



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 2216

2 AMENDMENT NO. _____. Amend Senate Bill 2216, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Horse Racing Act of 1975 is
6 amended by changing Section 26 and by adding Sections 3.31,
7 3.32, 3.33, 3.34, and 26.10 as follows:

8 (230 ILCS 5/3.31 new)

9 Sec. 3.31. Historical horse race. "Historical horse race"
10 means a horse race that: (1) was previously run at a licensed
11 pari-mutuel facility located in the United States, (2)
12 concluded with official results, and (3) concluded without
13 scratches, disqualifications, or dead-heat finishes.

14 (230 ILCS 5/3.32 new)

15 Sec. 3.32. Initial seed pool. "Initial seed pool" means a

1 nonrefundable pool of money funded by an organization licensee
2 in an amount sufficient to ensure that a patron will be paid
3 the minimum amount required on a winning wager on a historical
4 horse race.

5 (230 ILCS 5/3.33 new)

6 Sec. 3.33. Seed pool. "Seed pool" means a pool of money
7 funded by patrons wagering on a historical horse race that is
8 used to ensure that all patrons are paid the minimum payout on
9 winning wagers.

10 (230 ILCS 5/3.34 new)

11 Sec. 3.34. Terminal. "Terminal" means any self-service
12 totalizator machine or other mechanical equipment used by a
13 patron to place a pari-mutuel wager on a live or historical
14 horse race.

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 an Illinois organization licensee or
20 conducted at a racetrack located in another state or country
21 and televised in Illinois in accordance with subsection (g) of
22 Section 26 of this Act. Subject to the prior consent of the
23 Board, licensees may supplement any pari-mutuel pool in order

1 to guarantee a minimum distribution. Such pari-mutuel method of
2 wagering shall not, under any circumstances if conducted under
3 the provisions of this Act, be held or construed to be
4 unlawful, other statutes of this State to the contrary
5 notwithstanding. Subject to rules for advance wagering
6 promulgated by the Board, any licensee may accept wagers in
7 advance of the day of the race wagered upon occurs.

8 Subject to rules adopted by the Board, a licensee may
9 accept wagers on historical horse races as authorized in
10 Section 26.10 on standardbred horse racing, quarter horse
11 racing, and thoroughbred horse racing. Within 180 days after
12 the effective date of this amendatory Act of the 99th General
13 Assembly, the Board shall adopt rules necessary to regulate
14 wagering on historical horse races through the use of emergency
15 rulemaking in accordance with Section 5-45 of the Illinois
16 Administrative Procedure Act. The General Assembly finds that
17 the adoption of rules to regulate wagering on historical horse
18 races is deemed an emergency and necessary for the public
19 interest, safety, and welfare.

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

26 (b-5) An individual may place a wager under the pari-mutuel

1 system from any licensed location authorized under this Act
2 provided that wager is electronically recorded in the manner
3 described in Section 3.12 of this Act. Any wager made
4 electronically by an individual while physically on the
5 premises of a licensee shall be deemed to have been made at the
6 premises of that licensee.

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

17 (c-5) Beginning January 1, 2000, the sum held by any
18 licensee for payment of outstanding pari-mutuel tickets, if
19 unclaimed prior to December 31 of the next year, shall be
20 retained by the licensee for payment of such tickets until that
21 date. Within 10 days thereafter, the balance of such sum
22 remaining unclaimed, less any uncashed supplements contributed
23 by such licensee for the purpose of guaranteeing minimum
24 distributions of any pari-mutuel pool, shall be evenly
25 distributed to the purse account of the organization licensee
26 and the organization licensee.

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

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

15 (f) Notwithstanding the other provisions of this Act, an
16 organization licensee may contract with an entity in another
17 state or country to permit any legal wagering entity in another
18 state or country to accept wagers solely within such other
19 state or country on races conducted by the organization
20 licensee in this State. Beginning January 1, 2000, these wagers
21 shall not be subject to State taxation. Until January 1, 2000,
22 when the out-of-State entity conducts a pari-mutuel pool
23 separate from the organization licensee, a privilege tax equal
24 to 7 1/2% of all monies received by the organization licensee
25 from entities in other states or countries pursuant to such
26 contracts is imposed on the organization licensee, and such

1 privilege tax shall be remitted to the Department of Revenue
2 within 48 hours of receipt of the moneys from the simulcast.
3 When the out-of-State entity conducts a combined pari-mutuel
4 pool with the organization licensee, the tax shall be 10% of
5 all monies received by the organization licensee with 25% of
6 the receipts from this 10% tax to be distributed to the county
7 in which the race was conducted.

