



Rep. Jay Hoffman

Filed: 3/30/2016

09900HB0335ham002

LRB099 05811 AMC 45268 a

1 AMENDMENT TO HOUSE BILL 335

2 AMENDMENT NO. _____. Amend House Bill 335 by replacing
3 everything after the enacting clause with the following:

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

1 the provisions of this Act, be held or construed to be
2 unlawful, other statutes of this State to the contrary
3 notwithstanding. Subject to rules for advance wagering
4 promulgated by the Board, any licensee may accept wagers in
5 advance of the day of the race wagered upon occurs.

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

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

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

1 Rehabilitation Fund of the State treasury, except as provided
2 in subsection (g) of Section 27 of this Act.

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

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

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

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

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

1 established by other states.

2 (g) A host track may accept interstate simulcast wagers on
3 horse races conducted in other states or countries and shall
4 control the number of signals and types of breeds of racing in
5 its simulcast program, subject to the disapproval of the Board.
6 The Board may prohibit a simulcast program only if it finds
7 that the simulcast program is clearly adverse to the integrity
8 of racing. The host track simulcast program shall include the
9 signal of live racing of all organization licensees. All
10 non-host licensees and advance deposit wagering licensees
11 shall carry the signal of and accept wagers on live racing of
12 all organization licensees. Advance deposit wagering licensees
13 shall not be permitted to accept out-of-state wagers on any
14 Illinois signal provided pursuant to this Section without the
15 approval and consent of the organization licensee providing the
16 signal. For one year after the effective date of this
17 amendatory Act of the 98th General Assembly, non-host licensees
18 may carry the host track simulcast program and shall accept
19 wagers on all races included as part of the simulcast program
20 of horse races conducted at race tracks located within North
21 America upon which wagering is permitted. For a period of one
22 year after the effective date of this amendatory Act of the
23 98th General Assembly, on horse races conducted at race tracks
24 located outside of North America, non-host licensees may accept
25 wagers on all races included as part of the simulcast program
26 upon which wagering is permitted. Beginning one year after the

1 effective date of this amendatory Act of the 98th General
2 Assembly, non-host licensees may carry the host track simulcast
3 program and shall accept wagers on all races included as part
4 of the simulcast program upon which wagering is permitted. All
5 organization licensees shall provide their live signal to all
6 advance deposit wagering licensees for a simulcast commission
7 fee not to exceed 6% of the advance deposit wagering licensee's
8 Illinois handle on the organization licensee's signal without
9 prior approval by the Board. The Board may adopt rules under
10 which it may permit simulcast commission fees in excess of 6%.
11 The Board shall adopt rules limiting the interstate commission
12 fees charged to an advance deposit wagering licensee. The Board
13 shall adopt rules regarding advance deposit wagering on
14 interstate simulcast races that shall reflect, among other
15 things, the General Assembly's desire to maximize revenues to
16 the State, horsemen purses, and organizational licensees.
17 However, organization licensees providing live signals
18 pursuant to the requirements of this subsection (g) may
19 petition the Board to withhold their live signals from an
20 advance deposit wagering licensee if the organization licensee
21 discovers and the Board finds reputable or credible information
22 that the advance deposit wagering licensee is under
23 investigation by another state or federal governmental agency,
24 the advance deposit wagering licensee's license has been
25 suspended in another state, or the advance deposit wagering
26 licensee's license is in revocation proceedings in another

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

21 Notwithstanding any other provision of this Act, through
22 December 31, 2018 ~~until February 1, 2017~~, an organization
23 licensee, with the consent of the horsemen association
24 representing the largest number of owners, trainers, jockeys,
25 or standardbred drivers who race horses at that organization
26 licensee's racing meeting, may maintain a system whereby

