges imposed under this Section shall be
24 remitted to the Board. From amounts collected under this

1 Section, the Board shall deposit an amount not to exceed
2 \$100,000 annually into the Quarter Horse Purse Fund and all
3 remaining amounts into the Horse Racing Fund.

4 (Source: P.A. 98-624, eff. 1-29-14.)

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

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

23 In addition, every organization licensee, except as
24 provided in Section 27.1 of this Act, which conducts multiple
25 wagering shall pay, until January 1, 2000, as a privilege tax

1 on multiple wagers an amount equal to 1.25% of all moneys
2 wagered each day on such multiple wagers, plus an additional
3 amount equal to 3.5% of the amount wagered each day on any
4 other multiple wager which involves a single betting interest
5 on 3 or more horses. The licensee shall remit the amount of
6 such taxes to the Department of Revenue within 48 hours after
7 the close of the racing day on which it is assessed or within
8 such other time as the Board prescribes.

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

11 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
12 at the rate of 1.5% of the daily pari-mutuel handle is imposed
13 at all pari-mutuel wagering facilities and on advance deposit
14 wagering from a location other than a wagering facility, except
15 as otherwise provided for in this subsection (a-5). In addition
16 to the pari-mutuel tax imposed on advance deposit wagering
17 pursuant to this subsection (a-5), beginning on August 24, 2012
18 (the effective date of Public Act 97-1060) and through December
19 31, 2018 ~~until February 1, 2017~~, an additional pari-mutuel tax
20 at the rate of 0.25% shall be imposed on advance deposit
21 wagering. Until August 25, 2012, the additional 0.25%
22 pari-mutuel tax imposed on advance deposit wagering by Public
23 Act 96-972 shall be deposited into the Quarter Horse Purse
24 Fund, which shall be created as a non-appropriated trust fund
25 administered by the Board for grants to thoroughbred
26 organization licensees for payment of purses for quarter horse

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

22 (b) On or before December 31, 1999, in the event that any
23 organization licensee conducts 2 separate programs of races on
24 any day, each such program shall be considered a separate
25 racing day for purposes of determining the daily handle and
26 computing the privilege tax on such daily handle as provided in

1 subsection (a) of this Section.

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

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

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

25 (f) No other license fee, privilege tax, excise tax or
26 racing fee shall be assessed or collected from any such

1 licensee by units of local government except as provided in
2 paragraph 10.1 of subsection (h) and subsection (f) of Section
3 26 of this Act. However, any municipality that has a Board
4 licensed horse race meeting at a race track wholly within its
5 corporate boundaries or a township that has a Board licensed
6 horse race meeting at a race track wholly within the
7 unincorporated area of the township may charge a local
8 amusement tax not to exceed 10¢ per admission to such horse
9 race meeting by the enactment of an ordinance. However, any
10 municipality or county that has a Board licensed inter-track
11 wagering location facility wholly within its corporate
12 boundaries may each impose an admission fee not to exceed \$1.00
13 per admission to such inter-track wagering location facility,
14 so that a total of not more than \$2.00 per admission may be
15 imposed. Except as provided in subparagraph (g) of Section 27
16 of this Act, the inter-track wagering location licensee shall
17 collect any and all such fees and within 48 hours remit the
18 fees to the Board, which shall, pursuant to rule, cause the
19 fees to be distributed to the county or municipality.

20 (g) Notwithstanding any provision in this Act to the
21 contrary, if in any calendar year the total taxes and fees
22 required to be collected from licensees and distributed under
23 this Act to all State and local governmental authorities
24 exceeds the amount of such taxes and fees distributed to each
25 State and local governmental authority to which each State and
26 local governmental authority was entitled under this Act for

1 calendar year 1994, then the first \$11 million of that excess
2 amount shall be allocated at the earliest possible date for
3 distribution as purse money for the succeeding calendar year.
4 Upon reaching the 1994 level, and until the excess amount of
5 taxes and fees exceeds \$11 million, the Board shall direct all
6 licensees to cease paying the subject taxes and fees and the
7 Board shall direct all licensees to allocate any such excess
8 amount for purses as follows:

9 (i) the excess amount shall be initially divided
10 between thoroughbred and standardbred purses based on the
11 thoroughbred's and standardbred's respective percentages
12 of total Illinois live wagering in calendar year 1994;

