



Rep. Jay Hoffman

Filed: 5/6/2016

09900SB2216ham001

LRB099 15447 AMC 48281 a

1 AMENDMENT TO SENATE BILL 2216

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2216 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 9 and 26 as follows:

6 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

7 Sec. 9. The Board shall have all powers necessary and  
8 proper to fully and effectively execute the provisions of this  
9 Act, including, but not limited to, the following:

10 (a) The Board is vested with jurisdiction and supervision  
11 over all race meetings in this State, over all licensees doing  
12 business in this State, over all occupation licensees, and over  
13 all persons on the facilities of any licensee. Such  
14 jurisdiction shall include the power to issue licenses to the  
15 Illinois Department of Agriculture authorizing the pari-mutuel  
16 system of wagering on harness and Quarter Horse races held (1)

1 at the Illinois State Fair in Sangamon County, and (2) at the  
2 DuQuoin State Fair in Perry County. The jurisdiction of the  
3 Board shall also include the power to issue licenses to county  
4 fairs which are eligible to receive funds pursuant to the  
5 Agricultural Fair Act, as now or hereafter amended, or their  
6 agents, authorizing the pari-mutuel system of wagering on horse  
7 races conducted at the county fairs receiving such licenses.  
8 Such licenses shall be governed by subsection (n) of this  
9 Section.

10 Upon application, the Board shall issue a license to the  
11 Illinois Department of Agriculture to conduct harness and  
12 Quarter Horse races at the Illinois State Fair and at the  
13 DuQuoin State Fairgrounds during the scheduled dates of each  
14 fair. The Board shall not require and the Department of  
15 Agriculture shall be exempt from the requirements of Sections  
16 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),  
17 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24  
18 and 25. The Board and the Department of Agriculture may extend  
19 any or all of these exemptions to any contractor or agent  
20 engaged by the Department of Agriculture to conduct its race  
21 meetings when the Board determines that this would best serve  
22 the public interest and the interest of horse racing.

23 Notwithstanding any provision of law to the contrary, it  
24 shall be lawful for any licensee to operate pari-mutuel  
25 wagering or contract with the Department of Agriculture to  
26 operate pari-mutuel wagering at the DuQuoin State Fairgrounds

1 or for the Department to enter into contracts with a licensee,  
2 employ its owners, employees or agents and employ such other  
3 occupation licensees as the Department deems necessary in  
4 connection with race meetings and wagerings.

5 (b) The Board is vested with the full power to promulgate  
6 reasonable rules and regulations for the purpose of  
7 administering the provisions of this Act and to prescribe  
8 reasonable rules, regulations and conditions under which all  
9 horse race meetings or wagering in the State shall be  
10 conducted, including wagering on historical or past horse  
11 aces. Such reasonable rules and regulations are to provide for  
12 the prevention of practices detrimental to the public interest  
13 and to promote the best interests of horse racing and to impose  
14 penalties for violations thereof.

15 (c) The Board, and any person or persons to whom it  
16 delegates this power, is vested with the power to enter the  
17 facilities and other places of business of any licensee to  
18 determine whether there has been compliance with the provisions  
19 of this Act and its rules and regulations.

20 (d) The Board, and any person or persons to whom it  
21 delegates this power, is vested with the authority to  
22 investigate alleged violations of the provisions of this Act,  
23 its reasonable rules and regulations, orders and final  
24 decisions; the Board shall take appropriate disciplinary  
25 action against any licensee or occupation licensee for  
26 violation thereof or institute appropriate legal action for the

1 enforcement thereof.