1 advance deposit wagering may take place or an organization
2 licensee, with the consent of the horsemen association
3 representing the largest number of owners, trainers, jockeys,
4 or standardbred drivers who race horses at that organization
5 licensee's racing meeting, may contract with another person to
6 carry out a system of advance deposit wagering. Such consent
7 may not be unreasonably withheld. Only with respect to an
8 appeal to the Board that consent for an organization licensee
9 that maintains its own advance deposit wagering system is being
10 unreasonably withheld, the Board shall issue a final order
11 within 30 days after initiation of the appeal, and the
12 organization licensee's advance deposit wagering system may
13 remain operational during that 30-day period. The actions of
14 any organization licensee who conducts advance deposit
15 wagering or any person who has a contract with an organization
16 licensee to conduct advance deposit wagering who conducts
17 advance deposit wagering on or after January 1, 2013 and prior
18 to the effective date of this amendatory Act of the 98th
19 General Assembly taken in reliance on the changes made to this
20 subsection (g) by this amendatory Act of the 98th General
21 Assembly are hereby validated, provided payment of all
22 applicable pari-mutuel taxes are remitted to the Board. All
23 advance deposit wagers placed from within Illinois must be
24 placed through a Board-approved advance deposit wagering
25 licensee; no other entity may accept an advance deposit wager
26 from a person within Illinois. All advance deposit wagering is

1 subject to any rules adopted by the Board. The Board may adopt
2 rules necessary to regulate advance deposit wagering through
3 the use of emergency rulemaking in accordance with Section 5-45
4 of the Illinois Administrative Procedure Act. The General
5 Assembly finds that the adoption of rules to regulate advance
6 deposit wagering is deemed an emergency and necessary for the
7 public interest, safety, and welfare. An advance deposit
8 wagering licensee may retain all moneys as agreed to by
9 contract with an organization licensee. Any moneys retained by
10 the organization licensee from advance deposit wagering, not
11 including moneys retained by the advance deposit wagering
12 licensee, shall be paid 50% to the organization licensee's
13 purse account and 50% to the organization licensee. With the
14 exception of any organization licensee that is owned by a
15 publicly traded company that is incorporated in a state other
16 than Illinois and advance deposit wagering licensees under
17 contract with such organization licensees, organization
18 licensees that maintain advance deposit wagering systems and
19 advance deposit wagering licensees that contract with
20 organization licensees shall provide sufficiently detailed
21 monthly accountings to the horsemen association representing
22 the largest number of owners, trainers, jockeys, or
23 standardbred drivers who race horses at that organization
24 licensee's racing meeting so that the horsemen association, as
25 an interested party, can confirm the accuracy of the amounts
26 paid to the purse account at the horsemen association's

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

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

1 an intertrack wagering licensee to its affiliated non-host
2 licensees. The interstate commission fee for a
3 supplemental interstate simulcast shall be paid by the
4 non-host licensee and its affiliated non-host licensees
5 receiving the simulcast.

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

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

1 subsection, each intertrack wagering location licensee
2 shall pay 1% of the pari-mutuel handle wagered on simulcast
3 wagering to the Horse Racing Tax Allocation Fund, subject
4 to the provisions of subparagraph (B) of paragraph (11) of
5 subsection (h) of Section 26 of this Act.

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

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

26 (A) For interstate simulcast wagers made at a host

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

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

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

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

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

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

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

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

25 (E) Between the third Saturday in February and
26 December 31, when the interstate simulcast occurs

1 between the hours of 6:30 p.m. and 6:30 a.m., the purse
2 share to its standardbred purse account.

3 (7.1) Notwithstanding any other provision of this Act
4 to the contrary, if no standardbred racing is conducted at
5 a racetrack located in Madison County during any calendar
6 year beginning on or after January 1, 2002, all moneys
7 derived by that racetrack from simulcast wagering and
8 inter-track wagering that (1) are to be used for purses and
9 (2) are generated between the hours of 6:30 p.m. and 6:30
10 a.m. during that calendar year shall be paid as follows:

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

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

1 subparagraph (B) shall be allocated as provided by the
2 Department of Agriculture, with the advice and
3 assistance of the Illinois Standardbred Breeders Fund
4 Advisory Board.