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

16 (g) A host track may accept interstate simulcast wagers on
17 horse races conducted in other states or countries and shall
18 control the number of signals and types of breeds of racing in
19 its simulcast program, subject to the disapproval of the Board.
20 The Board may prohibit a simulcast program only if it finds
21 that the simulcast program is clearly adverse to the integrity
22 of racing. The host track simulcast program shall include the
23 signal of live racing of all organization licensees. All
24 non-host licensees and advance deposit wagering licensees
25 shall carry the signal of and accept wagers on live racing of
26 all organization licensees. Advance deposit wagering licensees

1 shall not be permitted to accept out-of-state wagers on any
2 Illinois signal provided pursuant to this Section without the
3 approval and consent of the organization licensee providing the
4 signal. For one year after August 15, 2014 (the effective date
5 of Public Act 98-968) ~~this amendatory Act of the 98th General~~
6 ~~Assembly~~, non-host licensees may carry the host track simulcast
7 program and shall accept wagers on all races included as part
8 of the simulcast program of horse races conducted at race
9 tracks located within North America upon which wagering is
10 permitted. For a period of one year after August 15, 2014 (the
11 effective date of Public Act 98-968) ~~this amendatory Act of the~~
12 ~~98th General Assembly~~, on horse races conducted at race tracks
13 located outside of North America, non-host licensees may accept
14 wagers on all races included as part of the simulcast program
15 upon which wagering is permitted. Beginning August 15, 2015
16 (one year after the effective date of Public Act 98-968) ~~this~~
17 ~~amendatory Act of the 98th General Assembly~~, non-host licensees
18 may carry the host track simulcast program and shall accept
19 wagers on all races included as part of the simulcast program
20 upon which wagering is permitted. All organization licensees
21 shall provide their live signal to all advance deposit wagering
22 licensees for a simulcast commission fee not to exceed 6% of
23 the advance deposit wagering licensee's Illinois handle on the
24 organization licensee's signal without prior approval by the
25 Board. The Board may adopt rules under which it may permit
26 simulcast commission fees in excess of 6%. The Board shall

1 adopt rules limiting the interstate commission fees charged to
2 an advance deposit wagering licensee. The Board shall adopt
3 rules regarding advance deposit wagering on interstate
4 simulcast races that shall reflect, among other things, the
5 General Assembly's desire to maximize revenues to the State,
6 horsemen purses, and organization ~~organizational~~ licensees.
7 However, organization licensees providing live signals
8 pursuant to the requirements of this subsection (g) may
9 petition the Board to withhold their live signals from an
10 advance deposit wagering licensee if the organization licensee
11 discovers and the Board finds reputable or credible information
12 that the advance deposit wagering licensee is under
13 investigation by another state or federal governmental agency,
14 the advance deposit wagering licensee's license has been
15 suspended in another state, or the advance deposit wagering
16 licensee's license is in revocation proceedings in another
17 state. The organization licensee's provision of their live
18 signal to an advance deposit wagering licensee under this
19 subsection (g) pertains to wagers placed from within Illinois.
20 Advance deposit wagering licensees may place advance deposit
21 wagering terminals at wagering facilities as a convenience to
22 customers. The advance deposit wagering licensee shall not
23 charge or collect any fee from purses for the placement of the
24 advance deposit wagering terminals. The costs and expenses of
25 the host track and non-host licensees associated with
26 interstate simulcast wagering, other than the interstate

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

11 Notwithstanding any other provision of this Act, through
12 December 31, 2018, an organization licensee, with the consent
13 of the horsemen association representing the largest number of
14 owners, trainers, jockeys, or standardbred drivers who race
15 horses at that organization licensee's racing meeting, may
16 maintain a system whereby advance deposit wagering may take
17 place or an organization licensee, with the consent of the
18 horsemen association representing the largest number of
19 owners, trainers, jockeys, or standardbred drivers who race
20 horses at that organization licensee's racing meeting, may
21 contract with another person to carry out a system of advance
22 deposit wagering. Such consent may not be unreasonably
23 withheld. Only with respect to an appeal to the Board that
24 consent for an organization licensee that maintains its own
25 advance deposit wagering system is being unreasonably
26 withheld, the Board shall issue a final order within 30 days

