



Sen. John J. Cullerton

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LRB094 09317 AMC 44140 a

1 AMENDMENT TO SENATE BILL 314

2 AMENDMENT NO. _____. Amend Senate Bill 314 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is
5 amended by changing Sections 3.077, 3.12, 3.20, 3.22, 3.23, 14,
6 15, 18, 20, 25, 26, 26.2, 27, 29, and 31.1 and by adding
7 Sections 3.24, 3.25, 3.26, and 3.27 as follows:

8 (230 ILCS 5/3.077)

9 Sec. 3.077. "Non-host licensee" means a licensee, other
10 than an advance deposit wagering licensee, operating
11 concurrently with a host track.

12 (Source: P.A. 89-16, eff. 5-30-95.)

13 (230 ILCS 5/3.12) (from Ch. 8, par. 37-3.12)

14 Sec. 3.12. "Pari-mutuel system of wagering" means a form of
15 wagering on the outcome of horse races in which wagers are made
16 in various denominations on a horse or horses and all wagers
17 for each race are pooled and held by a licensee for
18 distribution in a manner approved by the Board. Wagers may be
19 placed via any method or at any location authorized under this
20 Act.

21 (Source: P.A. 89-16, eff. 5-30-95.)

22 (230 ILCS 5/3.20)

1 Sec. 3.20. "Licensee" means an individual organization
2 licensee, an inter-track wagering licensee, an ~~or~~ inter-track
3 wagering location licensee, or an advance deposit wagering
4 licensee, as the context of this Act requires.

5 (Source: P.A. 89-16, eff. 5-30-95.)

6 (230 ILCS 5/3.22)

7 Sec. 3.22. "Wagering facility" means any location at which
8 a licensee, other than an advance deposit wagering licensee,
9 may accept or receive pari-mutuel wagers under this Act.

10 (Source: P.A. 89-16, eff. 5-30-95.)

11 (230 ILCS 5/3.23)

12 Sec. 3.23. "Wagering" means, collectively, the pari-mutuel
13 system of wagering, inter-track wagering, ~~and~~ simulcast
14 wagering, and advance deposit wagering.

15 (Source: P.A. 89-16, eff. 5-30-95.)

16 (230 ILCS 5/3.24 new)

17 Sec. 3.24. Advance deposit wagering. "Advance deposit
18 wagering" means a method of pari-mutuel wagering in which an
19 individual may establish an account, deposit money into the
20 account, and use the account balance to pay for pari-mutuel
21 wagering authorized by this Act. An advance deposit wager may
22 be placed in person or from any other location approved by the
23 Board via a telephone-type device or any electronic means. Any
24 person who accepts an advance deposit wager who is not licensed
25 by the Board as an advance deposit wagering licensee shall be
26 considered in violation of this Act and the Criminal Code of
27 1961. Any advance deposit wager placed in person shall be
28 deemed to have been placed at that wagering facility.

29 (230 ILCS 5/3.25 new)

30 Sec. 3.25. Advance deposit wagering fee. "Advance deposit

1 wagering fee" means the amount paid to or retained by a person,
2 as defined in Section 3.14, for the purpose of administering a
3 pari-mutuel system of advance deposit wagering.

4 (230 ILCS 5/3.26 new)

5 Sec. 3.26. Source market fee. "Source market fee" means any
6 amount remaining from advance deposit wagering after payment of
7 winning wagers, any breakage, any privilege or pari-mutuel tax,
8 any interstate commission fee, and any advance deposit wagering
9 fees.

10 (230 ILCS 5/3.27 new)

11 Sec. 3.27. Advance deposit wagering licensee. "Advance
12 deposit wagering licensee" means a person licensed by the Board
13 to conduct advance deposit wagering. An advance deposit
14 wagering licensee may be an organization licensee or a person
15 or third party who contracts with an organization licensee in
16 order to conduct advance deposit wagering.

17 (230 ILCS 5/14) (from Ch. 8, par. 37-14)

18 Sec. 14. (a) The Board shall hold regular and special
19 meetings at such times and places as may be necessary to
20 perform properly and effectively all duties required under this
21 Act. A majority of the members of the Board shall constitute a
22 quorum for the transaction of any business, for the performance
23 of any duty, or for the exercise of any power which this Act
24 requires the Board members to transact, perform or exercise en
25 banc, except that upon order of the Board one of the Board
26 members may conduct the hearing provided in Section 16. The
27 Board member conducting such hearing shall have all powers and
28 rights granted to the Board in this Act. The record made at the
29 hearing shall be reviewed by the Board, or a majority thereof,
30 and the findings and decision of the majority of the Board
31 shall constitute the order of the Board in such case.

1 (b) The Board shall obtain a court reporter who will be
2 present at each regular and special meeting and proceeding and
3 who shall make accurate transcriptions thereof except that when
4 in the judgment of the Board an emergency situation requires a
5 meeting by teleconference, the executive director shall
6 prepare minutes of the meeting indicating the date and time of
7 the meeting and which members of the Board were present or
8 absent, summarizing all matters proposed, deliberated, or
9 decided at the meeting, and indicating the results of all votes
10 taken. The public shall be allowed to listen to the proceedings
11 of that meeting at all Board branch offices.

12 (c) The Board shall provide records which are separate and
13 distinct from the records of any other State board or
14 commission. Such records shall be available for public
15 inspection and shall accurately reflect all Board proceedings.

16 (d) The Board shall file a written annual report with the
17 Governor on or before ~~May~~ March 1 each year and such additional
18 reports as the Governor may request. The annual report shall
19 include a statement of receipts and disbursements by the Board,
20 actions taken by the Board, a report on the industry's progress
21 toward the policy objectives established in Section 1.2 of this
22 Act, and any additional information and recommendations which
23 the Board may deem valuable or which the Governor may request.

24 (e) The Board shall maintain a branch office on the ground
25 of every organization licensee during the organization
26 licensee's race meeting, which office shall be kept open
27 throughout the time the race meeting is held. The Board shall
28 designate one of its members, or an authorized agent of the
29 Board who shall have the authority to act for the Board, to be
30 in charge of the branch office during the time it is required
31 to be kept open.

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

33 (230 ILCS 5/15) (from Ch. 8, par. 37-15)

1 Sec. 15. (a) The Board shall, in its discretion, issue
2 occupation licenses to horse owners, trainers, harness
3 drivers, jockeys, agents, apprentices, grooms, stable foremen,
4 exercise persons, veterinarians, valets, blacksmiths,
5 concessionaires and others designated by the Board whose work,
6 in whole or in part, is conducted upon facilities within the
7 State. Such occupation licenses will be obtained prior to the
8 persons engaging in their vocation upon such facilities. The
9 Board shall not license pari-mutuel clerks, parking
10 attendants, security guards and employees of concessionaires.
11 No occupation license shall be required of any person who works
12 at facilities within this State as a pari-mutuel clerk, parking
13 attendant, security guard or as an employee of a
14 concessionaire. Concessionaires of the Illinois State Fair and
15 DuQuoin State Fair and employees of the Illinois Department of
16 Agriculture shall not be required to obtain an occupation
17 license by the Board.

18 (b) Each application for an occupation license shall be on
19 forms prescribed by the Board. Such license, when issued, shall
20 be for the period ending December 31 of each year, except that
21 the Board in its discretion may grant 3-year licenses. The
22 application shall be accompanied by a fee of not more than \$75
23 ~~\$25~~ per year or, in the case of 3-year occupation license
24 applications, a fee of not more than \$180 ~~\$60~~. Each applicant
25 shall set forth in the application his full name and address,
26 and if he had been issued prior occupation licenses or has been
27 licensed in any other state under any other name, such name,
28 his age, whether or not a permit or license issued to him in
29 any other state has been suspended or revoked and if so whether
30 such suspension or revocation is in effect at the time of the
31 application, and such other information as the Board may
32 require. Fees for registration of stable names shall not exceed
33 \$150 ~~\$50.00~~.

