

1 AN ACT in relation to gambling.

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

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

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

7 Sec. 26. Wagering.

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

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

29 (b-5) An individual may place a wager under the
30 pari-mutuel system from any licensed location authorized
31 under this Act provided that wager is electronically recorded

1 in the manner described in Section 3.12 of this Act. Any
2 wager made electronically by an individual while physically
3 on the premises of a licensee shall be deemed to have been
4 made at the premises of that licensee.

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

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

26 (d) A pari-mutuel ticket shall be honored until December
27 31 of the next calendar year, and the licensee shall pay the
28 same and may charge the amount thereof against unpaid money
29 similarly accumulated on account of pari-mutuel tickets not
30 presented for payment.

31 (e) No licensee shall knowingly permit any minor, other
32 than an employee of such licensee or an owner, trainer,
33 jockey, driver, or employee thereof, to be admitted during a
34 racing program unless accompanied by a parent or guardian, or

1 any minor to be a patron of the pari-mutuel system of
2 wagering conducted or supervised by it. The admission of any
3 unaccompanied minor, other than an employee of the licensee
4 or an owner, trainer, jockey, driver, or employee thereof at
5 a race track is a Class C misdemeanor.

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

25 An organization licensee may permit one or more of its
26 races to be utilized for pari-mutuel wagering at one or more
27 locations in other states and may transmit audio and visual
28 signals of races the organization licensee conducts to one or
29 more locations outside the State or country and may also
30 permit pari-mutuel pools in other states or countries to be
31 combined with its gross or net wagering pools or with
32 wagering pools established by other states.

33 (g) A host track may accept interstate simulcast wagers
34 on horse races conducted in other states or countries and

1 shall control the number of signals and types of breeds of
2 racing in its simulcast program, subject to the disapproval
3 of the Board. The Board may prohibit a simulcast program
4 only if it finds that the simulcast program is clearly
5 adverse to the integrity of racing. The host track simulcast
6 program shall include the signal of live racing of all
7 organization licensees. All non-host licensees shall carry
8 the host track simulcast program and accept wagers on all
9 races included as part of the simulcast program upon which
10 wagering is permitted. The costs and expenses of the host
11 track and non-host licensees associated with interstate
12 simulcast wagering, other than the interstate commission fee,
13 shall be borne by the host track and all non-host licensees
14 incurring these costs. The interstate commission fee shall
15 not exceed 5% of Illinois handle on the interstate simulcast
16 race or races without prior approval of the Board. The Board
17 shall promulgate rules under which it may permit interstate
18 commission fees in excess of 5%. The interstate commission
19 fee and other fees charged by the sending racetrack,
20 including, but not limited to, satellite decoder fees, shall
21 be uniformly applied to the host track and all non-host
22 licensees.

23 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
24 intertrack wagering licensee other than the host track
25 may supplement the host track simulcast program with
26 additional simulcast races or race programs, provided
27 that between January 1 and the third Friday in February
28 of any year, inclusive, if no live thoroughbred racing is
29 occurring in Illinois during this period, only
30 thoroughbred races may be used for supplemental
31 interstate simulcast purposes. The Board shall withhold
32 approval for a supplemental interstate simulcast only if
33 it finds that the simulcast is clearly adverse to the
34 integrity of racing. A supplemental interstate simulcast

1 may be transmitted from an intertrack wagering licensee
2 to its affiliated non-host licensees. The interstate
3 commission fee for a supplemental interstate simulcast
4 shall be paid by the non-host licensee and its affiliated
5 non-host licensees 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
8 may receive supplemental interstate simulcasts only with
9 the consent of the host track, except when the Board
10 finds that the simulcast is clearly adverse to the
11 integrity of racing. Consent granted under this
12 paragraph (2) to any intertrack wagering licensee shall
13 be deemed consent to all non-host licensees. The
14 interstate commission fee for the supplemental interstate
15 simulcast shall be paid by all participating non-host
16 licensees.

