



Rep. Jay Hoffman

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1 AMENDMENT TO HOUSE BILL 335

2 AMENDMENT NO. _____. Amend House Bill 335, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 2, on page 1, line 5, by replacing "and 27" with "27, and 31";
5 and

6 on page 51, immediately below line 19, by inserting the
7 following:

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

9 Sec. 31. (a) The General Assembly declares that it is the
10 policy of this State to encourage the breeding of standardbred
11 horses in this State and the ownership of such horses by
12 residents of this State in order to provide for: sufficient
13 numbers of high quality standardbred horses to participate in
14 harness racing meetings in this State, and to establish and
15 preserve the agricultural and commercial benefits of such
16 breeding and racing industries to the State of Illinois. It is

1 the intent of the General Assembly to further this policy by
2 the provisions of this Section of this Act.

3 (b) Each organization licensee conducting a harness racing
4 meeting pursuant to this Act shall provide for at least two
5 races each race program limited to Illinois conceived and
6 foaled horses. A minimum of 6 races shall be conducted each
7 week limited to Illinois conceived and foaled horses. No horses
8 shall be permitted to start in such races unless duly
9 registered under the rules of the Department of Agriculture.

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

16 (d) There is hereby created a special fund of the State
17 Treasury to be known as the Illinois Standardbred Breeders
18 Fund.

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

24 (e) The Illinois Standardbred Breeders Fund shall be
25 administered by the Department of Agriculture with the
26 assistance and advice of the Advisory Board created in

1 subsection (f) of this Section.

2 (f) The Illinois Standardbred Breeders Fund Advisory Board
3 is hereby created. The Advisory Board shall consist of the
4 Director of the Department of Agriculture, who shall serve as
5 Chairman; the Superintendent of the Illinois State Fair; a
6 member of the Illinois Racing Board, designated by it; a
7 representative of the Illinois Standardbred Owners and
8 Breeders Association, recommended by it; a representative of
9 the Illinois Association of Agricultural Fairs, recommended by
10 it, such representative to be from a fair at which Illinois
11 conceived and foaled racing is conducted; a representative of
12 the organization licensees conducting harness racing meetings,
13 recommended by them; ~~and~~ a representative of the Illinois
14 Harness Horsemen's Association, recommended by it; and a
15 representative of the Breeder's Committee of the Illinois
16 Harness Horsemen's Association, recommended by it. Advisory
17 Board members shall serve for 2 years commencing January 1~~7~~ of
18 each odd numbered year. If representatives of the Illinois
19 Standardbred Owners and Breeders Associations, the Illinois
20 Association of Agricultural Fairs, the Illinois Harness
21 Horsemen's Association, and the organization licensees
22 conducting harness racing meetings have not been recommended by
23 January 1~~7~~ of each odd numbered year, the Director of the
24 Department of Agriculture shall make an appointment for the
25 organization failing to so recommend a member of the Advisory
26 Board. Advisory Board members shall receive no compensation for

1 their services as members but shall be reimbursed for all
2 actual and necessary expenses and disbursements incurred in the
3 execution of their official duties.

4 (g) No monies shall be expended from the Illinois
5 Standardbred Breeders Fund except as appropriated by the
6 General Assembly. Monies appropriated from the Illinois
7 Standardbred Breeders Fund shall be expended by the Department
8 of Agriculture, with the assistance and advice of the Illinois
9 Standardbred Breeders Fund Advisory Board for the following
10 purposes only:

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

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

15 3. To provide purse supplements for races limited to
16 Illinois conceived and foaled horses conducted by
17 associations conducting harness racing meetings.

18 4. No less than 75% of all monies in the Illinois
19 Standardbred Breeders Fund shall be expended for purses in
20 1, 2 and 3 as shown above.

21 5. In the discretion of the Department of Agriculture
22 to provide awards to harness breeders of Illinois conceived
23 and foaled horses which win races conducted by organization
24 licensees conducting harness racing meetings. A breeder is
25 the owner of a mare at the time of conception. No more than
26 10% of all monies appropriated from the Illinois

1 Standardbred Breeders Fund shall be expended for such
2 harness breeders awards. No more than 25% of the amount
3 expended for harness breeders awards shall be expended for
4 expenses incurred in the administration of such harness
5 breeders awards.

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

8 7. To pay the expenses incurred in the administration
9 of the Illinois Standardbred Breeders Fund.