34 (c) The Board may in its discretion refuse an occupation

1 license to any person:

2 (1) who has been convicted of a crime;

3 (2) who is unqualified to perform the duties required
4 of such applicant;

5 (3) who fails to disclose or states falsely any
6 information called for in the application;

7 (4) who has been found guilty of a violation of this
8 Act or of the rules and regulations of the Board; or

9 (5) whose license or permit has been suspended, revoked
10 or denied for just cause in any other state.

11 (d) The Board may suspend or revoke any occupation license:

12 (1) for violation of any of the provisions of this Act;

13 or

14 (2) for violation of any of the rules or regulations of
15 the Board; or

16 (3) for any cause which, if known to the Board, would
17 have justified the Board in refusing to issue such
18 occupation license; or

19 (4) for any other just cause.

20 (e) Each applicant shall submit his or her fingerprints
21 to the Department of State Police in the form and manner
22 prescribed by the Department of State Police. These
23 fingerprints shall be checked against the fingerprint records
24 now and hereafter filed in the Department of State Police and
25 Federal Bureau of Investigation criminal history records
26 databases. The Department of State Police shall charge a fee
27 for conducting the criminal history records check, which shall
28 be deposited in the State Police Services Fund and shall not
29 exceed the actual cost of the records check. The Department of
30 State Police shall furnish, pursuant to positive
31 identification, records of conviction to the Board. Each
32 applicant for licensure shall submit with his occupation
33 license application, on forms provided by the Board, 2 sets of
34 his fingerprints. All such applicants shall appear in person at

1 the location designated by the Board for the purpose of
2 submitting such sets of fingerprints; however, with the prior
3 approval of a State steward, an applicant may have such sets of
4 fingerprints taken by an official law enforcement agency and
5 submitted to the Board.

6 (f) The Board may, in its discretion, issue an occupation
7 license without submission of fingerprints ~~if an applicant has~~
8 ~~been duly licensed in another recognized racing jurisdiction~~
9 ~~after submitting fingerprints that were subjected to a Federal~~
10 ~~Bureau of Investigation criminal history background check in~~
11 ~~that jurisdiction.~~

12 (Source: P.A. 93-418, eff. 1-1-04.)

13 (230 ILCS 5/18) (from Ch. 8, par. 37-18)

14 Sec. 18. (a) Together with its application, each applicant
15 for racing dates shall deliver to the Board a certified check
16 or bank draft payable to the order of the Board for \$10,000
17 ~~\$1,000~~. In the event the applicant applies for racing dates in
18 2 or 3 successive calendar years as provided in subsection (b)
19 of Section 21, the fee shall be \$20,000 ~~\$2,000~~. Filing fees
20 shall not be refunded in the event the application is denied.

21 (b) In addition to the filing fee of \$10,000 ~~\$1000~~ and the
22 fees provided in subsection (j) of Section 20, each
23 organization licensee shall pay a license fee of \$200 ~~\$100~~ for
24 each racing program on which its daily pari-mutuel handle is
25 \$100,000 or more but less than \$400,000 ~~or more but less than~~
26 ~~\$700,000~~, and a license fee of \$400 ~~\$200~~ for each racing
27 program on which its daily pari-mutuel handle is \$400,000
28 ~~\$700,000~~ or more. The additional fees required to be paid under
29 this Section by this amendatory Act of 1982 shall be remitted
30 by the organization licensee to the Illinois Racing Board with
31 each day's graduated privilege tax or pari-mutuel tax and
32 breakage as provided under Section 27.

33 (c) Sections 11-42-1, 11-42-5, and 11-54-1 of the "Illinois

1 Municipal Code," approved May 29, 1961, as now or hereafter
2 amended, shall not apply to any license under this Act.

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

4 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

5 Sec. 20. (a) Any person desiring to conduct a horse race
6 meeting may apply to the Board for an organization license. The
7 application shall be made on a form prescribed and furnished by
8 the Board. The application shall specify:

9 (1) the dates on which it intends to conduct the horse
10 race meeting, which dates shall be provided under Section
11 21;

12 (2) the hours of each racing day between which it
13 intends to hold or conduct horse racing at such meeting;

14 (3) the location where it proposes to conduct the
15 meeting; and

16 (4) any other information the Board may reasonably
17 require.

18 (b) A separate application for an organization license
19 shall be filed for each horse race meeting which such person
20 proposes to hold. Any such application, if made by an
21 individual, or by any individual as trustee, shall be signed
22 and verified under oath by such individual. If made by
23 individuals or a partnership, it shall be signed and verified
24 under oath by at least 2 of such individuals or members of such
25 partnership as the case may be. If made by an association,
26 corporation, corporate trustee or any other entity, it shall be
27 signed by the president and attested by the secretary or
28 assistant secretary under the seal of such association, trust
29 or corporation if it has a seal, and shall also be verified
30 under oath by one of the signing officers.

31 (c) The application shall specify the name of the persons,
32 association, trust, or corporation making such application and
33 the post office address of the applicant; if the applicant is a

1 trustee, the names and addresses of the beneficiaries; if a
2 corporation, the names and post office addresses of all
3 officers, stockholders and directors; or if such stockholders
4 hold stock as a nominee or fiduciary, the names and post office
5 addresses of these persons, partnerships, corporations, or
6 trusts who are the beneficial owners thereof or who are
7 beneficially interested therein; and if a partnership, the
8 names and post office addresses of all partners, general or
9 limited; if the applicant is a corporation, the name of the
10 state of its incorporation shall be specified.

11 (d) The applicant shall execute and file with the Board a
12 good faith affirmative action plan to recruit, train, and
13 upgrade minorities in all classifications within the
14 association.

15 (e) With such application there shall be delivered to the
16 Board a certified check or bank draft payable to the order of
17 the Board for an amount equal to \$10,000 ~~\$1,000~~. All
18 applications for the issuance of an organization license shall
19 be filed with the Board before August 1 of the year prior to
20 the year for which application is made and shall be acted upon
21 by the Board at a meeting to be held on such date as shall be
22 fixed by the Board during the last 15 days of September of such
23 prior year. At such meeting, the Board shall announce the award
24 of the racing meets, live racing schedule, and designation of
25 host track to the applicants and its approval or disapproval of
26 each application. No announcement shall be considered binding
27 until a formal order is executed by the Board, which shall be
28 executed no later than October 15 of that prior year. Absent
29 the agreement of the affected organization licensees, the Board
30 shall not grant overlapping race meetings to 2 or more tracks
31 that are within 100 miles of each other to conduct the
32 thoroughbred racing.

33 (e-5) In reviewing an application for the purpose of
34 granting an organization license consistent with the best

1 interests of the public and the sport of horse racing, the
2 Board shall consider:

3 (1) the character, reputation, experience, and
4 financial integrity of the applicant and of any other
5 separate person that either:

6 (i) controls the applicant, directly or
7 indirectly, or

8 (ii) is controlled, directly or indirectly, by
9 that applicant or by a person who controls, directly or
10 indirectly, that applicant;

11 (2) the applicant's facilities or proposed facilities
12 for conducting horse racing;

13 (3) the total revenue without regard to Section 32.1 to
14 be derived by the State and horsemen from the applicant's
15 conducting a race meeting;

16 (4) the applicant's good faith affirmative action plan
17 to recruit, train, and upgrade minorities in all employment
18 classifications;

19 (5) the applicant's financial ability to purchase and
20 maintain adequate liability and casualty insurance;

21 (6) the applicant's proposed and prior year's
22 promotional and marketing activities and expenditures of
23 the applicant associated with those activities;

24 (7) an agreement, if any, among organization licensees
25 as provided in subsection (b) of Section 21 of this Act;
26 and

27 (8) the extent to which the applicant exceeds or meets
28 other standards for the issuance of an organization license
29 that the Board shall adopt by rule.

30 In granting organization licenses and allocating dates for
31 horse race meetings, the Board shall have discretion to
32 determine an overall schedule, including required simulcasts
33 of Illinois races by host tracks that will, in its judgment, be
34 conducive to the best interests of the public and the sport of

1 horse racing.

2 (9) whether the applicant has sufficient capitalization
3 with which to organize, promote, and operate a race meet in the
4 succeeding year.

5 (10) the applicant's support of live racing and the growth
6 of the Illinois horse racing industry, as measured by the
7 following factors:

8 (A) Efforts to increase the total handle on Illinois
9 racers.