1 after initiation of the appeal, and the organization licensee's
2 advance deposit wagering system may remain operational during
3 that 30-day period. The actions of any organization licensee
4 who conducts advance deposit wagering or any person who has a
5 contract with an organization licensee to conduct advance
6 deposit wagering who conducts advance deposit wagering on or
7 after January 1, 2013 and prior to June 7, 2013 (the effective
8 date of Public Act 98-18) ~~this amendatory Act of the 98th~~
9 ~~General Assembly~~ taken in reliance on the changes made to this
10 subsection (g) by Public Act 98-18 ~~this amendatory Act of the~~
11 ~~98th General Assembly~~ are hereby validated, provided payment of
12 all applicable pari-mutuel taxes are remitted to the Board. All
13 advance deposit wagers placed from within Illinois must be
14 placed through a Board-approved advance deposit wagering
15 licensee; no other entity may accept an advance deposit wager
16 from a person within Illinois. All advance deposit wagering is
17 subject to any rules adopted by the Board. The Board may adopt
18 rules necessary to regulate advance deposit wagering through
19 the use of emergency rulemaking in accordance with Section 5-45
20 of the Illinois Administrative Procedure Act. The General
21 Assembly finds that the adoption of rules to regulate advance
22 deposit wagering is deemed an emergency and necessary for the
23 public interest, safety, and welfare. An advance deposit
24 wagering licensee may retain all moneys as agreed to by
25 contract with an organization licensee. Any moneys retained by
26 the organization licensee from advance deposit wagering, not

1 including moneys retained by the advance deposit wagering
2 licensee, shall be paid 50% to the organization licensee's
3 purse account and 50% to the organization licensee. With the
4 exception of any organization licensee that is owned by a
5 publicly traded company that is incorporated in a state other
6 than Illinois and advance deposit wagering licensees under
7 contract with such organization licensees, organization
8 licensees that maintain advance deposit wagering systems and
9 advance deposit wagering licensees that contract with
10 organization licensees shall provide sufficiently detailed
11 monthly accountings to the horsemen association representing
12 the largest number of owners, trainers, jockeys, or
13 standardbred drivers who race horses at that organization
14 licensee's racing meeting so that the horsemen association, as
15 an interested party, can confirm the accuracy of the amounts
16 paid to the purse account at the horsemen association's
17 affiliated organization licensee from advance deposit
18 wagering. If more than one breed races at the same race track
19 facility, then the 50% of the moneys to be paid to an
20 organization licensee's purse account shall be allocated among
21 all organization licensees' purse accounts operating at that
22 race track facility proportionately based on the actual number
23 of host days that the Board grants to that breed at that race
24 track facility in the current calendar year. To the extent any
25 fees from advance deposit wagering conducted in Illinois for
26 wagers in Illinois or other states have been placed in escrow

1 or otherwise withheld from wagers pending a determination of
2 the legality of advance deposit wagering, no action shall be
3 brought to declare such wagers or the disbursement of any fees
4 previously escrowed illegal.

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

22 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
23 inter-track ~~intertrack~~ wagering licensee other than the
24 host track may receive supplemental interstate simulcasts
25 only with the consent of the host track, except when the
26 Board finds that the simulcast is clearly adverse to the

1 integrity of racing. Consent granted under this paragraph
2 (2) to any inter-track ~~intertrack~~ wagering licensee shall
3 be deemed consent to all non-host licensees. The interstate
4 commission fee for the supplemental interstate simulcast
5 shall be paid by all participating non-host licensees.

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

22 (4) A licensee who receives an interstate simulcast may
23 combine its gross or net pools with pools at the sending
24 racetracks pursuant to rules established by the Board. All
25 licensees combining their gross pools at a sending
26 racetrack shall adopt the take-out percentages of the

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

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

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

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

26 (6) Notwithstanding any provision in this Act to the

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

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

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

22 (B) Between January 1 and the third Friday in
23 February, inclusive, if no live thoroughbred racing is
24 occurring in Illinois during this period, and the
25 interstate simulcast is a thoroughbred race, the purse
26 share to its interstate simulcast purse pool to be

1 distributed under paragraph (10) of this subsection
2 (g);