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

34 (4) A licensee who receives an interstate simulcast

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

11 (5) After the payment of the interstate commission
12 fee (except for the interstate commission fee on a
13 supplemental interstate simulcast, which shall be paid by
14 the host track and by each non-host licensee through the
15 host-track) and all applicable State and local taxes,
16 except as provided in subsection (g) of Section 27 of
17 this Act, the remainder of moneys retained from simulcast
18 wagering pursuant to this subsection (g), and Section
19 26.2 shall be divided as follows:

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

23 (B) For wagers placed on interstate simulcast
24 races, supplemental simulcasts as defined in
25 subparagraphs (1) and (2), and separately pooled
26 races conducted outside of the State of Illinois
27 made at a non-host licensee, 25% to the host track,
28 25% to the non-host licensee, and 50% to the purses
29 at the host track.

30 (6) Notwithstanding any provision in this Act to
31 the contrary, non-host licensees who derive their
32 licenses from a track located in a county with a
33 population in excess of 230,000 and that borders the
34 Mississippi River may receive supplemental interstate

1 simulcast races at all times subject to Board approval,
2 which shall be withheld only upon a finding that a
3 supplemental interstate simulcast is clearly adverse to
4 the integrity of racing.

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

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

19 (B) Between January 1 and the third Friday in
20 February, inclusive, if no live thoroughbred racing
21 is occurring in Illinois during this period, and the
22 interstate simulcast is a thoroughbred race, the
23 purse share to its interstate simulcast purse pool
24 to be distributed under paragraph (10) of this
25 subsection (g).†

26 (C) Between January 1 and the third Friday in
27 February, inclusive, if live thoroughbred racing is
28 occurring in Illinois, between 6:30 a.m. and 6:30
29 p.m. the purse share from wagers made during this
30 time period to its thoroughbred purse account and
31 between 6:30 p.m. and 6:30 a.m. the purse share from
32 wagers made during this time period to its
33 standardbred purse accounts.†

34 (D) Between the third Saturday in February and

1 December 31, when the interstate simulcast occurs
2 between the hours of 6:30 a.m. and 6:30 p.m., the
3 purse share to its thoroughbred purse account.†

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

8 (F) Notwithstanding any other provision of
9 this Act, if, in any calendar year before 2002, a
10 racetrack located in Madison County conducts only
11 one breed of racing, either standardbred or
12 thoroughbred, then all purse moneys derived from
13 simulcast wagering required to be paid pursuant to
14 this Act shall be paid to the purse account of that
15 breed. The provisions of this subparagraph (F) are
16 declarative of existing law.

17 (G) Notwithstanding any other provision of
18 this Act, if, in any calendar year after 2001, a
19 racetrack located in Madison County conducts only
20 one breed of racing, either standardbred or
21 thoroughbred, then all purse moneys derived from
22 simulcast wagering required to be paid pursuant to
23 this Act shall be paid to the purse account of that
24 breed, provided that the racetrack conducts at least
25 as many days of live racing as were conducted in
26 calendar year 2000 at that racetrack.

27 (8) Notwithstanding any provision in this Act to
28 the contrary, an organization licensee from a track
29 located in a county with a population in excess of
30 230,000 and that borders the Mississippi River and its
31 affiliated non-host licensees shall not be entitled to
32 share in any retention generated on racing, inter-track
33 wagering, or simulcast wagering at any other Illinois
34 wagering facility.

1 (8.1) Notwithstanding any provisions in this Act to
2 the contrary, if 2 organization licensees are conducting
3 standardbred race meetings concurrently between the hours
4 of 6:30 p.m. and 6:30 a.m., after payment of all
5 applicable State and local taxes and interstate
6 commission fees, the remainder of the amount retained
7 from simulcast wagering otherwise attributable to the
8 host track and to host track purses shall be split daily
9 between the 2 organization licensees and the purses at
10 the tracks of the 2 organization licensees, respectively,
11 based on each organization licensee's share of the total
12 live handle for that day, provided that this provision
13 shall not apply to any non-host licensee that derives its
14 license from a track located in a county with a
15 population in excess of 230,000 and that borders the
16 Mississippi River.