5 (7.2) Notwithstanding any other provision of this Act
6 to the contrary, if no thoroughbred racing is conducted at
7 a racetrack located in Madison County during any calendar
8 year beginning on or after January 1, 2002, all moneys
9 derived by that racetrack from simulcast wagering and
10 inter-track wagering that (1) are to be used for purses and
11 (2) are generated between the hours of 6:30 a.m. and 6:30
12 p.m. during that calendar year shall be deposited as
13 follows:

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

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

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

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

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

21 (B) Twenty percent to the Illinois Colt Stakes
22 Purse Distribution Fund.

23 Failure to make the payment to the Illinois Colt Stakes
24 Purse Distribution Fund before January 1, 2002 shall result
25 in the immediate revocation of the licensee's organization
26 license, inter-track wagering license, and inter-track

1 wagering location license.

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

14 (7.4) If live standardbred racing is conducted at a
15 racetrack located in Madison County at any time in calendar
16 year 2001 before the payment required under paragraph (7.3)
17 has been made, the organization licensee who is licensed to
18 conduct racing at that racetrack shall pay all moneys
19 derived by that racetrack from simulcast wagering and
20 inter-track wagering during calendar years 2000 and 2001
21 that (1) are to be used for purses and (2) are generated
22 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
23 2001 to the standardbred purse account at that racetrack to
24 be used for standardbred purses.

25 (8) Notwithstanding any provision in this Act to the
26 contrary, an organization licensee from a track located in

1 a county with a population in excess of 230,000 and that
2 borders the Mississippi River and its affiliated non-host
3 licensees shall not be entitled to share in any retention
4 generated on racing, inter-track wagering, or simulcast
5 wagering at any other Illinois wagering facility.

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

21 (9) (Blank).

22 (10) (Blank).

23 (11) (Blank).

24 (12) The Board shall have authority to compel all host
25 tracks to receive the simulcast of any or all races
26 conducted at the Springfield or DuQuoin State fairgrounds

1 and include all such races as part of their simulcast
2 programs.

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

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

23 (h) The Board may approve and license the conduct of
24 inter-track wagering and simulcast wagering by inter-track
25 wagering licensees and inter-track wagering location licensees
26 subject to the following terms and conditions:

1 (1) Any person licensed to conduct a race meeting (i)
2 at a track where 60 or more days of racing were conducted
3 during the immediately preceding calendar year or where
4 over the 5 immediately preceding calendar years an average
5 of 30 or more days of racing were conducted annually may be
6 issued an inter-track wagering license; (ii) at a track
7 located in a county that is bounded by the Mississippi
8 River, which has a population of less than 150,000
9 according to the 1990 decennial census, and an average of
10 at least 60 days of racing per year between 1985 and 1993
11 may be issued an inter-track wagering license; or (iii) at
12 a track located in Madison County that conducted at least
13 100 days of live racing during the immediately preceding
14 calendar year may be issued an inter-track wagering
15 license, unless a lesser schedule of live racing is the
16 result of (A) weather, unsafe track conditions, or other
17 acts of God; (B) an agreement between the organization
18 licensee and the associations representing the largest
19 number of owners, trainers, jockeys, or standardbred
20 drivers who race horses at that organization licensee's
21 racing meeting; or (C) a finding by the Board of
22 extraordinary circumstances and that it was in the best
23 interest of the public and the sport to conduct fewer than
24 100 days of live racing. Any such person having operating
25 control of the racing facility may also receive up to 6
26 inter-track wagering location licenses. In no event shall

1 more than 6 inter-track wagering locations be established
2 for each eligible race track, except that an eligible race
3 track located in a county that has a population of more
4 than 230,000 and that is bounded by the Mississippi River
5 may establish up to 7 inter-track wagering locations and an
6 eligible race track located in Cook County may establish up
7 to 8 inter-track wagering locations. An application for
8 said license shall be filed with the Board prior to such
9 dates as may be fixed by the Board. With an application for
10 an inter-track wagering location license there shall be
11 delivered to the Board a certified check or bank draft
12 payable to the order of the Board for an amount equal to
13 \$500. The application shall be on forms prescribed and
14 furnished by the Board. The application shall comply with
15 all other rules, regulations and conditions imposed by the
16 Board in connection therewith.