2 (e) The Board, and any person or persons to whom it  
3 delegates this power, may eject or exclude from any race  
4 meeting or the facilities of any licensee, or any part thereof,  
5 any occupation licensee or any other individual whose conduct  
6 or reputation is such that his presence on those facilities  
7 may, in the opinion of the Board, call into question the  
8 honesty and integrity of horse racing or wagering or interfere  
9 with the orderly conduct of horse racing or wagering; provided,  
10 however, that no person shall be excluded or ejected from the  
11 facilities of any licensee solely on the grounds of race,  
12 color, creed, national origin, ancestry, or sex. The power to  
13 eject or exclude an occupation licensee or other individual may  
14 be exercised for just cause by the licensee or the Board,  
15 subject to subsequent hearing by the Board as to the propriety  
16 of said exclusion.

17 (f) The Board is vested with the power to acquire,  
18 establish, maintain and operate (or provide by contract to  
19 maintain and operate) testing laboratories and related  
20 facilities, for the purpose of conducting saliva, blood, urine  
21 and other tests on the horses run or to be run in any horse race  
22 meeting and to purchase all equipment and supplies deemed  
23 necessary or desirable in connection with any such testing  
24 laboratories and related facilities and all such tests.

25 (g) The Board may require that the records, including  
26 financial or other statements of any licensee or any person

1 affiliated with the licensee who is involved directly or  
2 indirectly in the activities of any licensee as regulated under  
3 this Act to the extent that those financial or other statements  
4 relate to such activities be kept in such manner as prescribed  
5 by the Board, and that Board employees shall have access to  
6 those records during reasonable business hours. Within 120 days  
7 of the end of its fiscal year, each licensee shall transmit to  
8 the Board an audit of the financial transactions and condition  
9 of the licensee's total operations. All audits shall be  
10 conducted by certified public accountants. Each certified  
11 public accountant must be registered in the State of Illinois  
12 under the Illinois Public Accounting Act. The compensation for  
13 each certified public accountant shall be paid directly by the  
14 licensee to the certified public accountant. A licensee shall  
15 also submit any other financial or related information the  
16 Board deems necessary to effectively administer this Act and  
17 all rules, regulations, and final decisions promulgated under  
18 this Act.

19 (h) The Board shall name and appoint in the manner provided  
20 by the rules and regulations of the Board: an Executive  
21 Director; a State director of mutuels; State veterinarians and  
22 representatives to take saliva, blood, urine and other tests on  
23 horses; licensing personnel; revenue inspectors; and State  
24 seasonal employees (excluding admission ticket sellers and  
25 mutuel clerks). All of those named and appointed as provided in  
26 this subsection shall serve during the pleasure of the Board;

1 their compensation shall be determined by the Board and be paid  
2 in the same manner as other employees of the Board under this  
3 Act.

4 (i) The Board shall require that there shall be 3 stewards  
5 at each horse race meeting, at least 2 of whom shall be named  
6 and appointed by the Board. Stewards appointed or approved by  
7 the Board, while performing duties required by this Act or by  
8 the Board, shall be entitled to the same rights and immunities  
9 as granted to Board members and Board employees in Section 10  
10 of this Act.

11 (j) The Board may discharge any Board employee who fails or  
12 refuses for any reason to comply with the rules and regulations  
13 of the Board, or who, in the opinion of the Board, is guilty of  
14 fraud, dishonesty or who is proven to be incompetent. The Board  
15 shall have no right or power to determine who shall be  
16 officers, directors or employees of any licensee, or their  
17 salaries except the Board may, by rule, require that all or any  
18 officials or employees in charge of or whose duties relate to  
19 the actual running of races be approved by the Board.

20 (k) The Board is vested with the power to appoint delegates  
21 to execute any of the powers granted to it under this Section  
22 for the purpose of administering this Act and any rules or  
23 regulations promulgated in accordance with this Act.

24 (l) The Board is vested with the power to impose civil  
25 penalties of up to \$5,000 against an individual and up to  
26 \$10,000 against a licensee for each violation of any provision

1 of this Act, any rules adopted by the Board, any order of the  
2 Board or any other action which, in the Board's discretion, is  
3 a detriment or impediment to horse racing or wagering. All such  
4 civil penalties shall be deposited into the Horse Racing Fund.