10 (B) Efforts to increase purses earned from pari-mutuel
11 wagering.

12 (C) The applicant's marketing and promotion of horse
13 racing.

14 (D) Capital improvements to the applicant's racing
15 facility.

16 (e-10) The Illinois Administrative Procedure Act shall
17 apply to administrative procedures of the Board under this Act
18 for the granting of an organization license, except that (1)
19 notwithstanding the provisions of subsection (b) of Section
20 10-40 of the Illinois Administrative Procedure Act regarding
21 cross-examination, the Board may prescribe rules limiting the
22 right of an applicant or participant in any proceeding to award
23 an organization license to conduct cross-examination of
24 witnesses at that proceeding where that cross-examination
25 would unduly obstruct the timely award of an organization
26 license under subsection (e) of Section 20 of this Act; (2) the
27 provisions of Section 10-45 of the Illinois Administrative
28 Procedure Act regarding proposals for decision are excluded
29 under this Act; (3) notwithstanding the provisions of
30 subsection (a) of Section 10-60 of the Illinois Administrative
31 Procedure Act regarding ex parte communications, the Board may
32 prescribe rules allowing ex parte communications with
33 applicants or participants in a proceeding to award an
34 organization license where conducting those communications

1 would be in the best interest of racing, provided all those
2 communications are made part of the record of that proceeding
3 pursuant to subsection (c) of Section 10-60 of the Illinois
4 Administrative Procedure Act; (4) the provisions of Section 14a
5 of this Act and the rules of the Board promulgated under that
6 Section shall apply instead of the provisions of Article 10 of
7 the Illinois Administrative Procedure Act regarding
8 administrative law judges; and (5) the provisions of subsection
9 (d) of Section 10-65 of the Illinois Administrative Procedure
10 Act that prevent summary suspension of a license pending
11 revocation or other action shall not apply.

12 (f) The Board may allot racing dates to an organization
13 licensee for more than one calendar year but for no more than 3
14 successive calendar years in advance, provided that the Board
15 shall review such allotment for more than one calendar year
16 prior to each year for which such allotment has been made. The
17 granting of an organization license to a person constitutes a
18 privilege to conduct a horse race meeting under the provisions
19 of this Act, and no person granted an organization license
20 shall be deemed to have a vested interest, property right, or
21 future expectation to receive an organization license in any
22 subsequent year as a result of the granting of an organization
23 license. Organization licenses shall be subject to revocation
24 if the organization licensee has violated any provision of this
25 Act or the rules and regulations promulgated under this Act or
26 has been convicted of a crime or has failed to disclose or has
27 stated falsely any information called for in the application
28 for an organization license. Any organization license
29 revocation proceeding shall be in accordance with Section 16
30 regarding suspension and revocation of occupation licenses.

31 (f-5) If, (i) an applicant does not file an acceptance of
32 the racing dates awarded by the Board as required under part
33 (1) of subsection (h) of this Section 20, or (ii) an
34 organization licensee has its license suspended or revoked

1 under this Act, the Board, upon conducting an emergency hearing
2 as provided for in this Act, may reaward on an emergency basis
3 pursuant to rules established by the Board, racing dates not
4 accepted or the racing dates associated with any suspension or
5 revocation period to one or more organization licensees, new
6 applicants, or any combination thereof, upon terms and
7 conditions that the Board determines are in the best interest
8 of racing, provided, the organization licensees or new
9 applicants receiving the awarded racing dates file an
10 acceptance of those reawarded racing dates as required under
11 paragraph (1) of subsection (h) of this Section 20 and comply
12 with the other provisions of this Act. The Illinois
13 Administrative Procedures Act shall not apply to the
14 administrative procedures of the Board in conducting the
15 emergency hearing and the reallocation of racing dates on an
16 emergency basis.

17 (g) (Blank).

18 (h) The Board shall send the applicant a copy of its
19 formally executed order by certified mail addressed to the
20 applicant at the address stated in his application, which
21 notice shall be mailed within 5 days of the date the formal
22 order is executed.

23 Each applicant notified shall, within 10 days after receipt
24 of the final executed order of the Board awarding racing dates:

25 (1) file with the Board an acceptance of such award in
26 the form prescribed by the Board;

27 (2) pay to the Board an additional amount equal to \$200
28 ~~\$110~~ for each racing date awarded; and

29 (3) file with the Board the bonds required in Sections
30 21 and 25 at least 20 days prior to the first day of each
31 race meeting.

32 Upon compliance with the provisions of paragraphs (1), (2), and
33 (3) of this subsection (h), the applicant shall be issued an
34 organization license.

1 If any applicant fails to comply with this Section or fails
2 to pay the organization license fees herein provided, no
3 organization license shall be issued to such applicant.

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

5 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

6 Sec. 25. An admission fee shall be assessed for each person
7 charged admission when ~~There shall be paid to the Board at such~~
8 ~~time or times as it shall prescribe, the sum of fifteen cents~~
9 ~~(15¢) for each person~~ entering the grounds or enclosure of each
10 organization licensee and inter-track wagering licensee, ~~upon~~
11 ~~a ticket of admission~~ except as provided in subsection (g) of
12 Section 27 of this Act. The admission fee shall be \$0.15. If
13 tickets are issued for more than one day then the admission fee
14 ~~sum of fifteen cents (15¢)~~ shall be paid for each person using
15 such ticket on each day that the same shall be used. Provided,
16 however, that no charge shall be made on tickets of admission
17 issued to and in the name of directors, officers, agents or
18 employees of the organization licensee, or inter-track
19 wagering licensee, or to owners, trainers, jockeys, drivers and
20 their employees or to any person or persons entering the
21 grounds or enclosure for the transaction of business in
22 connection with such race meeting. The organization licensee or
23 inter-track wagering licensee may, if it desires, collect such
24 amount from each ticket holder in addition to the amount or
25 amounts charged for such ticket of admission.

26 Accurate records and books shall at all times be kept and
27 maintained by the organization licensees and inter-track
28 wagering licensees showing the admission tickets issued and
29 used on each racing day and the attendance thereat of each
30 horse racing meeting. The Board or its duly authorized
31 representative or representatives shall at all reasonable
32 times have access to the admission records of any organization
33 licensee and inter-track wagering licensee for the purpose of

1 examining and checking the same and ascertaining whether or not
2 the proper amount has been or is being paid the State of
3 Illinois as herein provided. The Board shall also require,
4 before issuing any license, that the licensee shall execute and
5 deliver to it a bond, payable to the State of Illinois, in such
6 sum as it shall determine, not, however, in excess of fifty
7 thousand dollars (\$50,000), with a surety or sureties to be
8 approved by it, conditioned for the payment of all sums due and
9 payable or collected by it under this Section upon admission
10 fees received for any particular racing meetings. The Board may
11 also from time to time require sworn statements of the number
12 or numbers of such admissions and may prescribe blanks upon
13 which such reports shall be made. Any organization licensee or
14 inter-track wagering licensee failing or refusing to pay the
15 amount found to be due as herein provided, shall be deemed
16 guilty of a business offense and upon conviction shall be
17 punished by a fine of not more than five thousand dollars
18 (\$5,000) in addition to the amount due from such organization
19 licensee or inter-track wagering licensee as herein provided.
20 All fines paid into court by an organization licensee or
21 inter-track wagering licensee found guilty of violating this
22 Section shall be transmitted and paid over by the clerk of the
23 court to the Board.

24 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

25 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

26 Sec. 26. Wagering.

27 (a) Any licensee may conduct and supervise the pari-mutuel
28 system of wagering, as defined in Section 3.12 of this Act, on
29 horse races conducted by an Illinois organization licensee or
30 conducted at a racetrack located in another state or country
31 ~~and televised in Illinois~~ in accordance with subsection (g) of
32 Section 26 of this Act. Subject to the prior consent of the
33 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 (b) No other method of betting, pool making, wagering or
9 gambling shall be used or permitted by the licensee. Each
10 licensee may retain, subject to the payment of all applicable
11 taxes and purses, an amount not to exceed 17% of all money
12 wagered under subsection (a) of this Section, except as may
13 otherwise be permitted under this Act.