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

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

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

19 (7.1) Notwithstanding any other provision of this Act
20 to the contrary, if no standardbred racing is conducted at
21 a racetrack located in Madison County during any calendar
22 year beginning on or after January 1, 2002, all moneys
23 derived by that racetrack from simulcast wagering and
24 inter-track wagering that (1) are to be used for purses and
25 (2) are generated between the hours of 6:30 p.m. and 6:30
26 a.m. during that calendar year shall be paid as follows:

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

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

21 (7.2) Notwithstanding any other provision of this Act
22 to the contrary, if no thoroughbred 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 a.m. and 6:30
2 p.m. during that calendar year shall be deposited as
3 follows:

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

9 (B) Twenty percent shall be deposited into the
10 Illinois Colt Stakes Purse Distribution Fund. Moneys
11 deposited into the Illinois Colt Stakes Purse
12 Distribution Fund pursuant to this subparagraph (B)
13 shall be paid to Illinois conceived and foaled
14 thoroughbred breeders' programs and to thoroughbred
15 purses for races conducted at any county fairgrounds
16 for Illinois conceived and foaled horses at the
17 discretion of the Department of Agriculture, with the
18 advice and assistance of the Illinois Thoroughbred
19 Breeders Fund Advisory Board. The moneys deposited
20 into the Illinois Colt Stakes Purse Distribution 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 thoroughbred purses under this Act, and shall
25 not be commingled with other moneys deposited into that
26 Fund.

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

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

11 (B) Twenty percent to the Illinois Colt Stakes
12 Purse Distribution Fund.

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

18 Moneys paid into the Illinois Colt Stakes Purse
19 Distribution Fund pursuant to this paragraph (7.3) shall be
20 paid to purses for standardbred races for Illinois
21 conceived and foaled horses conducted at any county
22 fairgrounds. Moneys paid into the Illinois Colt Stakes
23 Purse Distribution Fund pursuant to this paragraph (7.3)
24 shall be used as determined by the Department of
25 Agriculture, with the advice and assistance of the Illinois
26 Standardbred Breeders Fund Advisory Board, shall be in

1 addition to and not in lieu of any other moneys paid to
2 standardbred purses under this Act, and shall not be
3 commingled with any other moneys paid into that Fund.

4 (7.4) If live standardbred racing is conducted at a
5 racetrack located in Madison County at any time in calendar
6 year 2001 before the payment required under paragraph (7.3)
7 has been made, the organization licensee who is licensed to
8 conduct racing at that racetrack shall pay all moneys
9 derived by that racetrack from simulcast wagering and
10 inter-track wagering during calendar years 2000 and 2001
11 that (1) are to be used for purses and (2) are generated
12 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
13 2001 to the standardbred purse account at that racetrack to
14 be used for standardbred purses.

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

22 (8.1) Notwithstanding any provisions in this Act to the
23 contrary, if 2 organization licensees are conducting
24 standardbred race meetings concurrently between the hours
25 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
26 State and local taxes and interstate commission fees, the

1 remainder of the amount retained from simulcast wagering
2 otherwise attributable to the host track and to host track
3 purses shall be split daily between the 2 organization
4 licensees and the purses at the tracks of the 2
5 organization licensees, respectively, based on each
6 organization licensee's share of the total live handle for
7 that day, provided that this provision shall not apply to
8 any non-host 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.

11 (9) (Blank).

12 (10) (Blank).

13 (11) (Blank).

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

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

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

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

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

17 (1) Any person licensed to conduct a race meeting (i)
18 at a track where 60 or more days of racing were conducted
19 during the immediately preceding calendar year or where
20 over the 5 immediately preceding calendar years an average
21 of 30 or more days of racing were conducted annually may be
22 issued an inter-track wagering license; (ii) at a track
23 located in a county that is bounded by the Mississippi
24 River, which has a population of less than 150,000
25 according to the 1990 decennial census, and an average of
26 at least 60 days of racing per year between 1985 and 1993