17 (9) (Blank).

18 (10) (Blank).

19 (11) (Blank).

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

25 (13) Notwithstanding any other provision of this
26 Act, in the event that the total Illinois pari-mutuel
27 handle on Illinois horse races at all wagering facilities
28 in any calendar year is less than 75% of the total
29 Illinois pari-mutuel handle on Illinois horse races at
30 all such wagering facilities for calendar year 1994, then
31 each wagering facility that has an annual total Illinois
32 pari-mutuel handle on Illinois horse races that is less
33 than 75% of the total Illinois pari-mutuel handle on
34 Illinois horse races at such wagering facility for

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

1 certified by the Illinois Racing Board in January to be
2 transferred from each account to each eligible racing
3 facility in accordance with the provisions of this
4 Section.

5 (h) The Board may approve and license the conduct of
6 inter-track wagering and simulcast wagering by inter-track
7 wagering licensees and inter-track wagering location
8 licensees subject to the following terms and conditions:

9 (1) Any person licensed to conduct a race meeting
10 at a track where 60 or more days of racing were conducted
11 during the immediately preceding calendar year or where
12 over the 5 immediately preceding calendar years an
13 average of 30 or more days of racing were conducted
14 annually or at a track located in a county that is
15 bounded by the Mississippi River, which has a population
16 of less than 150,000 according to the 1990 decennial
17 census, and an average of at least 60 days of racing per
18 year between 1985 and 1993 may be issued an inter-track
19 wagering license and, notwithstanding any other provision
20 of this Act, any person licensed to conduct a race
21 meeting of at least 60 days of live racing during the
22 immediately preceding calendar year at a racetrack
23 located in Madison County may be issued an inter-track
24 wagering license. 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
27 more than 6 inter-track wagering locations be established
28 for each eligible race track, except that an eligible
29 race track located in a county that has a population of
30 more than 230,000 and that is bounded by the Mississippi
31 River may establish up to 7 inter-track wagering
32 locations. An application for said license shall be filed
33 with the Board prior to such dates as may be fixed by the
34 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
4 be on forms prescribed and furnished by the Board. The
5 application shall comply with all other rules,
6 regulations and conditions imposed by the Board in
7 connection therewith.

8 (2) The Board shall examine the applications with
9 respect to their conformity with this Act and the rules
10 and 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
15 the Board at a meeting to be held on such date as may be
16 fixed 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
20 horse 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
23 applicant shall file with the Board a bond payable to the
24 State of Illinois in the sum of \$50,000, executed by the
25 applicant and a surety company or companies authorized to
26 do business in this State, and conditioned upon (i) the
27 payment by the licensee of all taxes due under Section 27
28 or 27.1 and any other monies due and payable under this
29 Act, and (ii) distribution by the licensee, upon
30 presentation of the winning ticket or tickets, of all
31 sums payable to the patrons of pari-mutuel pools.

32 (5) Each license to conduct inter-track wagering
33 and simulcast wagering shall specify the person to whom
34 it is issued, the dates on which such wagering is

1 permitted, and the track or location where the wagering
2 is to be conducted.

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

8 (7) An inter-track wagering licensee or inter-track
9 wagering location licensee may accept wagers at the track
10 or location where it is licensed, or as otherwise
11 provided under this Act.

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

15 (8.1) Inter-track wagering location licensees who
16 derive their licenses from a particular organization
17 licensee shall conduct inter-track wagering and simulcast
18 wagering only at locations which are either within 90
19 miles of that race track where the particular
20 organization licensee is licensed to conduct racing, or
21 within 135 miles of that race track where the particular
22 organization licensee is licensed to conduct racing in
23 the case of race tracks in counties of less than 400,000
24 that were operating on or before June 1, 1986. However,
25 inter-track wagering and simulcast wagering shall not be
26 conducted by those licensees at any location within 5
27 miles of any race track at which a horse race meeting has
28 been licensed in the current year, unless the person
29 having operating control of such race track has given its
30 written consent to such inter-track wagering location
31 licensees, which consent must be filed with the Board at
32 or prior to the time application is made.