14 (b-5) An individual may place a wager under the pari-mutuel
15 system from any licensed location or via any other method
16 authorized under this Act provided that wager is electronically
17 recorded in the manner described in Section 3.12 of this Act.
18 Any wager made electronically by an individual while physically
19 on the premises of a licensee shall be deemed to have been made
20 at the premises of that licensee. Any wager made via a
21 telephone-type device or electronic means by an individual
22 while not physically on the premises of the licensee (advance
23 deposit wagering) shall be deemed to have been made at the host
24 track at the time at which the race upon which the wager was
25 placed occurs.

26 (c) Until January 1, 2000, the sum held by any licensee for
27 payment of outstanding pari-mutuel tickets, if unclaimed prior
28 to December 31 of the next year, shall be retained by the
29 licensee for payment of such tickets until that date. Within 10
30 days thereafter, the balance of such sum remaining unclaimed,
31 less any uncashed supplements contributed by such licensee for
32 the purpose of guaranteeing minimum distributions of any
33 pari-mutuel pool, shall be paid to the Illinois Veterans'
34 Rehabilitation Fund of the State treasury, except as provided

1 in subsection (g) of Section 27 of this Act.

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

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

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

26 (f) Notwithstanding the other provisions of this Act,
27 subject to the approval of the Board, an organization licensee
28 may contract with an entity in another state or country to
29 permit any legal wagering entity in another state or country to
30 accept wagers solely within such other state or country on
31 races conducted by the organization licensee in this State. The
32 Board shall adopt rules concerning the criteria for approval
33 required under this subsection (f). Beginning January 1, 2000,
34 these wagers shall not be subject to State taxation. Until

1 January 1, 2000, when the out-of-State entity conducts a
2 pari-mutuel pool separate from the organization licensee, a
3 privilege tax equal to 7 1/2% of all monies received by the
4 organization licensee from entities in other states or
5 countries pursuant to such contracts is imposed on the
6 organization licensee, and such privilege tax shall be remitted
7 to the Department of Revenue within 48 hours of receipt of the
8 moneys from the simulcast. When the out-of-State entity
9 conducts a combined pari-mutuel pool with the organization
10 licensee, the tax shall be 10% of all monies received by the
11 organization licensee with 25% of the receipts from this 10%
12 tax to be distributed to the county in which the race was
13 conducted.

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

22 (g) A host track may accept interstate simulcast wagers on
23 horse races conducted in other states or countries and shall
24 control the number of signals and types of breeds of racing in
25 its simulcast program, subject to the disapproval of the Board.
26 The Board may prohibit a simulcast program only if it finds
27 that the simulcast program is clearly adverse to the integrity
28 of racing. The host track simulcast program shall include the
29 signal of live racing of all organization licensees. All
30 non-host licensees shall carry the host track simulcast program
31 and accept wagers on all races included as part of the
32 simulcast program upon which wagering is permitted. All advance
33 deposit wagering licensees shall carry the signal of all
34 organization licensees and accept wagers on all races conducted

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

13 Notwithstanding any other provision of this Act, an
14 organization licensee may maintain a system whereby advance
15 deposit wagering may take place or an organization licensee may
16 contract with another person to carry out a system of advance
17 deposit wagering. All advance deposit wagers placed from within
18 Illinois must be placed through a Board-approved advance
19 deposit wagering licensee; no other entity may accept an
20 advance deposit wager from a person within Illinois. All
21 advance deposit wagering is subject to any rules adopted by the
22 Board. An advance deposit wagering licensee may retain an
23 advance deposit wagering fee not to exceed 6.5% of all wagers
24 placed through the system. However, an organization licensee
25 licensed as an advance deposit wagering licensee operating and
26 maintaining its own advance deposit wagering system may retain
27 an advance deposit wagering fee not to exceed 6.5% of all
28 wagers placed through the system, subject to approval by the
29 Board. Each host track shall pay a share of all source market
30 fees and any breakage to an organization licensee operating at
31 a racetrack located in Madison County, provided that the
32 organization licensee conducted live racing in 2004 and the
33 current year, in an amount equal to the proportion of total
34 moneys wagered in the previous calendar year at the

1 organizational licensee operating at a racetrack located in
2 Madison County and all of its inter-track wagering location
3 licensees as compared to the total statewide moneys wagered,
4 with the exception of moneys wagered from advance deposit
5 wagering, in the previous year. The proportion shall be
6 certified by the Board in writing within 45 days after the end
7 of the calendar year and the host track shall make payment to
8 the organization licensee located in Madison County within 90
9 days following the end of the calendar year. The first payment
10 under this provision shall be due following the end of the
11 first calendar year in which advance deposit wagers are
12 accepted. The moneys received by an organization licensee
13 operating at a racetrack in Madison County shall be distributed
14 as follows: 50% to the organization licensee operating at a
15 racetrack in Madison County and 50% to the purse account at the
16 racetrack in Madison County. After distributing the moneys to
17 the organization licensee operating at a racetrack in Madison
18 County, the source market fees shall be paid as follows: 50% to
19 the host track and 50% to the purse accounts at the host track.
20 To the extent any fees substantially equivalent to source
21 market fees or other fees deducted from advance deposit
22 wagering conducted in Illinois for wagers in Illinois or other
23 states have been placed in escrow or otherwise withheld from
24 wagers pending a determination of the legality of advance
25 deposit wagering, no action shall be brought to declare such
26 wagers illegal, provided that all such fees shall be paid to
27 the appropriate host track within 30 days after the effective
28 date of this amendatory Act of the 94th General Assembly.

29 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
30 intertrack wagering licensee other than the host track may
31 supplement the host track simulcast program with
32 additional simulcast races or race programs, provided that
33 between January 1 and the third Friday in February of any
34 year, inclusive, if no live thoroughbred racing is

1 occurring in Illinois during this period, only
2 thoroughbred races may be used for supplemental interstate
3 simulcast purposes. The Board shall withhold approval for a
4 supplemental interstate simulcast only if it finds that the
5 simulcast is clearly adverse to the integrity of racing. A
6 supplemental interstate simulcast may be transmitted from
7 an intertrack wagering licensee to its affiliated non-host
8 licensees. The interstate commission fee for a
9 supplemental interstate simulcast shall be paid by the
10 non-host licensee and its affiliated non-host licensees
11 receiving the simulcast.

12 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
13 intertrack wagering licensee other than the host track may
14 receive supplemental interstate simulcasts only with the
15 consent of the host track, except when the Board finds that
16 the simulcast is clearly adverse to the integrity of
17 racing. Consent granted under this paragraph (2) to any
18 intertrack wagering licensee shall be deemed consent to all
19 non-host licensees. The interstate commission fee for the
20 supplemental interstate simulcast shall be paid by all
21 participating non-host licensees.

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

1 wagering to the Horse Racing Tax Allocation Fund, subject
2 to the provisions of subparagraph (B) of paragraph (11) of
3 subsection (h) of Section 26 of this Act.

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

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

24 (A) For interstate simulcast wagers made at a host
25 track, 50% to the host track and 50% to purses at the
26 host track.

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

34 (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
27 distributed under paragraph (10) of this subsection
28 (g);

29 (C) Between January 1 and the third Friday in
30 February, inclusive, if live thoroughbred racing is
31 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
32 the purse share from wagers made during this time
33 period to its thoroughbred purse account and between
34 6:30 p.m. and 6:30 a.m. the purse share from wagers

1 made during this time period to its standardbred purse
2 accounts;

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

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

11 (7.1) Notwithstanding any other provision of this Act
12 to the contrary, if no standardbred racing is conducted at
13 a racetrack located in Madison County during any calendar
14 year beginning on or after January 1, 2002, all moneys
15 derived by that racetrack from simulcast wagering and
16 inter-track wagering that (1) are to be used for purses and
17 (2) are generated between the hours of 6:30 p.m. and 6:30
18 a.m. during that calendar year shall be paid as follows:

19 (A) If the licensee that conducts horse racing at
20 that racetrack requests from the Board at least as many
21 racing dates as were conducted in calendar year 2000,
22 80% shall be paid to its thoroughbred purse account;
23 and

24 (B) Twenty percent shall be deposited into the
25 Illinois Colt Stakes Purse Distribution Fund and shall
26 be paid to purses for standardbred races for Illinois
27 conceived and foaled horses conducted at any county
28 fairgrounds. The moneys deposited into the Fund
29 pursuant to this subparagraph (B) shall be deposited
30 within 2 weeks after the day they were generated, shall
31 be in addition to and not in lieu of any other moneys
32 paid to standardbred purses under this Act, and shall
33 not be commingled with other moneys paid into that
34 Fund. The moneys deposited pursuant to this

1 subparagraph (B) shall be allocated as provided by the
2 Department of Agriculture, with the advice and
3 assistance of the Illinois Standardbred Breeders Fund
4 Advisory Board.