1 may be issued an inter-track wagering license; or (iii) at
2 a track located in Madison County that conducted at least
3 100 days of live racing during the immediately preceding
4 calendar year may be issued an inter-track wagering
5 license, unless a lesser schedule of live racing is the
6 result of (A) weather, unsafe track conditions, or other
7 acts of God; (B) an agreement between the organization
8 licensee and the associations representing the largest
9 number of owners, trainers, jockeys, or standardbred
10 drivers who race horses at that organization licensee's
11 racing meeting; or (C) a finding by the Board of
12 extraordinary circumstances and that it was in the best
13 interest of the public and the sport to conduct fewer than
14 100 days of live racing. Any such person having operating
15 control of the racing facility may receive inter-track
16 wagering location licenses. An eligible race track located
17 in a county that has a population of more than 230,000 and
18 that is bounded by the Mississippi River may establish up
19 to 9 inter-track wagering locations, ~~and~~ and an eligible race
20 track located in Stickney Township in Cook County may
21 establish up to 16 inter-track wagering locations, ~~and~~ and an
22 eligible race track located in Palatine Township in Cook
23 County may establish up to 18 inter-track wagering
24 locations. An application for said license shall be filed
25 with the Board prior to such dates as may be fixed by the
26 Board. With an application for an inter-track wagering

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

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

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

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

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

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

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

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

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

22 (8.1) Inter-track wagering location licensees who
23 derive their licenses from a particular organization
24 licensee shall conduct inter-track wagering and simulcast
25 wagering only at locations that are within 160 miles of
26 that race track where the particular organization licensee

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

21 (8.2) Inter-track wagering or simulcast wagering shall
22 not be conducted by an inter-track wagering location
23 licensee at any location within 500 feet of an existing
24 church or existing school, nor within 500 feet of the
25 residences of more than 50 registered voters without
26 receiving written permission from a majority of the

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

1 enacted after the Board licenses the original inter-track
2 wagering location licensee for the site in question.

3 (9) (Blank).

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

14 (10.1) Except as provided in subsection (g) of Section
15 27 of this Act, inter-track wagering location licensees
16 shall pay 1% of the pari-mutuel handle at each location to
17 the municipality in which such location is situated and 1%
18 of the pari-mutuel handle at each location to the county in
19 which such location is situated. In the event that an
20 inter-track wagering location licensee is situated in an
21 unincorporated area of a county, such licensee shall pay 2%
22 of the pari-mutuel handle from such location to such
23 county.

24 (10.2) Notwithstanding any other provision of this
25 Act, with respect to inter-track ~~intertrack~~ wagering at a
26 race track located in a county that has a population of

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

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

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

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

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

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

1 location licensees that accept wagers on races conducted by
2 an organization licensee located in a county with a
3 population in excess of 230,000 and that borders the
4 Mississippi River shall distribute all purse moneys to
5 purses at the operating host track; (iii) until January 1,
6 2000, except as provided in subsection (g) of Section 27 of
7 this Act, 1% of the pari-mutuel handle wagered on
8 inter-track wagering and simulcast wagering at each
9 inter-track wagering location licensee facility to the
10 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 inter-track
26 ~~intertrack~~ wagering location licensee that derives its

1 license from a track located in a county with a population
2 in excess of 230,000 and that borders the Mississippi River
3 shall not divide any remaining retention with the
4 organization licensee that provides the race or races and
5 an inter-track ~~intertrack~~ wagering location licensee that
6 accepts wagers on races conducted by an organization
7 licensee that conducts a race meet in a county with a
8 population in excess of 230,000 and that borders the
9 Mississippi River shall not divide any remaining retention
10 with the organization licensee. Notwithstanding the
11 provisions of clauses (ii) and (iv) of this paragraph, in
12 the case of the additional inter-track wagering location
13 licenses authorized under paragraph (1) of this subsection
14 (h) by Public Act 87-110 ~~this amendatory Act of 1991~~, those
15 licensees shall pay the following amounts as purses: during
16 the first 12 months the licensee is in operation, 5.25% of
17 the pari-mutuel handle wagered at the location on races;
18 during the second 12 months, 5.25%; during the third 12
19 months, 5.75%; during the fourth 12 months, 6.25%; and
20 during the fifth 12 months and thereafter, 6.75%. The
21 following amounts shall be retained by the licensee to
22 satisfy all costs and expenses of conducting its wagering:
23 during the first 12 months the licensee is in operation,
24 8.25% of the pari-mutuel handle wagered at the location;
25 during the second 12 months, 8.25%; during the third 12
26 months, 7.75%; during the fourth 12 months, 7.25%; and

