



Rep. Jay Hoffman

Filed: 4/19/2016

09900HB0335ham004

LRB099 05811 AMC 47861 a

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

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

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

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

26 2. To provide purses for races limited to Illinois

1 conceived and foaled horses at county fairs.

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

5 4. No less than 75% of all monies in the Illinois
6 Standardbred Breeders Fund shall be expended for purses in
7 1, 2 and 3 as shown above.

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

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

21 7. To pay the expenses incurred in the administration
22 of the Illinois Standardbred Breeders Fund.

23 8. To promote the sport of harness racing.

24 (h) Whenever the Governor finds that the amount in the
25 Illinois Standardbred Breeders Fund is more than the total of
26 the outstanding appropriations from such fund, the Governor

1 shall notify the State Comptroller and the State Treasurer of
2 such fact. The Comptroller and the State Treasurer, upon
3 receipt of such notification, shall transfer such excess amount
4 from the Illinois Standardbred Breeders Fund to the General
5 Revenue Fund.

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

15 (j) The Department of Agriculture shall, by rule, with the
16 assistance and advice of the Illinois Standardbred Breeders
17 Fund Advisory Board:

18 1. Qualify stallions for Illinois Standardbred Breeders
19 Fund breeding; such stallion shall be owned by a resident of
20 the State of Illinois or by an Illinois corporation all of
21 whose shareholders, directors, officers and incorporators are
22 residents of the State of Illinois. Such stallion shall stand
23 for service at and within the State of Illinois at the time of
24 a foal's conception, and such stallion must not stand for
25 service at any place, nor may semen from such stallion be
26 transported, outside the State of Illinois during that calendar

1 year in which the foal is conceived and that the owner of the
2 stallion was for the 12 months prior, a resident of Illinois.
3 The articles of agreement of any partnership, joint venture,
4 limited partnership, syndicate, association or corporation and
5 any bylaws and stock certificates must contain a restriction
6 that provides that the ownership or transfer of interest by any
7 one of the persons a party to the agreement can only be made to
8 a person who qualifies as an Illinois resident.

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

1 of Agriculture in accordance with this Act.

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

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

21 5. Provide for the registration with the Department of
22 Agriculture of Colt Associations or county fairs desiring to
23 sponsor races at county fairs.

24 (k) The Department of Agriculture, with the advice and
25 assistance of the Illinois Standardbred Breeders Fund Advisory
26 Board, may allocate monies for purse supplements for such

1 races. In determining whether to allocate money and the amount,
2 the Department of Agriculture shall consider factors,
3 including but not limited to, the amount of money appropriated
4 for the Illinois Standardbred Breeders Fund program, the number
5 of races that may occur, and an organizational licensee's purse
6 structure. The organizational licensee shall notify the
7 Department of Agriculture of the conditions and minimum purses
8 for races limited to Illinois conceived and foaled horses to be
9 conducted by each organizational licensee conducting a harness
10 racing meeting for which purse supplements have been
11 negotiated.

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

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

1 Foundation, or any standards and requirements for headgear the
2 Illinois Racing Board may approve. Any other standards and
3 requirements so approved by the Board shall equal or exceed
4 those published by the Snell Memorial Foundation. Any
5 equestrian helmet bearing the Snell label shall be deemed to
6 have met those standards and requirements.
7 (Source: P.A. 91-239, eff. 1-1-00.)".