33 (8.2) Inter-track wagering or simulcast wagering
34 shall not be conducted by an inter-track wagering

1 location licensee at any location within 500 feet of an
2 existing church or existing school, nor within 500 feet
3 of the residences of more than 50 registered voters
4 without receiving written permission from a majority of
5 the registered voters at such residences. Such written
6 permission statements shall be filed with the Board. The
7 distance of 500 feet shall be measured to the nearest
8 part of any building used for worship services, education
9 programs, residential purposes, or conducting inter-track
10 wagering by an inter-track wagering location licensee,
11 and not to property boundaries. However, inter-track
12 wagering or simulcast wagering may be conducted at a site
13 within 500 feet of a church, school or residences of 50
14 or more registered voters if such church, school or
15 residences have been erected or established, or such
16 voters have been registered, after the Board issues the
17 original inter-track wagering location license at the
18 site in question. Inter-track wagering location licensees
19 may conduct inter-track wagering and simulcast wagering
20 only in areas that are zoned for commercial or
21 manufacturing purposes or in areas for which a special
22 use has been approved by the local zoning authority.
23 However, no license to conduct inter-track wagering and
24 simulcast wagering shall be granted by the Board with
25 respect to any inter-track wagering location within the
26 jurisdiction of any local zoning authority which has, by
27 ordinance or by resolution, prohibited the establishment
28 of an inter-track wagering location within its
29 jurisdiction. However, inter-track wagering and
30 simulcast wagering may be conducted at a site if such
31 ordinance or resolution is enacted after the Board
32 licenses the original inter-track wagering location
33 licensee for the site in question.

34 (9) (Blank).

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

11 (10.1) Except as provided in subsection (g) of
12 Section 27 of this Act, inter-track wagering location
13 licensees shall pay 1% of the pari-mutuel handle at each
14 location to the municipality in which such location is
15 situated and 1% of the pari-mutuel handle at each
16 location to the county in which such location is
17 situated. In the event that an inter-track wagering
18 location licensee is situated in an unincorporated area
19 of a county, such licensee shall pay 2% of the
20 pari-mutuel handle from such location to such county.

21 (10.2) Notwithstanding any other provision of this
22 Act, with respect to intertrack wagering at a race track
23 located in a county that has a population of more than
24 230,000 and that is bounded by the Mississippi River
25 ("the first race track"), or at a facility operated by an
26 inter-track wagering licensee or inter-track wagering
27 location licensee that derives its license from the
28 organization licensee that operates the first race track,
29 on races conducted at the first race track or on races
30 conducted at another Illinois race track and
31 simultaneously televised to the first race track or to a
32 facility operated by an inter-track wagering licensee or
33 inter-track wagering location licensee that derives its
34 license from the organization licensee that operates the

1 first race track, those moneys shall be allocated as
2 follows:

3 (A) That portion of all moneys wagered on
4 standardbred racing that is required under this Act
5 to be paid to purses shall be paid to purses for
6 standardbred races.

7 (B) That portion of all moneys wagered on
8 thoroughbred racing that is required under this Act
9 to be paid to purses shall be paid to purses for
10 thoroughbred races.

11 (C) Notwithstanding any other provision of
12 this Act, if, in any calendar year before 2002, a
13 racetrack located in Madison County conducts only
14 one breed of racing, either standardbred or
15 thoroughbred, then all purse moneys derived from
16 inter-track wagering required to be paid pursuant to
17 this Act shall be paid to the purse account of that
18 breed. The provisions of this subparagraph (C) are
19 declarative of existing law.

