

SB1382



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1382

Introduced 2/20/2015, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

230 ILCS 5/26

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Removes language limiting the authority of non-host licensees (i) to carry host track simulcast programs and to accept wagers on all races included as part of the simulcast program of horse races within North America upon which wagering is permitted and (ii) to accept wagers on all horse races conducted at race tracks located outside of North America included as part of the simulcast program upon which wagering is permitted. Makes conforming changes. Effective immediately.

LRB099 07629 MLM 27760 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by changing Section 26 as follows:

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

7 Sec. 26. Wagering.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 consent for an organization licensee that maintains its own
2 advance deposit wagering system is being unreasonably
3 withheld, the Board shall issue a final order within 30 days
4 after initiation of the appeal, and the organization licensee's
5 advance deposit wagering system may remain operational during
6 that 30-day period. The actions of any organization licensee
7 who conducts advance deposit wagering or any person who has a
8 contract with an organization licensee to conduct advance
9 deposit wagering who conducts advance deposit wagering on or
10 after January 1, 2013 and prior to the effective date of this
11 amendatory Act of the 98th General Assembly taken in reliance
12 on the changes made to this subsection (g) by this amendatory
13 Act of the 98th General Assembly are hereby validated, provided
14 payment of all applicable pari-mutuel taxes are remitted to the
15 Board. All advance deposit wagers placed from within Illinois
16 must be placed through a Board-approved advance deposit
17 wagering licensee; no other entity may accept an advance
18 deposit wager from a person within Illinois. All advance
19 deposit wagering is subject to any rules adopted by the Board.
20 The Board may adopt rules necessary to regulate advance deposit
21 wagering through the use of emergency rulemaking in accordance
22 with Section 5-45 of the Illinois Administrative Procedure Act.
23 The General Assembly finds that the adoption of rules to
24 regulate advance deposit wagering is deemed an emergency and
25 necessary for the public interest, safety, and welfare. An
26 advance deposit wagering licensee may retain all moneys as

1 agreed to by contract with an organization licensee. Any moneys
2 retained by the organization licensee from advance deposit
3 wagering, not including moneys retained by the advance deposit
4 wagering licensee, shall be paid 50% to the organization
5 licensee's purse account and 50% to the organization licensee.
6 With the exception of any organization licensee that is owned
7 by a publicly traded company that is incorporated in a state
8 other than Illinois and advance deposit wagering licensees
9 under contract with such organization licensees, organization
10 licensees that maintain advance deposit wagering systems and
11 advance deposit wagering licensees that contract with
12 organization licensees shall provide sufficiently detailed
13 monthly accountings to the horsemen association representing
14 the largest number of owners, trainers, jockeys, or
15 standardbred drivers who race horses at that organization
16 licensee's racing meeting so that the horsemen association, as
17 an interested party, can confirm the accuracy of the amounts
18 paid to the purse account at the horsemen association's
19 affiliated organization licensee from advance deposit
20 wagering. If more than one breed races at the same race track
21 facility, then the 50% of the moneys to be paid to an
22 organization licensee's purse account shall be allocated among
23 all organization licensees' purse accounts operating at that
24 race track facility proportionately based on the actual number
25 of host days that the Board grants to that breed at that race
26 track facility in the current calendar year. To the extent any

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

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

24 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
25 intertrack wagering licensee other than the host track may
26 receive supplemental interstate simulcasts only with the

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

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

24 (4) A licensee who receives an interstate simulcast may
25 combine its gross or net pools with pools at the sending
26 racetracks pursuant to rules established by the Board. All

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

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

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

21 (B) For wagers placed on interstate simulcast
22 races, supplemental simulcasts as defined in
23 subparagraphs (1) and (2), and separately pooled races
24 conducted outside of the State of Illinois made at a
25 non-host licensee, 25% to the host track, 25% to the
26 non-host licensee, and 50% to the purses at the host

1 track.

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

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

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

24 (B) Between January 1 and the third Friday in
25 February, inclusive, if no live thoroughbred racing is
26 occurring in Illinois during this period, and the

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

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

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

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

21 (7.1) Notwithstanding any other provision of this Act
22 to the contrary, if no standardbred racing is conducted at
23 a racetrack located in Madison County during any calendar
24 year beginning on or after January 1, 2002, all moneys
25 derived by that racetrack from simulcast wagering and
26 inter-track wagering that (1) are to be used for purses and

1 (2) are generated between the hours of 6:30 p.m. and 6:30
2 a.m. during that calendar year shall be paid as follows:

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

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

23 (7.2) Notwithstanding any other provision of this Act
24 to the contrary, if no thoroughbred racing is conducted at
25 a racetrack located in Madison County during any calendar
26 year beginning on or after January 1, 2002, all moneys

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

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

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

1 not be commingled with other moneys deposited into that
2 Fund.

3 (7.3) If no live standardbred racing is conducted at a
4 racetrack located in Madison County in calendar year 2000
5 or 2001, an organization licensee who is licensed to
6 conduct horse racing at that racetrack shall, before
7 January 1, 2002, pay all moneys derived from simulcast
8 wagering and inter-track wagering in calendar years 2000
9 and 2001 and paid into the licensee's standardbred purse
10 account as follows:

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

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

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

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

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

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

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

24 (8.1) Notwithstanding any provisions in this Act to the
25 contrary, if 2 organization licensees are conducting
26 standardbred race meetings concurrently between the hours

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

13 (9) (Blank).

14 (10) (Blank).

15 (11) (Blank).