5 (7.2) Notwithstanding any other provision of this Act
6 to the contrary, if no thoroughbred racing is conducted at
7 a racetrack located in Madison County during any calendar
8 year beginning on or after January 1, 2002, all moneys
9 derived by that racetrack from simulcast wagering and
10 inter-track wagering that (1) are to be used for purses and
11 (2) are generated between the hours of 6:30 a.m. and 6:30
12 p.m. during that calendar year shall be deposited as
13 follows:

14 (A) If the licensee that conducts horse racing at
15 that racetrack requests from the Board at least as many
16 racing dates as were conducted in calendar year 2000,
17 80% shall be deposited into its standardbred purse
18 account; and

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

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

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

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

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

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

20 Moneys paid into the Illinois Colt Stakes Purse
21 Distribution Fund pursuant to this paragraph (7.3) shall be
22 paid to purses for standardbred races for Illinois
23 conceived and foaled horses conducted at any county
24 fairgrounds. Moneys paid into the Illinois Colt Stakes
25 Purse Distribution Fund pursuant to this paragraph (7.3)
26 shall be used as determined by the Department of
27 Agriculture, with the advice and assistance of the Illinois
28 Standardbred Breeders Fund Advisory Board, shall be in
29 addition to and not in lieu of any other moneys paid to
30 standardbred purses under this Act, and shall not be
31 commingled with any other moneys paid into that Fund.

32 (7.4) If live standardbred racing is conducted at a
33 racetrack located in Madison County at any time in calendar
34 year 2001 before the payment required under paragraph (7.3)

1 has been made, the organization licensee who is licensed to
2 conduct racing at that racetrack shall pay all moneys
3 derived by that racetrack from simulcast wagering and
4 inter-track wagering during calendar years 2000 and 2001
5 that (1) are to be used for purses and (2) are generated
6 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
7 2001 to the standardbred purse account at that racetrack to
8 be used for standardbred purses.

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

16 (8.1) Notwithstanding any provisions in this Act to the
17 contrary, if 2 organization licensees are conducting
18 standardbred race meetings concurrently between the hours
19 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
20 State and local taxes and interstate commission fees, the
21 remainder of the amount retained from simulcast wagering
22 otherwise attributable to the host track and to host track
23 purses shall be split daily between the 2 organization
24 licensees and the purses at the tracks of the 2
25 organization licensees, respectively, based on each
26 organization licensee's share of the total live handle for
27 that day, provided that this provision shall not apply to
28 any non-host licensee that derives its license from a track
29 located in a county with a population in excess of 230,000
30 and that borders the Mississippi River.

31 (9) (Blank).

32 (10) (Blank).

33 (11) (Blank).

34 (12) The Board shall have authority to compel all host

1 tracks to receive the simulcast of any or all races
2 conducted at the Springfield or DuQuoin State fairgrounds
3 and include all such races as part of their simulcast
4 programs.

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

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

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

21 (1) Any person licensed to conduct a race meeting (i)
22 at a track where 60 or more days of racing were conducted
23 during the immediately preceding calendar year or where
24 over the 5 immediately preceding calendar years an average
25 of 30 or more days of racing were conducted annually may be
26 issued an inter-track wagering license; (ii) at a track
27 located in a county that is bounded by the Mississippi
28 River, which has a population of less than 150,000
29 according to the 1990 decennial census, and an average of
30 at least 60 days of racing per year between 1985 and 1993
31 may be issued an inter-track wagering license; or (iii) at
32 a track located in Madison County that conducted at least
33 100 days of live racing during the immediately preceding
34 calendar year may be issued an inter-track wagering

1 license, unless a lesser schedule of live racing is the
2 result of (A) weather, unsafe track conditions, or other
3 acts of God; (B) an agreement between the organization
4 licensee and the associations representing the largest
5 number of owners, trainers, jockeys, or standardbred
6 drivers who race horses at that organization licensee's
7 racing meeting; or (C) a finding by the Board of
8 extraordinary circumstances and that it was in the best
9 interest of the public and the sport to conduct fewer than
10 100 days of live racing. Any such person having operating
11 control of the racing facility may also receive up to 6
12 inter-track wagering location licenses. In no event shall
13 more than 6 inter-track wagering locations be established
14 for each eligible race track, except that an eligible race
15 track located in a county that has a population of more
16 than 230,000 and that is bounded by the Mississippi River
17 may establish up to 7 inter-track wagering locations. An
18 application for said license shall be filed with the Board
19 prior to such dates as may be fixed by the Board. With an
20 application for an inter-track wagering location license
21 there shall be delivered to the Board a certified check or
22 bank draft payable to the order of the Board for an amount
23 equal to \$2,500 ~~\$500~~. The application shall be on forms
24 prescribed and furnished by the Board. The application
25 shall comply with all other rules, regulations and
26 conditions imposed by the Board in connection therewith.

27 (2) The Board shall examine the applications with
28 respect to their conformity with this Act and the rules and
29 regulations imposed by the Board. If found to be in
30 compliance with the Act and rules and regulations of the
31 Board, the Board may then issue a license to conduct
32 inter-track wagering and simulcast wagering to such
33 applicant. All such applications shall be acted upon by the
34 Board at a meeting to be held on such date as may be fixed

1 by the Board.

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

6 (4) Prior to the issuance of a license to conduct
7 inter-track wagering and simulcast wagering, the applicant
8 shall file with the Board a bond payable to the State of
9 Illinois in the sum of \$50,000, executed by the applicant
10 and a surety company or companies authorized to do business
11 in this State, and conditioned upon (i) the payment by the
12 licensee of all taxes due under Section 27 or 27.1 and any
13 other monies due and payable under this Act, and (ii)
14 distribution by the licensee, upon presentation of the
15 winning ticket or tickets, of all sums payable to the
16 patrons of pari-mutuel pools.

17 (5) Each license to conduct inter-track wagering and
18 simulcast wagering shall specify the person to whom it is
19 issued, the dates on which such wagering is permitted, and
20 the track or location where the wagering is to be
21 conducted.

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

26 (7) An inter-track wagering licensee or inter-track
27 wagering location licensee may accept wagers at the track
28 or location where it is licensed, or as otherwise provided
29 under this Act.

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

33 (8.1) Inter-track wagering location licensees who
34 derive their licenses from a particular organization

1 licensee shall conduct inter-track wagering and simulcast
2 wagering only at locations which are either within 90 miles
3 of that race track where the particular organization
4 licensee is licensed to conduct racing, or within 135 miles
5 of that race track where the particular organization
6 licensee is licensed to conduct racing in the case of race
7 tracks in counties of less than 400,000 that were operating
8 on or before June 1, 1986. However, inter-track wagering
9 and simulcast wagering shall not be conducted by those
10 licensees at any location within 5 miles of any race track
11 at which a horse race meeting has been licensed in the
12 current year, unless the person having operating control of
13 such race track has given its written consent to such
14 inter-track wagering location licensees, which consent
15 must be filed with the Board at or prior to the time
16 application is made.