20 (D) Notwithstanding any other provision of
21 this Act, if, in any calendar year after 2001, a
22 racetrack located in Madison County conducts only
23 one breed of racing, either standardbred or
24 thoroughbred, then all purse moneys derived from
25 inter-track wagering required to be paid pursuant to
26 this Act shall be paid to the purse account of that
27 breed, provided that the racetrack conducts at least
28 as many days of live racing as were conducted in
29 calendar year 2000 at that racetrack.

30 (11) (A) After payment of the privilege or
31 pari-mutuel tax, any other applicable taxes, and the
32 costs and expenses in connection with the gathering,
33 transmission, and dissemination of all data necessary to
34 the conduct of inter-track wagering, the remainder of the

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

16 (B) From the sums permitted to be retained pursuant
17 to this Act each inter-track wagering location licensee
18 shall pay (i) the privilege or pari-mutuel tax to the
19 State; (ii) 4.75% of the pari-mutuel handle on intertrack
20 wagering at such location on races as purses, except that
21 an intertrack wagering location licensee that derives its
22 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
25 own purse account consistent with distribution set forth
26 in this subsection (h), and intertrack wagering location
27 licensees that accept wagers on races conducted by an
28 organization licensee located in a county with a
29 population in excess of 230,000 and that borders the
30 Mississippi River shall distribute all purse moneys to
31 purses at the operating host track; (iii) until January
32 1, 2000, except as provided in subsection (g) of Section
33 27 of this Act, 1% of the pari-mutuel handle wagered on
34 inter-track wagering and simulcast wagering at each

1 inter-track wagering location licensee facility to the
2 Horse Racing Tax Allocation Fund, provided that, to the
3 extent the total amount collected and distributed to the
4 Horse Racing Tax Allocation Fund under this subsection
5 (h) during any calendar year exceeds the amount collected
6 and distributed to the Horse Racing Tax Allocation Fund
7 during calendar year 1994, that excess amount shall be
8 redistributed (I) to all inter-track wagering location
9 licensees, based on each licensee's pro-rata share of the
10 total handle from inter-track wagering and simulcast
11 wagering for all inter-track wagering location licensees
12 during the calendar year in which this provision is
13 applicable; then (II) the amounts redistributed to each
14 inter-track wagering location licensee as described in
15 subpart (I) shall be further redistributed as provided in
16 subparagraph (B) of paragraph (5) of subsection (g) of
17 this Section 26 provided first, that the shares of those
18 amounts, which are to be redistributed to the host track
19 or to purses at the host track under subparagraph (B) of
20 paragraph (5) of subsection (g) of this Section 26 shall
21 be redistributed based on each host track's pro rata
22 share of the total inter-track wagering and simulcast
23 wagering handle at all host tracks during the calendar
24 year in question, and second, that any amounts
25 redistributed as described in part (I) to an inter-track
26 wagering location licensee that accepts wagers on races
27 conducted by an organization licensee that conducts a
28 race meet in a county with a population in excess of
29 230,000 and that borders the Mississippi River shall be
30 further redistributed as provided in subparagraphs (D)
31 and (E) of paragraph (7) of subsection (g) of this
32 Section 26, with the portion of that further
33 redistribution allocated to purses at that organization
34 licensee to be divided between standardbred purses and

1 thoroughbred purses based on the amounts otherwise
2 allocated to purses at that organization licensee during
3 the calendar year in question; and (iv) 8% of the
4 pari-mutuel handle on inter-track wagering wagered at
5 such location to satisfy all costs and expenses of
6 conducting its wagering. The remainder of the monies
7 retained by the inter-track wagering location licensee
8 shall be allocated 40% to the location licensee and 60%
9 to the organization licensee which provides the Illinois
10 races to the location, except that an intertrack wagering
11 location licensee that derives its license from a track
12 located in a county with a population in excess of
13 230,000 and that borders the Mississippi River shall not
14 divide any remaining retention with the organization
15 licensee that provides the race or races and an
16 intertrack wagering location licensee that accepts wagers
17 on races conducted by an organization licensee that
18 conducts a race meet in a county with a population in
19 excess of 230,000 and that borders the Mississippi River
20 shall not divide any remaining retention with the
21 organization licensee. Notwithstanding the provisions of
22 clauses (ii) and (iv) of this paragraph, in the case of
23 the additional inter-track wagering location licenses
24 authorized under paragraph (1) of this subsection (h) by
25 this amendatory Act of 1991, those licensees shall pay
26 the following amounts as purses: during the first 12
27 months the licensee is in operation, 5.25% of the
28 pari-mutuel handle wagered at the location on races;
29 during the second 12 months, 5.25%; during the third 12
30 months, 5.75%; during the fourth 12 months, 6.25%; and
31 during the fifth 12 months and thereafter, 6.75%. The
32 following amounts shall be retained by the licensee to
33 satisfy all costs and expenses of conducting its
34 wagering: during the first 12 months the licensee is in