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

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

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

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

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

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

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

1 under this Act.

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

5 (8.1) Inter-track wagering location licensees who
6 derive their licenses from a particular organization
7 licensee shall conduct inter-track wagering and simulcast
8 wagering only at locations that are within 140 miles of
9 that race track where the particular organization licensee
10 is licensed to conduct racing. However, inter-track
11 wagering and simulcast wagering shall not be conducted by
12 those licensees at any location within 5 miles of any race
13 track at which a horse race meeting has been licensed in
14 the current year, unless the person having operating
15 control of such race track has given its written consent to
16 such inter-track wagering location licensees, which
17 consent must be filed with the Board at or prior to the
18 time application is made. In the case of any inter-track
19 wagering location licensee initially licensed after
20 December 31, 2013, inter-track wagering and simulcast
21 wagering shall not be conducted by those inter-track
22 wagering location licensees that are located outside the
23 City of Chicago at any location within 8 miles of any race
24 track at which a horse race meeting has been licensed in
25 the current year, unless the person having operating
26 control of such race track has given its written consent to

1 such inter-track wagering location licensees, which
2 consent must be filed with the Board at or prior to the
3 time application is made.

4 (8.2) Inter-track wagering or simulcast wagering shall
5 not be conducted by an inter-track wagering location
6 licensee at any location within 500 feet of an existing
7 church or existing school, nor within 500 feet of the
8 residences of more than 50 registered voters without
9 receiving written permission from a majority of the
10 registered voters at such residences. Such written
11 permission statements shall be filed with the Board. The
12 distance of 500 feet shall be measured to the nearest part
13 of any building used for worship services, education
14 programs, residential purposes, or conducting inter-track
15 wagering by an inter-track wagering location licensee, and
16 not to property boundaries. However, inter-track wagering
17 or simulcast wagering may be conducted at a site within 500
18 feet of a church, school or residences of 50 or more
19 registered voters if such church, school or residences have
20 been erected or established, or such voters have been
21 registered, after the Board issues the original
22 inter-track wagering location license at the site in
23 question. Inter-track wagering location licensees may
24 conduct inter-track wagering and simulcast wagering only
25 in areas that are zoned for commercial or manufacturing
26 purposes or in areas for which a special use has been

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

12 (9) (Blank).

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

23 (10.1) Except as provided in subsection (g) of Section
24 27 of this Act, inter-track wagering location licensees
25 shall pay 1% of the pari-mutuel handle at each location to
26 the municipality in which such location is situated and 1%

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

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

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

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

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

25 (B) From the sums permitted to be retained pursuant to
26 this Act each inter-track wagering location licensee shall

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

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

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

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

21 (C) There is hereby created the Horse Racing Tax
22 Allocation Fund which shall remain in existence until
23 December 31, 1999. Moneys remaining in the Fund after
24 December 31, 1999 shall be paid into the General Revenue
25 Fund. Until January 1, 2000, all monies paid into the Horse
26 Racing Tax Allocation Fund pursuant to this paragraph (11)

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

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

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

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

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

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

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

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

22 Two-sevenths to the Department of Agriculture.
23 Fifty percent of this two-sevenths shall be used to
24 promote the Illinois horse racing and breeding
25 industry, and shall be distributed by the Department of
26 Agriculture upon the advice of a 9-member committee

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

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

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

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

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

26 (i) If the inter-track wagering licensee,

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

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

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

1 Illinois races shall be to purses at the track
2 where the race meeting being wagered on is being
3 held.

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

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

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

24 (C) The Board, and any person or persons to whom it
25 delegates this power, may eject or exclude from any
26 licensee's facilities, any person whose conduct or

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

8 (D) (Blank).