17 (8.2) Inter-track wagering or simulcast wagering shall
18 not be conducted by an inter-track wagering location
19 licensee at any location within 500 feet of an existing
20 church or existing school, nor within 500 feet of the
21 residences of more than 50 registered voters without
22 receiving written permission from a majority of the
23 registered voters at such residences. Such written
24 permission statements shall be filed with the Board. The
25 distance of 500 feet shall be measured to the nearest part
26 of any building used for worship services, education
27 programs, residential purposes, or conducting inter-track
28 wagering by an inter-track wagering location licensee, and
29 not to property boundaries. However, inter-track wagering
30 or simulcast wagering may be conducted at a site within 500
31 feet of a church, school or residences of 50 or more
32 registered voters if such church, school or residences have
33 been erected or established, or such voters have been
34 registered, after the Board issues the original

1 inter-track wagering location license at the site in
2 question. Inter-track wagering location licensees may
3 conduct inter-track wagering and simulcast wagering only
4 in areas that are zoned for commercial or manufacturing
5 purposes or in areas for which a special use has been
6 approved by the local zoning authority. However, no license
7 to conduct inter-track wagering and simulcast wagering
8 shall be granted by the Board with respect to any
9 inter-track wagering location within the jurisdiction of
10 any local zoning authority which has, by ordinance or by
11 resolution, prohibited the establishment of an inter-track
12 wagering location within its jurisdiction. However,
13 inter-track wagering and simulcast wagering may be
14 conducted at a site if such ordinance or resolution is
15 enacted after the Board licenses the original inter-track
16 wagering location licensee for the site in question.

17 (9) (Blank).

18 (10) An inter-track wagering licensee or an
19 inter-track wagering location licensee may retain, subject
20 to the payment of the privilege taxes and the purses, an
21 amount not to exceed 17% of all money wagered. Each program
22 of racing conducted by each inter-track wagering licensee
23 or inter-track wagering location licensee shall be
24 considered a separate racing day for the purpose of
25 determining the daily handle and computing the privilege
26 tax or pari-mutuel tax on such daily handle as provided in
27 Section 27.

28 (10.1) Except as provided in subsection (g) of Section
29 27 of this Act, inter-track wagering location licensees
30 shall pay 1% of the pari-mutuel handle at each location to
31 the municipality in which such location is situated and 1%
32 of the pari-mutuel handle at each location to the county in
33 which such location is situated. In the event that an
34 inter-track wagering location licensee is situated in an

1 unincorporated area of a county, such licensee shall pay 2%
2 of the pari-mutuel handle from such location to such
3 county.

4 (10.2) Notwithstanding any other provision of this
5 Act, with respect to intertrack wagering at a race track
6 located in a county that has a population of more than
7 230,000 and that is bounded by the Mississippi River ("the
8 first race track"), or at a facility operated by an
9 inter-track wagering licensee or inter-track wagering
10 location licensee that derives its license from the
11 organization licensee that operates the first race track,
12 on races conducted at the first race track or on races
13 conducted at another Illinois race track and
14 simultaneously televised to the first race track or to a
15 facility operated by an inter-track wagering licensee or
16 inter-track wagering location licensee that derives its
17 license from the organization licensee that operates the
18 first race track, those moneys shall be allocated as
19 follows:

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

24 (B) That portion of all moneys wagered on
25 thoroughbred racing that is required under this Act to
26 be paid to purses shall be paid to purses for
27 thoroughbred races.

28 (11) (A) After payment of the privilege or pari-mutuel
29 tax, any other applicable taxes, and the costs and expenses
30 in connection with the gathering, transmission, and
31 dissemination of all data necessary to the conduct of
32 inter-track wagering, the remainder of the monies retained
33 under either Section 26 or Section 26.2 of this Act by the
34 inter-track wagering licensee on inter-track wagering

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

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

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

1 at such location to satisfy all costs and expenses of
2 conducting its wagering. The remainder of the monies
3 retained by the inter-track wagering location licensee
4 shall be allocated 40% to the location licensee and 60% to
5 the organization licensee which provides the Illinois
6 races to the location, except that an intertrack wagering
7 location licensee that derives its license from a track
8 located in a county with a population in excess of 230,000
9 and that borders the Mississippi River shall not divide any
10 remaining retention with the organization licensee that
11 provides the race or races and an intertrack wagering
12 location licensee that accepts wagers on races conducted by
13 an organization licensee that conducts a race meet in a
14 county with a population in excess of 230,000 and that
15 borders the Mississippi River shall not divide any
16 remaining retention with the organization licensee.
17 Notwithstanding the provisions of clauses (ii) and (iv) of
18 this paragraph, in the case of the additional inter-track
19 wagering location licenses authorized under paragraph (1)
20 of this subsection (h) by this amendatory Act of 1991,
21 those licensees shall pay the following amounts as purses:
22 during the first 12 months the licensee is in operation,
23 5.25% of the pari-mutuel handle wagered at the location on
24 races; during the second 12 months, 5.25%; during the third
25 12 months, 5.75%; during the fourth 12 months, 6.25%; and
26 during the fifth 12 months and thereafter, 6.75%. The
27 following amounts shall be retained by the licensee to
28 satisfy all costs and expenses of conducting its wagering:
29 during the first 12 months the licensee is in operation,
30 8.25% of the pari-mutuel handle wagered at the location;
31 during the second 12 months, 8.25%; during the third 12
32 months, 7.75%; during the fourth 12 months, 7.25%; and
33 during the fifth 12 months and thereafter, 6.75%. For
34 additional intertrack wagering location licensees

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

12 (C) There is hereby created the Horse Racing Tax
13 Allocation Fund which shall remain in existence until
14 December 31, 1999. Moneys remaining in the Fund after
15 December 31, 1999 shall be paid into the General Revenue
16 Fund. Until January 1, 2000, all monies paid into the Horse
17 Racing Tax Allocation Fund pursuant to this paragraph (11)
18 by inter-track wagering location licensees located in park
19 districts of 500,000 population or less, or in a
20 municipality that is not included within any park district
21 but is included within a conservation district and is the
22 county seat of a county that (i) is contiguous to the state
23 of Indiana and (ii) has a 1990 population of 88,257
24 according to the United States Bureau of the Census, and
25 operating on May 1, 1994 shall be allocated by
26 appropriation as 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 of
31 Agriculture upon the advice of a 9-member committee
32 appointed by the Governor consisting of the following
33 members: the Director of Agriculture, who shall serve
34 as chairman; 2 representatives of organization

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

30 Four-sevenths to park districts or municipalities
31 that do not have a park district of 500,000 population
32 or less for museum purposes (if an inter-track wagering
33 location licensee is located in such a park district)
34 or to conservation districts for museum purposes (if an

1 inter-track wagering location licensee is located in a
2 municipality that is not included within any park
3 district but is included within a conservation
4 district and is the county seat of a county that (i) is
5 contiguous to the state of Indiana and (ii) has a 1990
6 population of 88,257 according to the United States
7 Bureau of the Census, except that if the conservation
8 district does not maintain a museum, the monies shall
9 be allocated equally between the county and the
10 municipality in which the inter-track wagering
11 location licensee is located for general purposes) or
12 to a municipal recreation board for park purposes (if
13 an inter-track wagering location licensee is located
14 in a municipality that is not included within any park
15 district and park maintenance is the function of the
16 municipal recreation board and the municipality has a
17 1990 population of 9,302 according to the United States
18 Bureau of the Census); provided that the monies are
19 distributed to each park district or conservation
20 district or municipality that does not have a park
21 district in an amount equal to four-sevenths of the
22 amount collected by each inter-track wagering location
23 licensee within the park district or conservation
24 district or municipality for the Fund. Monies that were
25 paid into the Horse Racing Tax Allocation Fund before
26 the effective date of this amendatory Act of 1991 by an
27 inter-track wagering location licensee located in a
28 municipality that is not included within any park
29 district but is included within a conservation
30 district as provided in this paragraph shall, as soon
31 as practicable after the effective date of this
32 amendatory Act of 1991, be allocated and paid to that
33 conservation district as provided in this paragraph.
34 Any park district or municipality not maintaining a

1 museum may deposit the monies in the corporate fund of
2 the park district or municipality where the
3 inter-track wagering location is located, to be used
4 for general purposes; and