1 during the fifth 12 months and thereafter, 6.75%. For
2 additional inter-track ~~intertrack~~ wagering location
3 licensees authorized under Public Act 89-16 ~~this~~
4 ~~amendatory Act of 1995~~, purses for the first 12 months the
5 licensee is in operation shall be 5.75% of the pari-mutuel
6 wagered at the location, purses for the second 12 months
7 the licensee is in operation shall be 6.25%, and purses
8 thereafter shall be 6.75%. For additional inter-track
9 ~~intertrack~~ location licensees authorized under Public Act
10 89-16 ~~this amendatory Act of 1995~~, the licensee shall be
11 allowed to retain to satisfy all costs and expenses: 7.75%
12 of the pari-mutuel handle wagered at the location during
13 its first 12 months of operation, 7.25% during its second
14 12 months of operation, and 6.75% thereafter.

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

1 according to the United States Bureau of the Census, and
2 operating on May 1, 1994 shall be allocated by
3 appropriation as follows:

4 Two-sevenths to the Department of Agriculture.
5 Fifty percent of this two-sevenths shall be used to
6 promote the Illinois horse racing and breeding
7 industry, and shall be distributed by the Department of
8 Agriculture upon the advice of a 9-member committee
9 appointed by the Governor consisting of the following
10 members: the Director of Agriculture, who shall serve
11 as chairman; 2 representatives of organization
12 licensees conducting thoroughbred race meetings in
13 this State, recommended by those licensees; 2
14 representatives of organization licensees conducting
15 standardbred race meetings in this State, recommended
16 by those licensees; a representative of the Illinois
17 Thoroughbred Breeders and Owners Foundation,
18 recommended by that Foundation; a representative of
19 the Illinois Standardbred Owners and Breeders
20 Association, recommended by that Association; a
21 representative of the Horsemen's Benevolent and
22 Protective Association or any successor organization
23 thereto established in Illinois comprised of the
24 largest number of owners and trainers, recommended by
25 that Association or that successor organization; and a
26 representative of the Illinois Harness Horsemen's

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

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

1 district does not maintain a museum, the monies shall
2 be allocated equally between the county and the
3 municipality in which the inter-track wagering
4 location licensee is located for general purposes) or
5 to a municipal recreation board for park purposes (if
6 an inter-track wagering location licensee is located
7 in a municipality that is not included within any park
8 district and park maintenance is the function of the
9 municipal recreation board and the municipality has a
10 1990 population of 9,302 according to the United States
11 Bureau of the Census); provided that the monies are
12 distributed to each park district or conservation
13 district or municipality that does not have a park
14 district in an amount equal to four-sevenths of the
15 amount collected by each inter-track wagering location
16 licensee within the park district or conservation
17 district or municipality for the Fund. Monies that were
18 paid into the Horse Racing Tax Allocation Fund before
19 August 9, 1991 (the effective date of Public Act
20 87-110) ~~this amendatory Act of 1991~~ by an inter-track
21 wagering location licensee located in a municipality
22 that is not included within any park district but is
23 included within a conservation district as provided in
24 this paragraph shall, as soon as practicable after
25 August 9, 1991 (the effective date of Public Act
26 87-110) ~~this amendatory Act of 1991~~, be allocated and

1 paid to that conservation district as provided in this
2 paragraph. Any park district or municipality not
3 maintaining a museum may deposit the monies in the
4 corporate fund of the park district or municipality
5 where the inter-track wagering location is located, to
6 be used for general purposes; and

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

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

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

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

1 Agricultural Fair Act;

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

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

17 (D) Except as provided in paragraph (11) of this
18 subsection (h), with respect to purse allocation from
19 inter-track ~~intertrack~~ wagering, the monies so
20 retained shall be divided as follows:

21 (i) If the inter-track wagering licensee,
22 except an inter-track ~~intertrack~~ wagering licensee
23 that derives its license from an organization
24 licensee located in a county with a population in
25 excess of 230,000 and bounded by the Mississippi
26 River, is not conducting its own race meeting

1 during the same dates, then the entire purse
2 allocation shall be to purses at the track where
3 the races wagered on are being conducted.

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

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

25 (12) The Board shall have all powers necessary and
26 proper to fully supervise and control the conduct of

1 inter-track wagering and simulcast wagering by inter-track
2 wagering licensees and inter-track wagering location
3 licensees, including, but not limited to the following:

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

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

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

1 from such premises solely on the grounds of race,
2 color, creed, national origin, ancestry, or sex.

3 (D) (Blank).