13 (ii) each thoroughbred and standardbred organization
14 licensee issued an organization licensee in that
15 succeeding allocation year shall be allocated an amount
16 equal to the product of its percentage of total Illinois
17 live thoroughbred or standardbred wagering in calendar
18 year 1994 (the total to be determined based on the sum of
19 1994 on-track wagering for all organization licensees
20 issued organization licenses in both the allocation year
21 and the preceding year) multiplied by the total amount
22 allocated for standardbred or thoroughbred purses,
23 provided that the first \$1,500,000 of the amount allocated
24 to standardbred purses under item (i) shall be allocated to
25 the Department of Agriculture to be expended with the
26 assistance and advice of the Illinois Standardbred

1 Breeders Funds Advisory Board for the purposes listed in
2 subsection (g) of Section 31 of this Act, before the amount
3 allocated to standardbred purses under item (i) is
4 allocated to standardbred organization licensees in the
5 succeeding allocation year.

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

11 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;
12 98-624, eff. 1-29-14.)

13 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

14 Sec. 31. (a) The General Assembly declares that it is the
15 policy of this State to encourage the breeding of standardbred
16 horses in this State and the ownership of such horses by
17 residents of this State in order to provide for: sufficient
18 numbers of high quality standardbred horses to participate in
19 harness racing meetings in this State, and to establish and
20 preserve the agricultural and commercial benefits of such
21 breeding and racing industries to the State of Illinois. It is
22 the intent of the General Assembly to further this policy by
23 the provisions of this Section of this Act.

24 (b) Each organization licensee conducting a harness racing
25 meeting pursuant to this Act shall provide for at least two

1 races each race program limited to Illinois conceived and
2 foaled horses. A minimum of 6 races shall be conducted each
3 week limited to Illinois conceived and foaled horses. No horses
4 shall be permitted to start in such races unless duly
5 registered under the rules of the Department of Agriculture.

6 (c) Conditions of races under subsection (b) shall be
7 commensurate with past performance, quality and class of
8 Illinois conceived and foaled horses available. If, however,
9 sufficient competition cannot be had among horses of that class
10 on any day, the races may, with consent of the Board, be
11 eliminated for that day and substitute races provided.

12 (d) There is hereby created a special fund of the State
13 Treasury to be known as the Illinois Standardbred Breeders
14 Fund.

15 During the calendar year 1981, and each year thereafter,
16 except as provided in subsection (g) of Section 27 of this Act,
17 eight and one-half per cent of all the monies received by the
18 State as privilege taxes on harness racing meetings shall be
19 paid into the Illinois Standardbred Breeders Fund.

20 (e) The Illinois Standardbred Breeders Fund shall be
21 administered by the Department of Agriculture with the
22 assistance and advice of the Advisory Board created in
23 subsection (f) of this Section.

24 (f) The Illinois Standardbred Breeders Fund Advisory Board
25 is hereby created. The Advisory Board shall consist of the
26 Director of the Department of Agriculture, who shall serve as

1 Chairman; the Superintendent of the Illinois State Fair; a
2 member of the Illinois Racing Board, designated by it; a
3 representative of the largest association of Illinois
4 standardbred owners and breeders ~~Illinois Standardbred Owners~~
5 ~~and Breeders Association~~, recommended by it; a representative
6 of a statewide association representing agricultural fairs in
7 Illinois ~~the Illinois Association of Agricultural Fairs~~,
8 recommended by it, such representative to be from a fair at
9 which Illinois conceived and foaled racing is conducted; a
10 representative of the organization licensees conducting
11 harness racing meetings, recommended by them; a representative
12 of the Breeder's Committee of the association representing the
13 largest number of standardbred owners, breeders, trainers,
14 caretakers, and drivers, recommended by it; and a
15 representative of the association representing the largest
16 number of standardbred owners, breeders, trainers, caretakers,
17 and drivers ~~Illinois Harness Horsemen's Association~~,
18 recommended by it. Advisory Board members shall serve for 2
19 years commencing January 1~~7~~ of each odd numbered year. If
20 representatives of the largest association of Illinois
21 standardbred owners and breeders, a statewide association of
22 agricultural fairs in Illinois, the association representing
23 the largest number of standardbred owners, breeders, trainers,
24 caretakers, and drivers, a member of the Breeder's Committee of
25 the association representing the largest number of
26 standardbred owners, breeders, trainers, caretakers, and

