

1 AN ACT in relation to horse racing.

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 31 as follows:

6 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

7 Sec. 31. Illinois Standardbred Breeders Fund.

8 (a) The General Assembly declares that it is the policy
9 of this State to encourage the breeding of standardbred
10 horses in this State and the ownership of such horses by
11 residents of this State in order to provide for: sufficient
12 numbers of high quality standardbred horses to participate in
13 harness racing meetings in this State, and to establish and
14 preserve the agricultural and commercial benefits of such
15 breeding and racing industries to the State of Illinois. It
16 is the intent of the General Assembly to further this policy
17 by the provisions of this Section of this Act.

18 (b) Each organization licensee conducting a harness
19 racing meeting pursuant to this Act shall provide for at
20 least two races each race program limited to Illinois
21 conceived and foaled horses. A minimum of 6 races shall be
22 conducted each week limited to Illinois conceived and foaled
23 horses. No horses shall be permitted to start in such races
24 unless duly registered under the rules of the Department of
25 Agriculture.

26 (c) Conditions of races under subsection (b) shall be
27 commensurate with past performance, quality and class of
28 Illinois conceived and foaled horses available. If, however,
29 sufficient competition cannot be had among horses of that
30 class on any day, the races may, with consent of the Board,
31 be eliminated for that day and substitute races provided.

1 (d) There is hereby created a special fund of the State
2 Treasury to be known as the Illinois Standardbred Breeders
3 Fund.

4 During the calendar year 1981, and each year thereafter,
5 except as provided in subsection (g) of Section 27 of this
6 Act, eight and one-half per cent of all the monies received
7 by the State as privilege taxes on harness racing meetings
8 shall be paid into the Illinois Standardbred Breeders Fund.

9 (e) The Illinois Standardbred Breeders Fund shall be
10 administered by the Department of Agriculture with the
11 assistance and advice of the Advisory Board created in
12 subsection (f) of this Section.

13 (f) The Illinois Standardbred Breeders Fund Advisory
14 Board is hereby created. The Advisory Board shall consist of
15 the Director of the Department of Agriculture, who shall
16 serve as Chairman; the Superintendent of the Illinois State
17 Fair; a member of the Illinois Racing Board, designated by
18 it; a representative of the Illinois Standardbred Owners and
19 Breeders Association, recommended by it; a representative of
20 the Illinois Association of Agricultural Fairs, recommended
21 by it, such representative to be from a fair at which
22 Illinois conceived and foaled racing is conducted; a
23 representative of the organization licensees conducting
24 harness racing meetings, recommended by them and a
25 representative of the Illinois Harness Horsemen's
26 Association, recommended by it. Advisory Board members shall
27 serve for 2 years commencing January 1, of each odd numbered
28 year. If representatives of the Illinois Standardbred Owners
29 and Breeders Associations, the Illinois Association of
30 Agricultural Fairs, the Illinois Harness Horsemen's
31 Association, and the organization licensees conducting
32 harness racing meetings have not been recommended by January
33 1, of each odd numbered year, the Director of the Department
34 of Agriculture shall make an appointment for the organization

1 failing to so recommend a member of the Advisory Board.
2 Advisory Board members shall receive no compensation for
3 their services as members but shall be reimbursed for all
4 actual and necessary expenses and disbursements incurred in
5 the execution of their official duties.

6 (g) No monies shall be expended from the Illinois
7 Standardbred Breeders Fund except as appropriated by the
8 General Assembly. Monies appropriated from the Illinois
9 Standardbred Breeders Fund shall be expended by the
10 Department of Agriculture, with the assistance and advice of
11 the Illinois Standardbred Breeders Fund Advisory Board for
12 the following purposes only:

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

15 2. To provide purses for races limited to Illinois
16 conceived and foaled horses at county fairs.