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

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

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

25 (13) The Department of Agriculture may enter into
26 agreements with licensees authorizing such licensees to

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

24 (14) An inter-track wagering location license
25 authorized by the Board in 2016 that is owned and operated
26 by a race track in Rock Island County shall be transferred

1 to a commonly owned race track in Cook County on August 12,
2 2016 (the effective date of Public Act 99-757) ~~this~~
3 ~~amendatory Act of the 99th General Assembly~~. The licensee
4 shall retain its status in relation to purse distribution
5 under paragraph (11) of this subsection (h) following the
6 transfer to the new entity. The pari-mutuel tax credit
7 under Section 32.1 shall not be applied toward any
8 pari-mutuel tax obligation of the inter-track wagering
9 location licensee of the license that is transferred under
10 this paragraph (14).

11 (i) Notwithstanding the other provisions of this Act, the
12 conduct of wagering at wagering facilities is authorized on all
13 days, except as limited by subsection (b) of Section 19 of this
14 Act.

15 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 98-968,
16 eff. 8-15-14; 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
17 revised 9-14-16.)

18 (230 ILCS 5/26.10 new)

19 Sec. 26.10. Wagering on historical horse races authorized.

20 (a) Wagering on historical horse races is authorized and
21 may be conducted in accordance with this Act.

22 Wagering on a historical horse race shall only be conducted
23 by an organization licensee licensed to conduct a live horse
24 race meet and licensed to conduct inter-track and simulcast
25 wagering in the year 2016.

1 Wagering on a historical horse race shall only be permitted
2 in a designated area at any licensed premise of an organization
3 licensee licensed to conduct a live horse race meeting.

4 An organization licensee may conduct wagering on
5 standardbred, quarter horse, and thoroughbred historical horse
6 races regardless of the type of breed that primarily races in
7 live meets conducted by the organization licensee. An
8 organization licensee may conduct wagering on historical races
9 on any days and hours during which pari-mutuel wagering on live
10 or simulcast races is being conducted and is approved by the
11 Board, and wagering shall not be limited to times during which
12 the organization licensee is conducting a live horse race
13 meeting.

14 Any wager placed on a historical horse race shall be
15 through the pari-mutuel system of wagering.

16 Before offering wagering on a historical horse race, an
17 organization licensee shall first obtain the Board's written
18 approval of all wagers offered as set forth in rules adopted by
19 the Board.

20 (b) All wagering on a historical horse race shall
21 incorporate all of the following elements:

22 (1) A patron may only wager on a historical horse race
23 on a terminal approved by the Board.

24 (2) Once a patron wagers an amount in the terminal
25 offering wagering on a historical horse race, a historical
26 horse race shall be chosen at random.

1 (3) Prior to the patron making his or her wager
2 selections, the terminal shall not display any information
3 that would allow the patron to identify the historical race
4 on which he or she is wagering, including the location of
5 the race, the date on which the race was run, the names of
6 the horses in the race, or the names of the jockeys or
7 drivers that rode the horses in the race.

8 (4) The terminal shall make available true and accurate
9 past performance information on the historical horse race
10 to the patron prior to making his or her wager selections.
11 The information shall be current as of the day the
12 historical horse race was actually run. The information
13 provided to the patron shall be displayed on the terminal
14 in data or graphical form.

15 (5) After a patron finalizes his or her wager
16 selections, the terminal shall display a video replay of
17 the race, or a portion thereof, or an animated depiction of
18 the race's finish and the official results of the race. The
19 identity of the race shall be revealed to the patron after
20 the patron has placed his or her wager.

21 (c) A wager on a historical horse race, less deductions
22 permitted by this Act shall be placed in pari-mutuels pools
23 approved by the Board.

24 A payout to a winning patron shall be paid from money
25 wagered by patrons or the initial seed pool and shall not
26 constitute a wager against the organization licensee.

1 An organization licensee conducting wagering on a
2 historical horse race shall not conduct wagering in such a
3 manner that patrons are wagering against the organization
4 licensee or in such a manner that the amount retained by the
5 organization licensee is dependent upon the outcome of any
6 particular race or the success of any particular wager.

7 An organization licensee shall only pay a winning wager on
8 a historical horse race out of the applicable pari-mutuel pool
9 and shall not pay a winning wager out of the organization
10 licensee's funds. Payment of a winning wager shall not exceed
11 the amount available in the applicable pari-mutuel pool.