10 8. To promote the sport of harness racing.

11 (h) Whenever the Governor finds that the amount in the
12 Illinois Standardbred Breeders Fund is more than the total of
13 the outstanding appropriations from such fund, the Governor
14 shall notify the State Comptroller and the State Treasurer of
15 such fact. The Comptroller and the State Treasurer, upon
16 receipt of such notification, shall transfer such excess amount
17 from the Illinois Standardbred Breeders Fund to the General
18 Revenue Fund.

19 (i) A sum equal to 12 1/2% of the first prize money of
20 every purse won by an Illinois conceived and foaled horse shall
21 be paid by the organization licensee conducting the horse race
22 meeting to the breeder of such winning horse from the
23 organization licensee's share of the money wagered. Such
24 payment shall not reduce any award to the owner of the horse or
25 reduce the taxes payable under this Act. Such payment shall be
26 delivered by the organization licensee at the end of each race

1 meeting.

2 (j) The Department of Agriculture shall, by rule, with the
3 assistance and advice of the Illinois Standardbred Breeders
4 Fund Advisory Board:

5 1. Qualify stallions for Illinois Standardbred Breeders
6 Fund breeding; such stallion shall be owned by a resident of
7 the State of Illinois or by an Illinois corporation all of
8 whose shareholders, directors, officers and incorporators are
9 residents of the State of Illinois. Such stallion shall stand
10 for service at and within the State of Illinois at the time of
11 a foal's conception, and such stallion must not stand for
12 service at any place, nor may semen from such stallion be
13 transported, outside the State of Illinois during that calendar
14 year in which the foal is conceived and that the owner of the
15 stallion was for the 12 months prior, a resident of Illinois.
16 The articles of agreement of any partnership, joint venture,
17 limited partnership, syndicate, association or corporation and
18 any bylaws and stock certificates must contain a restriction
19 that provides that the ownership or transfer of interest by any
20 one of the persons a party to the agreement can only be made to
21 a person who qualifies as an Illinois resident.

22 2. Provide for the registration of Illinois conceived and
23 foaled horses and no such horse shall compete in the races
24 limited to Illinois conceived and foaled horses unless
25 registered with the Department of Agriculture. The Department
26 of Agriculture may prescribe such forms as may be necessary to

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

15 3. Provide that at least a 5 day racing program shall be
16 conducted at the State Fair each year, which program shall
17 include at least the following races limited to Illinois
18 conceived and foaled horses: (a) a two year old Trot and Pace,
19 and Filly Division of each; (b) a three year old Trot and Pace,
20 and Filly Division of each; (c) an aged Trot and Pace, and Mare
21 Division of each.

22 4. Provide for the payment of nominating, sustaining and
23 starting fees for races promoting the sport of harness racing
24 and for the races to be conducted at the State Fair as provided
25 in subsection (j) 3 of this Section provided that the
26 nominating, sustaining and starting payment required from an

1 entrant shall not exceed 2% of the purse of such race. All
2 nominating, sustaining and starting payments shall be held for
3 the benefit of entrants and shall be paid out as part of the
4 respective purses for such races. Nominating, sustaining and
5 starting fees shall be held in trust accounts for the purposes
6 as set forth in this Act and in accordance with Section 205-15
7 of the Department of Agriculture Law (20 ILCS 205/205-15).

8 5. Provide for the registration with the Department of
9 Agriculture of Colt Associations or county fairs desiring to
10 sponsor races at county fairs.

11 (k) The Department of Agriculture, with the advice and
12 assistance of the Illinois Standardbred Breeders Fund Advisory
13 Board, may allocate monies for purse supplements for such
14 races. In determining whether to allocate money and the amount,
15 the Department of Agriculture shall consider factors,
16 including but not limited to, the amount of money appropriated
17 for the Illinois Standardbred Breeders Fund program, the number
18 of races that may occur, and an organizational licensee's purse
19 structure. The organizational licensee shall notify the
20 Department of Agriculture of the conditions and minimum purses
21 for races limited to Illinois conceived and foaled horses to be
22 conducted by each organizational licensee conducting a harness
23 racing meeting for which purse supplements have been
24 negotiated.

25 (l) All races held at county fairs and the State Fair which
26 receive funds from the Illinois Standardbred Breeders Fund

1 shall be conducted in accordance with the rules of the United
2 States Trotting Association unless otherwise modified by the
3 Department of Agriculture.

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

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