1 ~~drivers Illinois Standardbred Owners and Breeders~~
2 ~~Associations, the Illinois Association of Agricultural Fairs,~~
3 ~~the Illinois Harness Horsemen's Association,~~ and the
4 organization licensees conducting harness racing meetings have
5 not been recommended by January 17 of each odd numbered year,
6 the Director of the Department of Agriculture shall make an
7 appointment for the organization failing to so recommend a
8 member of the Advisory Board. Advisory Board members shall
9 receive no compensation for their services as members but shall
10 be reimbursed for all actual and necessary expenses and
11 disbursements incurred in the execution of their official
12 duties.

13 (g) No monies shall be expended from the Illinois
14 Standardbred Breeders Fund except as appropriated by the
15 General Assembly. Monies appropriated from the Illinois
16 Standardbred Breeders Fund shall be expended by the Department
17 of Agriculture, with the assistance and advice of the Illinois
18 Standardbred Breeders Fund Advisory Board for the following
19 purposes only:

20 1. To provide purses for races limited to Illinois
21 conceived and foaled horses at the State Fair.

22 2. To provide purses for races limited to Illinois
23 conceived and foaled horses at county fairs.

24 3. To provide purse supplements for races limited to
25 Illinois conceived and foaled horses conducted by
26 associations conducting harness racing meetings.

1 4. No less than 75% of all monies in the Illinois
2 Standardbred Breeders Fund shall be expended for purses in
3 1, 2 and 3 as shown above.

4 5. In the discretion of the Department of Agriculture
5 to provide awards to harness breeders of Illinois conceived
6 and foaled horses which win races conducted by organization
7 licensees conducting harness racing meetings. A breeder is
8 the owner of a mare at the time of conception. No more than
9 10% of all monies appropriated from the Illinois
10 Standardbred Breeders Fund shall be expended for such
11 harness breeders awards. No more than 25% of the amount
12 expended for harness breeders awards shall be expended for
13 expenses incurred in the administration of such harness
14 breeders awards.

15 6. To pay for the improvement of racing facilities
16 located at the State Fair and County fairs.

17 7. To pay the expenses incurred in the administration
18 of the Illinois Standardbred Breeders Fund.

19 8. To promote the sport of harness racing.

20 (h) Whenever the Governor finds that the amount in the
21 Illinois Standardbred Breeders Fund is more than the total of
22 the outstanding appropriations from such fund, the Governor
23 shall notify the State Comptroller and the State Treasurer of
24 such fact. The Comptroller and the State Treasurer, upon
25 receipt of such notification, shall transfer such excess amount
26 from the Illinois Standardbred Breeders Fund to the General

1 Revenue Fund.

2 (i) A sum equal to 12 1/2% of the first prize money of
3 every purse won by an Illinois conceived and foaled horse shall
4 be paid by the organization licensee conducting the horse race
5 meeting to the breeder of such winning horse from the
6 organization licensee's share of the money wagered. Such
7 payment shall not reduce any award to the owner of the horse or
8 reduce the taxes payable under this Act. Such payment shall be
9 delivered by the organization licensee at the end of each race
10 meeting.

11 (j) The Department of Agriculture shall, by rule, with the
12 assistance and advice of the Illinois Standardbred Breeders
13 Fund Advisory Board:

14 1. Qualify stallions for Illinois Standardbred Breeders
15 Fund breeding; such stallion shall be owned by a resident of
16 the State of Illinois or by an Illinois corporation all of
17 whose shareholders, directors, officers and incorporators are
18 residents of the State of Illinois. Such stallion shall stand
19 for service at and within the State of Illinois at the time of
20 a foal's conception, and such stallion must not stand for
21 service at any place, nor may semen from such stallion be
22 transported, outside the State of Illinois during that calendar
23 year in which the foal is conceived and that the owner of the
24 stallion was for the 12 months prior, a resident of Illinois.
25 The articles of agreement of any partnership, joint venture,
26 limited partnership, syndicate, association or corporation and

1 any bylaws and stock certificates must contain a restriction
2 that provides that the ownership or transfer of interest by any
3 one of the persons a party to the agreement can only be made to
4 a person who qualifies as an Illinois resident.