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

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

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

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

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

1 Fair in Perry County, or to any wagering conducted on those
2 race meetings.

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

7 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;
8 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)

9 (230 ILCS 5/26.8)

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

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

23 (230 ILCS 5/26.9)

24 Sec. 26.9. Beginning on February 1, 2014 and through

1 December 31, 2018 ~~until January 31, 2017~~, in addition to the
2 surcharge imposed in Sections 26.3, 26.4, 26.5, 26.7, and 26.8
3 of this Act, each licensee shall impose a surcharge of 0.2% on
4 winning wagers and winnings from wagers. The surcharge shall be
5 deducted from winnings prior to payout. All amounts collected
6 from the surcharges imposed under this Section shall be
7 remitted to the Board. From amounts collected under this
8 Section, the Board shall deposit an amount not to exceed
9 \$100,000 annually into the Quarter Horse Purse Fund and all
10 remaining amounts into the Horse Racing Fund.

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

12 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

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

1 such other time as the Board prescribes. The privilege tax
2 hereby imposed, until January 1, 2000, shall be a flat tax at
3 the rate of 2% of the daily pari-mutuel handle except as
4 provided in Section 27.1.

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

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

18 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
19 at the rate of 1.5% of the daily pari-mutuel handle is imposed
20 at all pari-mutuel wagering facilities and on advance deposit
21 wagering from a location other than a wagering facility, except
22 as otherwise provided for in this subsection (a-5). In addition
23 to the pari-mutuel tax imposed on advance deposit wagering
24 pursuant to this subsection (a-5), beginning on August 24, 2012
25 (the effective date of Public Act 97-1060) and through December
26 31, 2018 ~~until February 1, 2017~~, an additional pari-mutuel tax

1 at the rate of 0.25% shall be imposed on advance deposit
2 wagering. Until August 25, 2012, the additional 0.25%
3 pari-mutuel tax imposed on advance deposit wagering by Public
4 Act 96-972 shall be deposited into the Quarter Horse Purse
5 Fund, which shall be created as a non-appropriated trust fund
6 administered by the Board for grants to thoroughbred
7 organization licensees for payment of purses for quarter horse
8 races conducted by the organization licensee. Beginning on
9 August 26, 2012, the additional 0.25% pari-mutuel tax imposed
10 on advance deposit wagering shall be deposited into the
11 Standardbred Purse Fund, which shall be created as a
12 non-appropriated trust fund administered by the Board, for
13 grants to the standardbred organization licensees for payment
14 of purses for standardbred horse races conducted by the
15 organization licensee. Thoroughbred organization licensees may
16 petition the Board to conduct quarter horse racing and receive
17 purse grants from the Quarter Horse Purse Fund. The Board shall
18 have complete discretion in distributing the Quarter Horse
19 Purse Fund to the petitioning organization licensees.
20 Beginning on July 26, 2010 (the effective date of Public Act
21 96-1287), a pari-mutuel tax at the rate of 0.75% of the daily
22 pari-mutuel handle is imposed at a pari-mutuel facility whose
23 license is derived from a track located in a county that
24 borders the Mississippi River and conducted live racing in the
25 previous year. The pari-mutuel tax imposed by this subsection
26 (a-5) shall be remitted to the Department of Revenue within 48

1 hours after the close of the racing day upon which it is
2 assessed or within such other time as the Board prescribes.

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

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

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

1 transmitted and paid over by the Clerk of the Court to the
2 Board.

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

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

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

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

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

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

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

18 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;
19 98-624, eff. 1-29-14.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."