1 operation, 8.25% of the pari-mutuel handle wagered at the
 2 location; during the second 12 months, 8.25%; during the
 3 third 12 months, 7.75%; during the fourth 12 months,
 4 7.25%; and during the fifth 12 months and thereafter,
 5 6.75%. For additional intertrack wagering location
 6 licensees authorized under this amendatory Act of 1995,
 7 purses for the first 12 months the licensee is in
 8 operation shall be 5.75% of the pari-mutuel wagered at
 9 the location, purses for the second 12 months the
 10 licensee is in operation shall be 6.25%, and purses
 11 thereafter shall be 6.75%. For additional intertrack
 12 location licensees authorized under this amendatory Act
 13 of 1995, the licensee shall be allowed to retain to
 14 satisfy all costs and expenses: 7.75% of the pari-mutuel
 15 handle wagered at the location during its first 12 months
 16 of operation, 7.25% during its second 12 months of
 17 operation, and 6.75% thereafter.

18 (C) There is hereby created the Horse Racing Tax
 19 Allocation Fund which shall remain in existence until
 20 December 31, 1999. Moneys remaining in the Fund after
 21 December 31, 1999 shall be paid into the General Revenue
 22 Fund. Until January 1, 2000, all monies paid into the
 23 Horse Racing Tax Allocation Fund pursuant to this
 24 paragraph (11) by inter-track wagering location licensees
 25 located in park districts of 500,000 population or less,
 26 or in a municipality that is not included within any park
 27 district but is included within a conservation district
 28 and is the county seat of a county that (i) is contiguous
 29 to the state of Indiana and (ii) has a 1990 population of
 30 88,257 according to the United States Bureau of the
 31 Census, and operating on May 1, 1994 shall be allocated
 32 by appropriation as follows:

33 Two-sevenths to the Department of Agriculture.
 34 Fifty percent of this two-sevenths shall be used to

1 promote the Illinois horse racing and breeding
2 industry, and shall be distributed by the Department
3 of Agriculture upon the advice of a 9-member
4 committee appointed by the Governor consisting of
5 the following members: the Director of Agriculture,
6 who shall serve as chairman; 2 representatives of
7 organization licensees conducting thoroughbred race
8 meetings in this State, recommended by those
9 licensees; 2 representatives of organization
10 licensees conducting standardbred race meetings in
11 this State, recommended by those licensees; a
12 representative of the Illinois Thoroughbred Breeders
13 and Owners Foundation, recommended by that
14 Foundation; a representative of the Illinois
15 Standardbred Owners and Breeders Association,
16 recommended by that Association; a representative of
17 the Horsemen's Benevolent and Protective Association
18 or any successor organization thereto established in
19 Illinois comprised of the largest number of owners
20 and trainers, recommended by that Association or
21 that successor organization; and a representative of
22 the Illinois Harness Horsemen's Association,
23 recommended by that Association. Committee members
24 shall serve for terms of 2 years, commencing January
25 1 of each even-numbered year. If a representative
26 of any of the above-named entities has not been
27 recommended by January 1 of any even-numbered year,
28 the Governor shall appoint a committee member to
29 fill that position. Committee members shall receive
30 no compensation for their services as members but
31 shall be reimbursed for all actual and necessary
32 expenses and disbursements incurred in the
33 performance of their official duties. The remaining
34 50% of this two-sevenths shall be distributed to