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

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

15 Two-sevenths to the Department of Agriculture.
16 Fifty percent of this two-sevenths shall be used to
17 promote the Illinois horse racing and breeding
18 industry, and shall be distributed by the Department of
19 Agriculture upon the advice of a 9-member committee
20 appointed by the Governor consisting of the following
21 members: the Director of Agriculture, who shall serve
22 as chairman; 2 representatives of organization
23 licensees conducting thoroughbred race meetings in
24 this State, recommended by those licensees; 2
25 representatives of organization licensees conducting
26 standardbred race meetings in this State, recommended
27 by those licensees; a representative of the Illinois
28 Thoroughbred Breeders and Owners Foundation,
29 recommended by that Foundation; a representative of
30 the Illinois Standardbred Owners and Breeders
31 Association, recommended by that Association; a
32 representative of the Horsemen's Benevolent and
33 Protective Association or any successor organization
34 thereto established in Illinois comprised of the

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

18 Four-sevenths to museums and aquariums located in
19 park districts of over 500,000 population; provided
20 that the monies are distributed in accordance with the
21 previous year's distribution of the maintenance tax
22 for such museums and aquariums as provided in Section 2
23 of the Park District Aquarium and Museum Act; and

24 One-seventh to the Agricultural Premium Fund to be
25 used for distribution to agricultural home economics
26 extension councils in accordance with "An Act in
27 relation to additional support and finances for the
28 Agricultural and Home Economic Extension Councils in
29 the several counties of this State and making an
30 appropriation therefor", approved July 24, 1967. This
31 subparagraph (C) shall be inoperative and of no force
32 and effect on and after January 1, 2000.

33 (D) Except as provided in paragraph (11) of this
34 subsection (h), with respect to purse allocation from

1 intertrack wagering, the monies so retained shall be
2 divided as follows:

3 (i) If the inter-track wagering licensee,
4 except an intertrack wagering licensee that
5 derives its license from an organization licensee
6 located in a county with a population in excess of
7 230,000 and bounded by the Mississippi River, is
8 not conducting its own race meeting during the same
9 dates, then the entire purse allocation shall be to
10 purses at the track where the races wagered on are
11 being conducted.

12 (ii) If the inter-track wagering licensee,
13 except an intertrack wagering licensee that
14 derives its license from an organization licensee
15 located in a county with a population in excess of
16 230,000 and bounded by the Mississippi River, is
17 also conducting its own race meeting during the
18 same dates, then the purse allocation shall be as
19 follows: 50% to purses at the track where the races
20 wagered on are being conducted; 50% to purses at
21 the track where the inter-track wagering licensee
22 is accepting such wagers.

23 (iii) If the inter-track wagering is being
24 conducted by an inter-track wagering location
25 licensee, except an intertrack wagering location
26 licensee that derives its license from an
27 organization licensee located in a county with a
28 population in excess of 230,000 and bounded by the
29 Mississippi River, the entire purse allocation for
30 Illinois races shall be to purses at the track
31 where the race meeting being wagered on is being
32 held.

33 (12) The Board shall have all powers necessary and
34 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
27 from such premises solely on the grounds of race,
28 color, creed, national origin, ancestry, or sex.

29 (D) (Blank).

30 (E) The Board is vested with the power to appoint
31 delegates to execute any of the powers granted to it
32 under this Section for the purpose of administering
33 this wagering and any rules and regulations
34 promulgated in accordance with this Act.

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

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

17 (13) The Department of Agriculture may enter into
18 agreements with licensees authorizing such licensees to
19 conduct inter-track wagering on races to be held at the
20 licensed race meetings conducted by the Department of
21 Agriculture. Such agreement shall specify the races of the
22 Department of Agriculture's licensed race meeting upon
23 which the licensees will conduct wagering. In the event
24 that a licensee conducts inter-track pari-mutuel wagering
25 on races from the Illinois State Fair or DuQuoin State Fair
26 which are in addition to the licensee's previously approved
27 racing program, those races shall be considered a separate
28 racing day for the purpose of determining the daily handle
29 and computing the privilege or pari-mutuel tax on that
30 daily handle as provided in Sections 27 and 27.1. Such
31 agreements shall be approved by the Board before such
32 wagering may be conducted. In determining whether to grant
33 approval, the Board shall give due consideration to the
34 best interests of the public and of horse racing. The

1 provisions of paragraphs (1), (8), (8.1), and (8.2) of
2 subsection (h) of this Section which are not specified in
3 this paragraph (13) shall not apply to licensed race
4 meetings conducted by the Department of Agriculture at the
5 Illinois State Fair in Sangamon County or the DuQuoin State
6 Fair in Perry County, or to any wagering conducted on those
7 race meetings.

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

12 (Source: P.A. 91-40, eff. 6-25-99; 92-211, eff. 8-2-01.)

13 (230 ILCS 5/26.2) (from Ch. 8, par. 37-26.2)

14 Sec. 26.2. In addition to the amount retained by licensees
15 pursuant to Section 26, each licensee may retain an additional
16 amount up to 3 1/2% of the amount wagered on all multiple
17 wagers plus an additional amount up to 8% of the amount wagered
18 on any other multiple wager that involves a single betting
19 interest on 3 or more horses. Amounts retained by organization
20 licensees and inter-track wagering licensees on all forms of
21 wagering shall be allocated, after payment of applicable State
22 and local taxes and advance deposit wagering fees, if
23 applicable, among organization licensees, inter-track wagering
24 licensees, and purses as set forth in paragraph (5) of
25 subsection (g) of Section 26, subparagraph (A) of paragraph
26 (11) of subsection (h) of Section 26, and subsection (a) of
27 Section 29 of this Act. Amounts retained by intertrack wagering
28 location licensees under this Section on all forms of wagering
29 shall be allocated, after payment of applicable State and local
30 taxes, among organization licensees, intertrack wagering
31 location licensees, and purses as set forth in paragraph 5 of
32 subsection (g) of Section 26 and subparagraph (B) of paragraph
33 (11) of subsection (h) of Section 26.

1 (Source: P.A. 89-16, eff. 5-30-95.)

2 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

3 Sec. 27. (a) In addition to the organization license fee
4 provided by this Act, until January 1, 2000, a graduated
5 privilege tax is hereby imposed for conducting the pari-mutuel
6 system of wagering permitted under this Act. Until January 1,
7 2000, except as provided in subsection (g) of Section 27 of
8 this Act, all of the breakage of each racing day held by any
9 licensee in the State shall be paid to the State. Until January
10 1, 2000, such daily graduated privilege tax shall be paid by
11 the licensee from the amount permitted to be retained under
12 this Act. Until January 1, 2000, each day's graduated privilege
13 tax, breakage, and Horse Racing Tax Allocation funds shall be
14 remitted to the Department of Revenue within 48 hours after the
15 close of the racing day upon which it is assessed or within
16 such other time as the Board prescribes. The privilege tax
17 hereby imposed, until January 1, 2000, shall be a flat tax at
18 the rate of 2% of the daily pari-mutuel handle except as
19 provided in Section 27.1.

20 In addition, every organization licensee, except as
21 provided in Section 27.1 of this Act, which conducts multiple
22 wagering shall pay, until January 1, 2000, as a privilege tax
23 on multiple wagers an amount equal to 1.25% of all moneys
24 wagered each day on such multiple wagers, plus an additional
25 amount equal to 3.5% of the amount wagered each day on any
26 other multiple wager which involves a single betting interest
27 on 3 or more horses. The licensee shall remit the amount of
28 such taxes to the Department of Revenue within 48 hours after
29 the close of the racing day on which it is assessed or within
30 such other time as the Board prescribes.

31 This subsection (a) shall be inoperative and of no force
32 and effect on and after January 1, 2000.

33 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax

1 at the rate of 1.5% of the daily pari-mutuel handle, other than
2 from advance deposit wagering from a location other than a
3 wagering facility, which shall be subject to a pari-mutuel tax
4 at the rate of 1%, is imposed at all pari-mutuel wagering
5 facilities, which shall be remitted to the Department of
6 Revenue within 48 hours after the close of the racing day upon
7 which it is assessed or within such other time as the Board
8 prescribes.

9 (b) On or before December 31, 1999, in the event that any
10 organization licensee conducts 2 separate programs of races on
11 any day, each such program shall be considered a separate
12 racing day for purposes of determining the daily handle and
13 computing the privilege tax on such daily handle as provided in
14 subsection (a) of this Section.