5 (m) The Board is vested with the power to prescribe a form  
6 to be used by licensees as an application for employment for  
7 employees of each licensee.

8 (n) The Board shall have the power to issue a license to  
9 any county fair, or its agent, authorizing the conduct of the  
10 pari-mutuel system of wagering. The Board is vested with the  
11 full power to promulgate reasonable rules, regulations and  
12 conditions under which all horse race meetings licensed  
13 pursuant to this subsection shall be held and conducted,  
14 including rules, regulations and conditions for the conduct of  
15 the pari-mutuel system of wagering. The rules, regulations and  
16 conditions shall provide for the prevention of practices  
17 detrimental to the public interest and for the best interests  
18 of horse racing, and shall prescribe penalties for violations  
19 thereof. Any authority granted the Board under this Act shall  
20 extend to its jurisdiction and supervision over county fairs,  
21 or their agents, licensed pursuant to this subsection. However,  
22 the Board may waive any provision of this Act or its rules or  
23 regulations which would otherwise apply to such county fairs or  
24 their agents.

25 (o) Whenever the Board is authorized or required by law to  
26 consider some aspect of criminal history record information for

1 the purpose of carrying out its statutory powers and  
2 responsibilities, then, upon request and payment of fees in  
3 conformance with the requirements of Section 2605-400 of the  
4 Department of State Police Law (20 ILCS 2605/2605-400), the  
5 Department of State Police is authorized to furnish, pursuant  
6 to positive identification, such information contained in  
7 State files as is necessary to fulfill the request.

8 (p) To insure the convenience, comfort, and wagering  
9 accessibility of race track patrons, to provide for the  
10 maximization of State revenue, and to generate increases in  
11 purse allotments to the horsemen, the Board shall require any  
12 licensee to staff the pari-mutuel department with adequate  
13 personnel.

14 (Source: P.A. 97-1060, eff. 8-24-12.)

15 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

16 Sec. 26. Wagering.

17 (a) Any licensee may conduct and supervise the pari-mutuel  
18 system of wagering, as defined in Section 3.12 of this Act, on  
19 horse races conducted by a licensed racetrack ~~an Illinois~~  
20 ~~organization licensee~~ or conducted at a racetrack located in  
21 another state or country and televised in Illinois in  
22 accordance with subsection (g) of this Section ~~26 of this Act~~.  
23 Subject to the prior consent of the Board, licensees may  
24 supplement any pari-mutuel pool in order to guarantee a minimum  
25 distribution. Such pari-mutuel method of wagering shall not,



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

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

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

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

1 pari-mutuel pool, shall be paid to the Illinois Veterans'  
2 Rehabilitation Fund of the State treasury, except as provided  
3 in subsection (g) of Section 27 of this Act.

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

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

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

1 race track is a Class C misdemeanor.

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

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

1 with its gross or net wagering pools or with wagering pools  
2 established by other states.

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

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

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

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

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

1 deposit wagering is subject to any rules adopted by the Board.  
2 The Board may adopt rules necessary to regulate advance deposit  
3 wagering through the use of emergency rulemaking in accordance  
4 with Section 5-45 of the Illinois Administrative Procedure Act.  
5 The General Assembly finds that the adoption of rules to  
6 regulate advance deposit wagering is deemed an emergency and  
7 necessary for the public interest, safety, and welfare. An  
8 advance deposit wagering licensee may retain all moneys as  
9 agreed to by contract with an organization licensee. Any moneys  
10 retained by the organization licensee from advance deposit  
11 wagering, not including moneys retained by the advance deposit  
12 wagering licensee, shall be paid 50% to the organization  
13 licensee's purse account and 50% to the organization licensee.  
14 With the exception of any organization licensee that is owned  
15 by a publicly traded company that is incorporated in a state  
16 other than Illinois and advance deposit wagering licensees  
17 under 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 Section 99. Effective date. This Act takes effect upon  
10 becoming law."