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

21 (13) Notwithstanding any other provision of this Act,
22 in the event that the total Illinois pari-mutuel handle on
23 Illinois horse races at all wagering facilities in any
24 calendar year is less than 75% of the total Illinois
25 pari-mutuel handle on Illinois horse races at all such
26 wagering facilities for calendar year 1994, then each

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

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

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

19 (1) Any person licensed to conduct a race meeting (i)
20 at a track where 60 or more days of racing were conducted
21 during the immediately preceding calendar year or where
22 over the 5 immediately preceding calendar years an average
23 of 30 or more days of racing were conducted annually may be
24 issued an inter-track wagering license; (ii) at a track
25 located in a county that is bounded by the Mississippi
26 River, which has a population of less than 150,000

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

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

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

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

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

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

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

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

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

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

23 (8.1) Inter-track wagering location licensees who
24 derive their licenses from a particular organization
25 licensee shall conduct inter-track wagering and simulcast
26 wagering only at locations that are within 140 miles of

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

22 (8.2) Inter-track wagering or simulcast wagering shall
23 not be conducted by an inter-track wagering location
24 licensee at any location within 500 feet of an existing
25 church or existing school, nor within 500 feet of the
26 residences of more than 50 registered voters without

1 receiving written permission from a majority of the
2 registered voters at such residences. Such written
3 permission statements shall be filed with the Board. The
4 distance of 500 feet shall be measured to the nearest part
5 of any building used for worship services, education
6 programs, residential purposes, or conducting inter-track
7 wagering by an inter-track wagering location licensee, and
8 not to property boundaries. However, inter-track wagering
9 or simulcast wagering may be conducted at a site within 500
10 feet of a church, school or residences of 50 or more
11 registered voters if such church, school or residences have
12 been erected or established, or such voters have been
13 registered, after the Board issues the original
14 inter-track wagering location license at the site in
15 question. Inter-track wagering location licensees may
16 conduct inter-track wagering and simulcast wagering only
17 in areas that are zoned for commercial or manufacturing
18 purposes or in areas for which a special use has been
19 approved by the local zoning authority. However, no license
20 to conduct inter-track wagering and simulcast wagering
21 shall be granted by the Board with respect to any
22 inter-track wagering location within the jurisdiction of
23 any local zoning authority which has, by ordinance or by
24 resolution, prohibited the establishment of an inter-track
25 wagering location within its jurisdiction. However,
26 inter-track wagering and simulcast wagering may be

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

4 (9) (Blank).

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

15 (10.1) Except as provided in subsection (g) of Section
16 27 of this Act, inter-track wagering location licensees
17 shall pay 1% of the pari-mutuel handle at each location to
18 the municipality in which such location is situated and 1%
19 of the pari-mutuel handle at each location to the county in
20 which such location is situated. In the event that an
21 inter-track wagering location licensee is situated in an
22 unincorporated area of a county, such licensee shall pay 2%
23 of the pari-mutuel handle from such location to such
24 county.

25 (10.2) Notwithstanding any other provision of this
26 Act, with respect to intertrack wagering at a race track

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

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

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

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

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

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

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

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

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

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

13 (C) There is hereby created the Horse Racing Tax
14 Allocation Fund which shall remain in existence until
15 December 31, 1999. Moneys remaining in the Fund after
16 December 31, 1999 shall be paid into the General Revenue
17 Fund. Until January 1, 2000, all monies paid into the Horse
18 Racing Tax Allocation Fund pursuant to this paragraph (11)
19 by inter-track wagering location licensees located in park
20 districts of 500,000 population or less, or in a
21 municipality that is not included within any park district
22 but is included within a conservation district and is the
23 county seat of a county that (i) is contiguous to the state
24 of Indiana and (ii) has a 1990 population of 88,257
25 according to the United States Bureau of the Census, and
26 operating on May 1, 1994 shall be allocated by

1 appropriation as follows:

2 Two-sevenths to the Department of Agriculture.

3 Fifty percent of this two-sevenths shall be used to

4 promote the Illinois horse racing and breeding

5 industry, and shall be distributed by the Department of

6 Agriculture upon the advice of a 9-member committee

7 appointed by the Governor consisting of the following

8 members: the Director of Agriculture, who shall serve

9 as chairman; 2 representatives of organization

10 licensees conducting thoroughbred race meetings in

11 this State, recommended by those licensees; 2

12 representatives of organization licensees conducting

13 standardbred race meetings in this State, recommended

14 by those licensees; a representative of the Illinois

15 Thoroughbred Breeders and Owners Foundation,

16 recommended by that Foundation; a representative of

17 the Illinois Standardbred Owners and Breeders

18 Association, recommended by that Association; a

19 representative of the Horsemen's Benevolent and

20 Protective Association or any successor organization

21 thereto established in Illinois comprised of the

22 largest number of owners and trainers, recommended by

23 that Association or that successor organization; and a

24 representative of the Illinois Harness Horsemen's

25 Association, recommended by that Association.

26 Committee members shall serve for terms of 2 years,

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

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

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

1 the park district or municipality where the
2 inter-track wagering location is located, to be used
3 for general purposes; and

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

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

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

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

25 Four-sevenths to museums and aquariums located in
26 park districts of over 500,000 population; provided

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

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

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

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

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

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

22 (12) The Board shall have all powers necessary and
23 proper to fully supervise and control the conduct of
24 inter-track wagering and simulcast wagering by inter-track
25 wagering licensees and inter-track wagering location
26 licensees, including, but not limited to the following:

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

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

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

26 (D) (Blank).

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

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

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

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

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

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

25 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;
26 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.