1 county fairs for premiums and rehabilitation as set
2 forth in the Agricultural Fair Act;

3 Four-sevenths to park districts or
4 municipalities that do not have a park district of
5 500,000 population or less for museum purposes (if
6 an inter-track wagering location licensee is located
7 in such a park district) or to conservation
8 districts for museum purposes (if an inter-track
9 wagering location licensee is located in a
10 municipality that is not included within any park
11 district but is included within a conservation
12 district and is the county seat of a county that (i)
13 is contiguous to the state of Indiana and (ii) has a
14 1990 population of 88,257 according to the United
15 States Bureau of the Census, except that if the
16 conservation district does not maintain a museum,
17 the monies shall be allocated equally between the
18 county and the municipality in which the inter-track
19 wagering location licensee is located for general
20 purposes) or to a municipal recreation board for
21 park purposes (if an inter-track wagering location
22 licensee is located in a municipality that is not
23 included within any park district and park
24 maintenance is the function of the municipal
25 recreation board and the municipality has a 1990
26 population of 9,302 according to the United States
27 Bureau of the Census); provided that the monies are
28 distributed to each park district or conservation
29 district or municipality that does not have a park
30 district in an amount equal to four-sevenths of the
31 amount collected by each inter-track wagering
32 location licensee within the park district or
33 conservation district or municipality for the Fund.
34 Monies that were paid into the Horse Racing Tax

1 Allocation Fund before the effective date of this
2 amendatory Act of 1991 by an inter-track wagering
3 location licensee located in a municipality that is
4 not included within any park district but is
5 included within a conservation district as provided
6 in this paragraph shall, as soon as practicable
7 after the effective date of this amendatory Act of
8 1991, be allocated and paid to that conservation
9 district as provided in this paragraph. Any park
10 district or municipality not maintaining a museum
11 may deposit the monies in the corporate fund of the
12 park district or municipality where the inter-track
13 wagering location is located, to be used for general
14 purposes; and

15 One-seventh to the Agricultural Premium Fund to
16 be used for distribution to agricultural home
17 economics extension councils in accordance with "An
18 Act in relation to additional support and finances
19 for the Agricultural and Home Economic Extension
20 Councils in the several counties of this State and
21 making an appropriation therefor", approved July 24,
22 1967.

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

27 Two-sevenths to the Department of Agriculture.
28 Fifty percent of this two-sevenths shall be used to
29 promote the Illinois horse racing and breeding
30 industry, and shall be distributed by the Department
31 of Agriculture upon the advice of a 9-member
32 committee appointed by the Governor consisting of
33 the following members: the Director of Agriculture,
34 who shall serve as chairman; 2 representatives of

1 organization licensees conducting thoroughbred race
2 meetings in this State, recommended by those
3 licensees; 2 representatives of organization
4 licensees conducting standardbred race meetings in
5 this State, recommended by those licensees; a
6 representative of the Illinois Thoroughbred Breeders
7 and Owners Foundation, recommended by that
8 Foundation; a representative of the Illinois
9 Standardbred Owners and Breeders Association,
10 recommended by that Association; a representative of
11 the Horsemen's Benevolent and Protective Association
12 or any successor organization thereto established in
13 Illinois comprised of the largest number of owners
14 and trainers, recommended by that Association or
15 that successor organization; and a representative of
16 the Illinois Harness Horsemen's Association,
17 recommended by that Association. Committee members
18 shall serve for terms of 2 years, commencing January
19 1 of each even-numbered year. If a representative
20 of any of the above-named entities has not been
21 recommended by January 1 of any even-numbered year,
22 the Governor shall appoint a committee member to
23 fill that position. Committee members shall receive
24 no compensation for their services as members but
25 shall be reimbursed for all actual and necessary
26 expenses and disbursements incurred in the
27 performance of their official duties. The remaining
28 50% of this two-sevenths shall be distributed to
29 county fairs for premiums and rehabilitation as set
30 forth in the Agricultural Fair Act;