15 (c) Licensees shall at all times keep accurate books and
16 records of all monies wagered on each day of a race meeting and
17 of the taxes paid to the Department of Revenue under the
18 provisions of this Section. The Board or its duly authorized
19 representative or representatives shall at all reasonable
20 times have access to such records for the purpose of examining
21 and checking the same and ascertaining whether the proper
22 amount of taxes is being paid as provided. The Board shall
23 require verified reports and a statement of the total of all
24 monies wagered daily at each wagering facility upon which the
25 taxes are assessed and may prescribe forms upon which such
26 reports and statement shall be made.

27 (d) Any licensee failing or refusing to pay the amount of
28 any tax due under this Section shall be guilty of a business
29 offense and upon conviction shall be fined not more than \$5,000
30 in addition to the amount found due as tax under this Section.
31 Each day's violation shall constitute a separate offense. All
32 fines paid into Court by a licensee hereunder shall be
33 transmitted and paid over by the Clerk of the Court to the
34 Board.

1 (e) No other license fee, privilege tax, excise tax, or
2 racing fee, except as provided in this Act, shall be assessed
3 or collected from any such licensee by the State.

4 (f) No other license fee, privilege tax, excise tax or
5 racing fee shall be assessed or collected from any such
6 licensee by units of local government except as provided in
7 paragraph 10.1 of subsection (h) and subsection (f) of Section
8 26 of this Act. However, any municipality that has a Board
9 licensed horse race meeting at a race track wholly within its
10 corporate boundaries or a township that has a Board licensed
11 horse race meeting at a race track wholly within the
12 unincorporated area of the township may charge a local
13 amusement tax not to exceed 10¢ per admission to such horse
14 race meeting by the enactment of an ordinance. However, any
15 municipality or county that has a Board licensed inter-track
16 wagering location facility wholly within its corporate
17 boundaries may each impose an admission fee not to exceed \$1.00
18 per admission to such inter-track wagering location facility,
19 so that a total of not more than \$2.00 per admission may be
20 imposed. Except as provided in subparagraph (g) of Section 27
21 of this Act, the inter-track wagering location licensee shall
22 collect any and all such fees and within 48 hours remit the
23 fees to the Board, which shall, pursuant to rule, cause the
24 fees to be distributed to the county or municipality.

25 (g) Notwithstanding any provision in this Act to the
26 contrary, if in any calendar year the total taxes and fees
27 required to be collected from licensees and distributed under
28 this Act to all State and local governmental authorities
29 exceeds the amount of such taxes and fees distributed to each
30 State and local governmental authority to which each State and
31 local governmental authority was entitled under this Act for
32 calendar year 1994, then the first \$11 million of that excess
33 amount shall be allocated at the earliest possible date for
34 distribution as purse money for the succeeding calendar year.

1 Upon reaching the 1994 level, and until the excess amount of
2 taxes and fees exceeds \$11 million, the Board shall direct all
3 licensees to cease paying the subject taxes and fees and the
4 Board shall direct all licensees to allocate any such excess
5 amount for purses as follows:

6 (i) the excess amount shall be initially divided
7 between thoroughbred and standardbred purses based on the
8 thoroughbred's and standardbred's respective percentages
9 of total Illinois live wagering in calendar year 1994;

10 (ii) each thoroughbred and standardbred organization
11 licensee issued an organization licensee in that
12 succeeding allocation year shall be allocated an amount
13 equal to the product of its percentage of total Illinois
14 live thoroughbred or standardbred wagering in calendar
15 year 1994 (the total to be determined based on the sum of
16 1994 on-track wagering for all organization licensees
17 issued organization licenses in both the allocation year
18 and the preceding year) multiplied by the total amount
19 allocated for standardbred or thoroughbred purses,
20 provided that the first \$1,500,000 of the amount allocated
21 to standardbred purses under item (i) shall be allocated to
22 the Department of Agriculture to be expended with the
23 assistance and advice of the Illinois Standardbred
24 Breeders Funds Advisory Board for the purposes listed in
25 subsection (g) of Section 31 of this Act, before the amount
26 allocated to standardbred purses under item (i) is
27 allocated to standardbred organization licensees in the
28 succeeding allocation year.

29 To the extent the excess amount of taxes and fees to be
30 collected and distributed to State and local governmental
31 authorities exceeds \$11 million, that excess amount shall be
32 collected and distributed to State and local authorities as
33 provided for under this Act.

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

1 (230 ILCS 5/29) (from Ch. 8, par. 37-29)

2 Sec. 29. (a) After the privilege or pari-mutuel tax
3 established in Sections 26(f), 27, and 27.1 is paid to the
4 State from the monies from wagering other than advance deposit
5 wagering retained by the organization licensee pursuant to
6 Sections 26, 26.2, and 26.3, the remainder of those monies
7 retained pursuant to Sections 26 and 26.2, except as provided
8 in subsection (g) of Section 27 of this Act, shall be allocated
9 evenly to the organization licensee and as purses. Monies from
10 advance deposit wagering shall be allocated as provided in
11 subsection (g) of Section 26.

12 (b) (Blank).

13 (c) (Blank).

14 (d) Each organization licensee and inter-track wagering
15 licensee from the money retained for purses as set forth in
16 subsection (a) of this Section, shall pay to an organization
17 representing the largest number of horse owners and trainers
18 which has negotiated a contract with the organization licensee
19 for such purpose an amount equal to at least 1% of the
20 organization licensee's and inter-track wagering licensee's
21 retention of the pari-mutuel handle for the racing season. Each
22 inter-track wagering location licensee, from the 4% of its
23 handle required to be paid as purses under paragraph (11) of
24 subsection (h) of Section 26 of this Act, shall pay to the
25 contractually established representative organization 2% of
26 that 4%, provided that the payments so made to the organization
27 shall not exceed a total of \$125,000 in any calendar year. Such
28 contract shall be negotiated and signed prior to the beginning
29 of the racing season.

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

31 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

32 Sec. 31.1. (a) Organization licensees collectively shall

1 contribute annually to charity the sum of \$750,000 to
2 non-profit organizations that provide medical and family,
3 counseling, and similar services to persons who reside or work
4 on the backstretch of Illinois racetracks. These contributions
5 shall be collected as follows: (i) no later than July 1st of
6 each year the Board shall assess each organization licensee,
7 except those tracks which are not within 100 miles of each
8 other which tracks shall pay \$30,000 annually apiece into the
9 Board charity fund, that amount which equals \$720,000 ~~\$690,000~~
10 multiplied by the amount of pari-mutuel wagering handled by the
11 organization licensee in the year preceding assessment and
12 divided by the total pari-mutuel wagering handled by all
13 Illinois organization licensees, except those tracks which are
14 not within 100 miles of each other, in the year preceding
15 assessment; (ii) notice of the assessed contribution shall be
16 mailed to each organization licensee; (iii) within thirty days
17 of its receipt of such notice, each organization licensee shall
18 remit the assessed contribution to the Board. If an
19 organization licensee wilfully fails to so remit the
20 contribution, the Board may revoke its license to conduct horse
21 racing.

22 (a-5) In addition to any amount specified under subsection
23 (a), each race track that conducts live racing shall contribute
24 \$81,250 annually to the Board's charity fund, except that those
25 race tracks that are not within 100 miles of any other race
26 track shall pay \$25,000 annually. In addition, all organization
27 licensees shall pay \$50,000 collectively each year from the
28 purse accounts for thoroughbred racing to the Board's charity
29 fund on a pro rata basis, based on the total number of
30 thoroughbred racing days awarded by the Board in the current
31 year, and all organization licensees shall pay \$50,000
32 collectively each year from the purse accounts for standardbred
33 racing to the Board's charity fund on a pro rata basis, based
34 on the total number of standardbred racing days awarded by the

1 Board in the current year.

2 (b) No later than October 1st of each year, any qualified
3 charitable organization seeking an allotment of contributed
4 funds shall submit to the Board an application for those funds,
5 using the Board's approved form. No later than December 31st of
6 each year, the Board shall distribute all such amounts
7 collected that year to such charitable organization
8 applicants.

9 (Source: P.A. 87-110.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."