5 2. Provide for the registration of Illinois conceived and
6 foaled horses and no such horse shall compete in the races
7 limited to Illinois conceived and foaled horses unless
8 registered with the Department of Agriculture. The Department
9 of Agriculture may prescribe such forms as may be necessary to
10 determine the eligibility of such horses. No person shall
11 knowingly prepare or cause preparation of an application for
12 registration of such foals containing false information. A mare
13 (dam) must be in the state at least 30 days prior to foaling or
14 remain in the State at least 30 days at the time of foaling.
15 Beginning with the 1996 breeding season and for foals of 1997
16 and thereafter, a foal conceived by transported fresh semen may
17 be eligible for Illinois conceived and foaled registration
18 provided all breeding and foaling requirements are met. The
19 stallion must be qualified for Illinois Standardbred Breeders
20 Fund breeding at the time of conception and the mare must be
21 inseminated within the State of Illinois. The foal must be
22 dropped in Illinois and properly registered with the Department
23 of Agriculture in accordance with this Act.

24 3. Provide that at least a 5 day racing program shall be
25 conducted at the State Fair each year, which program shall
26 include at least the following races limited to Illinois

1 conceived and foaled horses: (a) a two year old Trot and Pace,
2 and Filly Division of each; (b) a three year old Trot and Pace,
3 and Filly Division of each; (c) an aged Trot and Pace, and Mare
4 Division of each.

5 4. Provide for the payment of nominating, sustaining and
6 starting fees for races promoting the sport of harness racing
7 and for the races to be conducted at the State Fair as provided
8 in subsection (j) 3 of this Section provided that the
9 nominating, sustaining and starting payment required from an
10 entrant shall not exceed 2% of the purse of such race. All
11 nominating, sustaining and starting payments shall be held for
12 the benefit of entrants and shall be paid out as part of the
13 respective purses for such races. Nominating, sustaining and
14 starting fees shall be held in trust accounts for the purposes
15 as set forth in this Act and in accordance with Section 205-15
16 of the Department of Agriculture Law (20 ILCS 205/205-15).

17 5. Provide for the registration with the Department of
18 Agriculture of Colt Associations or county fairs desiring to
19 sponsor races at county fairs.

20 (k) The Department of Agriculture, with the advice and
21 assistance of the Illinois Standardbred Breeders Fund Advisory
22 Board, may allocate monies for purse supplements for such
23 races. In determining whether to allocate money and the amount,
24 the Department of Agriculture shall consider factors,
25 including but not limited to, the amount of money appropriated
26 for the Illinois Standardbred Breeders Fund program, the number

1 of races that may occur, and an organizational licensee's purse
2 structure. The organizational licensee shall notify the
3 Department of Agriculture of the conditions and minimum purses
4 for races limited to Illinois conceived and foaled horses to be
5 conducted by each organizational licensee conducting a harness
6 racing meeting for which purse supplements have been
7 negotiated.

8 (l) All races held at county fairs and the State Fair which
9 receive funds from the Illinois Standardbred Breeders Fund
10 shall be conducted in accordance with the rules of the United
11 States Trotting Association unless otherwise modified by the
12 Department of Agriculture.

13 (m) At all standardbred race meetings held or conducted
14 under authority of a license granted by the Board, and at all
15 standardbred races held at county fairs which are approved by
16 the Department of Agriculture or at the Illinois or DuQuoin
17 State Fairs, no one shall jog, train, warm up or drive a
18 standardbred horse unless he or she is wearing a protective
19 safety helmet, with the chin strap fastened and in place, which
20 meets the standards and requirements as set forth in the 1984
21 Standard for Protective Headgear for Use in Harness Racing and
22 Other Equestrian Sports published by the Snell Memorial
23 Foundation, or any standards and requirements for headgear the
24 Illinois Racing Board may approve. Any other standards and
25 requirements so approved by the Board shall equal or exceed
26 those published by the Snell Memorial Foundation. Any

1 equestrian helmet bearing the Snell label shall be deemed to
2 have met those standards and requirements.

3 (Source: P.A. 91-239, eff. 1-1-00.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.