12 An organization licensee offering wagering on a historical
13 horse race shall operate seed pools in a manner and method
14 approved by the Board as set forth in this Act. For each wager
15 made, an organization licensee may assign a percentage of the
16 wager to seed pools. The seed pools shall be maintained and
17 funded so that the amount available at any given time is
18 sufficient to ensure that a patron will be paid the minimum
19 amount required on a winning wager.

20 An organization licensee shall provide the funding for the
21 initial seed pool for each type of exotic wager. The funding
22 for the initial seed pool shall be nonrefundable and in an
23 amount sufficient to ensure that a patron will be paid the
24 minimum amount required on a winning wager.

25 (d) Terminals offering wagering on historical horse races
26 shall be located within designated areas that have the prior

1 written approval of the Board. Designated areas shall be
2 established in such a way as to control access by the general
3 public and prevent entry by any patron who is under 18 years of
4 age or is otherwise not permitted to place wagers.

5 An organization licensee shall monitor persons entering
6 and leaving the designated areas and shall prevent access to
7 any patron who is under 18 years of age or is otherwise not
8 permitted to place wagers on historical horse races.

9 An organization licensee shall provide terminals that are
10 accessible to patrons with disabilities.

11 (e) An organization licensee shall not offer a wager on any
12 historical horse race without the prior written approval of the
13 Board.

14 An organization licensee making a request to offer a
15 pari-mutuel wager on a historical horse race may make an oral
16 presentation to the Board regarding the wager prior to the
17 Board deciding on the request. The presentation shall be made
18 by the organization licensee during a meeting of the Board and
19 shall be limited to the information contained in the written
20 request and any supplemental information relevant to the
21 Board's determination of the suitability of the wager. The
22 Board may require an organization licensee to clarify or
23 otherwise respond to questions concerning the written request
24 as a condition to approval of the wager.

25 The Board may request additional information from an
26 organization licensee regarding the wager if the additional

1 information would assist the Board in deciding whether to
2 approve it.

3 (f) An organization licensee shall submit a written request
4 to the Board for permission to offer a wager on a historical
5 horse race, which shall include:

6 (1) the types, numbers, and denominations of
7 pari-mutuel wagers to be offered;

8 (2) a detailed description of the rules that apply to
9 the pari-mutuel wager and the method of calculating
10 payouts, including how money will be allocated to the seed
11 pool;

12 (3) the days and hours of operation during which
13 wagering on historical horse races will be offered;

14 (4) a detailed description of the proposed designated
15 area and the terminal or terminals on which the pari-mutuel
16 wagers will be made, including an architect's rendering of
17 the proposed designated area, that describes the size,
18 construction, layout, capacity, and number of terminals
19 and at least one photograph of the designated area when
20 construction is completed;

21 (5) the practices and procedures that will ensure the
22 security, safety, and comfort of patrons in the designated
23 area;

24 (6) the manufacturer, make, and model of the terminal,
25 including a copy of all literature supplied by the
26 manufacturer of the terminal;

1 (7) the maintenance and repair procedures that will
2 ensure the integrity of the terminals; and

3 (8) a complete list of individuals who are authorized
4 to examine and repair the terminals for any reason.

5 (g) Wagering on historical horse races shall be conducted
6 only on terminals approved by the Board as set forth in this
7 Section. The Board shall not require any particular make of
8 terminal.

9 The Board shall require testing of each terminal used for
10 wagering on historical horse races by an independent testing
11 laboratory to ensure its integrity and proper working order.
12 The independent testing laboratory shall be chosen by the
13 Board, and the expense of the testing shall be paid by the
14 organization licensee offering the wagering on historical
15 horse races.

16 Each terminal for wagering for a historical horse race
17 shall display odds or pool amounts that the patron will receive
18 for a winning wager on each pari-mutuel wagering pool.

19 (h) After payment of the pari-mutuel tax and any other
20 applicable taxes, each organization licensee shall allocate
21 15% of the remaining amount retained under this Section to
22 purse accounts.

23 (i) From the amount the Board collects from the pari-mutuel
24 tax imposed on wagers placed on historical racing, the Board
25 shall pay 50% of the tax to the purse accounts of the
26 organization licensee where the tax was generated. Amounts paid

1 under this subsection (i) to purse accounts shall not be
2 subject to appropriation."