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

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

23 5. In the discretion of the Department of
24 Agriculture to provide awards to harness breeders of
25 Illinois conceived and foaled horses which win races
26 conducted by organization licensees conducting harness
27 racing meetings. A breeder is the owner of a mare at the
28 time of conception. No more than 10% of all monies
29 appropriated from the Illinois Standardbred Breeders Fund
30 shall be expended for such harness breeders awards. No
31 more than 25% of the amount expended for harness breeders
32 awards shall be expended for expenses incurred in the
33 administration of such harness breeders awards.

34 6. To pay for the improvement of racing facilities

1 located at the State Fair and County fairs.

2 7. To pay the expenses incurred in the
3 administration of the Illinois Standardbred Breeders
4 Fund.

5 8. To promote the sport of harness racing.

6 (h) Whenever the Governor finds that the amount in the
7 Illinois Standardbred Breeders Fund is more than the total of
8 the outstanding appropriations from such fund, the Governor
9 shall notify the State Comptroller and the State Treasurer of
10 such fact. The Comptroller and the State Treasurer, upon
11 receipt of such notification, shall transfer such excess
12 amount from the Illinois Standardbred Breeders Fund to the
13 General Revenue Fund.

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

23 (j) The Department of Agriculture shall, by rule, with
24 the assistance and advice of the Illinois Standardbred
25 Breeders Fund Advisory Board:

26 1. Qualify stallions for Illinois Standardbred Breeders
27 Fund breeding; such stallion shall be owned by a resident of
28 the State of Illinois or by an Illinois corporation all of
29 whose shareholders, directors, officers and incorporators are
30 residents of the State of Illinois. Such stallion shall
31 stand for service at and within the State of Illinois at the
32 time of a foal's conception, and such stallion must not stand
33 for service at any place, nor may semen from such stallion be
34 transported, outside the State of Illinois during that

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

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

30 3. Provide that at least a 5 day racing program shall be
31 conducted at the State Fair each year, which program shall
32 include at least the following races limited to Illinois
33 conceived and foaled horses: (a) a two year old Trot and
34 Pace, and Filly Division of each; (b) a three year old Trot

1 and Pace, and Filly Division of each; (c) an aged Trot and
2 Pace, and Mare Division of each.

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

16 5. Provide for the registration with the Department of
17 Agriculture of Colt Associations or county fairs desiring to
18 sponsor races at county fairs.

19 (k) The Department of Agriculture, with the advice and
20 assistance of the Illinois Standardbred Breeders Fund
21 Advisory Board, may allocate monies for purse supplements for
22 such races. In determining whether to allocate money and the
23 amount, the Department of Agriculture shall consider factors,
24 including but not limited to, the amount of money
25 appropriated for the Illinois Standardbred Breeders Fund
26 program, the number of races that may occur, and an
27 organizational licensee's purse structure. The
28 organizational licensee shall notify the Department of
29 Agriculture of the conditions and minimum purses for races
30 limited to Illinois conceived and foaled horses to be
31 conducted by each organizational licensee conducting a
32 harness racing meeting for which purse supplements have been
33 negotiated.

34 (l) All races held at county fairs and the State Fair

1 which receive funds from the Illinois Standardbred Breeders
2 Fund shall be conducted in accordance with the rules of the
3 United States Trotting Association unless otherwise modified
4 by the Department of Agriculture.

5 (m) At all standardbred race meetings held or conducted
6 under authority of a license granted by the Board, and at all
7 standardbred races held at county fairs which are approved by
8 the Department of Agriculture or at the Illinois or DuQuoin
9 State Fairs, no one shall jog, train, warm up or drive a
10 standardbred horse unless he or she is wearing a protective
11 safety helmet, with the chin strap fastened and in place,
12 which meets the standards and requirements as set forth in
13 the 1984 Standard for Protective Headgear for Use in Harness
14 Racing and Other Equestrian Sports published by the Snell
15 Memorial Foundation, or any standards and requirements for
16 headgear the Illinois Racing Board may approve. Any other
17 standards and requirements so approved by the Board shall
18 equal or exceed those published by the Snell Memorial
19 Foundation. Any equestrian helmet bearing the Snell label
20 shall be deemed to have met those standards and requirements.
21 (Source: P.A. 91-239, eff. 1-1-00.)