31 Four-sevenths to museums and aquariums located
32 in park districts of over 500,000 population;
33 provided that the monies are distributed in
34 accordance with the previous year's distribution of

1 the maintenance tax for such museums and aquariums
 2 as provided in Section 2 of the Park District
 3 Aquarium and Museum Act; and

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

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

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

27 (ii) If the inter-track wagering
 28 licensee, except an intertrack wagering
 29 licensee that derives its license from an
 30 organization licensee located in a county with
 31 a population in excess of 230,000 and bounded
 32 by the Mississippi River, is also conducting
 33 its own race meeting during the same dates,
 34 then the purse allocation shall be as follows:

1 50% to purses at the track where the races
 2 wagered on are being conducted; 50% to purses
 3 at the track where the inter-track wagering
 4 licensee is accepting such wagers.

5 (iii) If the inter-track wagering is
 6 being conducted by an inter-track wagering
 7 location licensee, except an intertrack
 8 wagering location licensee that derives its
 9 license from an organization licensee located
 10 in a county with a population in excess of
 11 230,000 and bounded by the Mississippi River,
 12 the entire purse allocation for Illinois races
 13 shall be to purses at the track where the race
 14 meeting being wagered on is being held.

15 (12) The Board shall have all powers necessary and
 16 proper to fully supervise and control the conduct of
 17 inter-track wagering and simulcast wagering by
 18 inter-track wagering licensees and inter-track wagering
 19 location licensees, including, but not limited to the
 20 following:

21 (A) The Board is vested with power to
 22 promulgate reasonable rules and regulations for the
 23 purpose of administering the conduct of this
 24 wagering and to prescribe reasonable rules,
 25 regulations and conditions under which such wagering
 26 shall be held and conducted. Such rules and
 27 regulations are to provide for the prevention of
 28 practices detrimental to the public interest and for
 29 the best interests of said wagering and to impose
 30 penalties for violations thereof.

31 (B) The Board, and any person or persons to
 32 whom it delegates this power, is vested with the
 33 power to enter the facilities of any licensee to
 34 determine whether there has been compliance with the

1 provisions of this Act and the rules and regulations
2 relating to the conduct of such wagering.

3 (C) The Board, and any person or persons to
4 whom it delegates this power, may eject or exclude
5 from any licensee's facilities, any person whose
6 conduct or reputation is such that his presence on
7 such premises may, in the opinion of the Board, call
8 into the question the honesty and integrity of, or
9 interfere with the orderly conduct of such wagering;
10 provided, however, that no person shall be excluded
11 or ejected from such premises solely on the grounds
12 of race, color, creed, national origin, ancestry, or
13 sex.

14 (D) (Blank).

15 (E) The Board is vested with the power to
16 appoint delegates to execute any of the powers
17 granted to it under this Section for the purpose of
18 administering this wagering and any rules and
19 regulations promulgated in accordance with this Act.

20 (F) The Board shall name and appoint a State
21 director of this wagering who shall be a
22 representative of the Board and whose duty it shall
23 be to supervise the conduct of inter-track wagering
24 as may be provided for by the rules and regulations
25 of the Board; such rules and regulation shall
26 specify the method of appointment and the Director's
27 powers, authority and duties.

28 (G) The Board is vested with the power to
29 impose civil penalties of up to \$5,000 against
30 individuals and up to \$10,000 against licensees for
31 each violation of any provision of this Act relating
32 to the conduct of this wagering, any rules adopted
33 by the Board, any order of the Board or any other
34 action which in the Board's discretion, is a

1 detriment or impediment to such wagering.

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

28 (i) Notwithstanding the other provisions of this Act,
29 the conduct of wagering at wagering facilities is authorized
30 on all days, except as limited by subsection (b) of Section
31 19 of this Act.

32 (Source: P.A. 91-40, eff. 6-25-99.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.