



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5975

Introduced 2/10/2010, by Rep. William D. Burns - Mark H. Beaubien, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act. Authorizes the conduct of electronic gaming by an organization licensee under the Illinois Horse Racing Act of 1975 at a race track. Provides for administration and enforcement of electronic gaming by the Illinois Gaming Board. Pre-empts home rule with regards to the regulation and licensing of electronic gaming and electronic gaming licensees. Makes other changes. Amends various other Acts to make conforming changes. Effective immediately.

LRB096 20076 AMC 35597 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by changing Sections 1.2, 3.11, 9, 15, 15.1, 18, 19, 20, 24,
6 26, 28, 30, 31, and 31.1 and by adding Sections 3.31, 3.32,
7 3.33, 3.34, 3.35, and 56 as follows:

8 (230 ILCS 5/1.2)

9 Sec. 1.2. Legislative intent. This Act is intended to
10 benefit the people of the State of Illinois by encouraging the
11 breeding and production of race horses, assisting economic
12 development and promoting Illinois tourism. The General
13 Assembly finds and declares it to be the public policy of the
14 State of Illinois to:

15 (a) support and enhance Illinois' horse racing industry,
16 which is a significant component within the agribusiness
17 industry;

18 (b) ensure that Illinois' horse racing industry remains
19 competitive with neighboring states;

20 (c) stimulate growth within Illinois' horse racing
21 industry, thereby encouraging new investment and development
22 to produce additional tax revenues and to create additional
23 jobs;

- 1 (d) promote the further growth of tourism;
- 2 (e) encourage the breeding of thoroughbred and
3 standardbred horses in this State; and
- 4 (f) ensure that public confidence and trust in the
5 credibility and integrity of racing operations and the
6 regulatory process is maintained.
- 7 (Source: P.A. 91-40, eff. 6-25-99.)

8 (230 ILCS 5/3.11) (from Ch. 8, par. 37-3.11)

9 Sec. 3.11. "Organization Licensee" means any person
10 receiving an organization license from the Board to conduct a
11 race meeting or meetings. With respect only to electronic
12 gaming, "organization licensee" includes the authorization for
13 an electronic gaming license under subsection (a) of Section 56
14 of this Act.

15 (Source: P.A. 79-1185.)

16 (230 ILCS 5/3.31 new)

17 Sec. 3.31. Gross gaming receipts. "Gross gaming receipts"
18 means the whole gross receipts less winnings paid to wagerers
19 and moneys paid to purse equity accounts.

20 (230 ILCS 5/3.32 new)

21 Sec. 3.32. Whole gaming receipts. "Whole gaming receipts"
22 means the total amount of money exchanged for the purchase of
23 chips, tokens, or electronic cards by riverboat patrons or

1 electronic gaming patrons.

2 (230 ILCS 5/3.33 new)

3 Sec. 3.33. Electronic gaming. "Electronic gaming" means
4 slot machine gambling, video game of chance gambling, or
5 gambling with electronic gambling games as defined in the
6 Riverboat Gambling Act that is conducted at a race track
7 pursuant to an electronic gaming license.

8 (230 ILCS 5/3.34 new)

9 Sec. 3.34. Electronic gaming license. "Electronic gaming
10 license" means a license to conduct electronic gaming issued
11 under Section 56 of this Act.

12 (230 ILCS 5/3.35 new)

13 Sec. 3.35. Electronic gaming facility. "Electronic gaming
14 facility" means that portion of an organization licensee's race
15 track facility at which electronic gaming is conducted.

16 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

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

20 (a) The Board is vested with jurisdiction and supervision
21 over all race meetings in this State, over all licensees doing
22 business in this State, over all occupation licensees, and over

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

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

1 Notwithstanding any provision of law to the contrary, it
2 shall be lawful for any licensee to operate pari-mutuel
3 wagering or contract with the Department of Agriculture to
4 operate pari-mutuel wagering at the DuQuoin State Fairgrounds
5 or for the Department to enter into contracts with a licensee,
6 employ its owners, employees or agents and employ such other
7 occupation licensees as the Department deems necessary in
8 connection with race meetings and wagerings.

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

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

23 (d) The Board, and any person or persons to whom it
24 delegates this power, is vested with the authority to
25 investigate alleged violations of the provisions of this Act,
26 its reasonable rules and regulations, orders and final

1 decisions; the Board shall take appropriate disciplinary
2 action against any licensee or occupation licensee for
3 violation thereof or institute appropriate legal action for the
4 enforcement thereof.

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

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

1 laboratories and related facilities and all such tests.

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

22 (h) The Board shall name and appoint in the manner provided
23 by the rules and regulations of the Board: an Executive
24 Director; a State director of mutuels; State veterinarians and
25 representatives to take saliva, blood, urine and other tests on
26 horses; licensing personnel; revenue inspectors; and State

1 seasonal employees (excluding admission ticket sellers and
2 mutuel clerks). All of those named and appointed as provided in
3 this subsection shall serve during the pleasure of the Board;
4 their compensation shall be determined by the Board and be paid
5 in the same manner as other employees of the Board under this
6 Act.

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

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

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

1 (1) The Board is vested with the power to impose civil
2 penalties of up to \$5,000 against an individual and up to
3 \$10,000 against a licensee for each violation of any provision
4 of this Act, any rules adopted by the Board, any order of the
5 Board or any other action which, in the Board's discretion, is
6 a detriment or impediment to horse racing or wagering. All such
7 civil penalties shall be deposited into the Horse Racing Fund.

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

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

1 their agents.

2 (o) Whenever the Board is authorized or required by law to
3 consider some aspect of criminal history record information for
4 the purpose of carrying out its statutory powers and
5 responsibilities, then, upon request and payment of fees in
6 conformance with the requirements of Section 2605-400 of the
7 Department of State Police Law (20 ILCS 2605/2605-400), the
8 Department of State Police is authorized to furnish, pursuant
9 to positive identification, such information contained in
10 State files as is necessary to fulfill the request.

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

17 (Source: P.A. 91-239, eff. 1-1-00.)

18 (230 ILCS 5/15) (from Ch. 8, par. 37-15)

19 Sec. 15. (a) The Board shall, in its discretion, issue
20 occupation licenses to horse owners, trainers, harness
21 drivers, jockeys, agents, apprentices, grooms, stable foremen,
22 exercise persons, veterinarians, valets, blacksmiths,
23 concessionaires and others designated by the Board whose work,
24 in whole or in part, is conducted upon facilities within the
25 State. Such occupation licenses will be obtained prior to the

1 persons engaging in their vocation upon such facilities. The
2 Board shall not license pari-mutuel clerks, parking
3 attendants, security guards and employees of concessionaires.
4 No occupation license shall be required of any person who works
5 at facilities within this State as a pari-mutuel clerk, parking
6 attendant, security guard or as an employee of a
7 concessionaire. Concessionaires of the Illinois State Fair and
8 DuQuoin State Fair and employees of the Illinois Department of
9 Agriculture shall not be required to obtain an occupation
10 license by the Board.

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

1 (c) The Board may in its discretion refuse an occupation
2 license to any person:

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

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

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

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

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

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

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

14 or

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

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

20 (4) for any other just cause.

21 (e) Each applicant shall submit his or her fingerprints
22 to the Department of State Police in the form and manner
23 prescribed by the Department of State Police. These
24 fingerprints shall be checked against the fingerprint records
25 now and hereafter filed in the Department of State Police and
26 Federal Bureau of Investigation criminal history records

1 databases. The Department of State Police shall charge a fee
2 for conducting the criminal history records check, which shall
3 be deposited in the State Police Services Fund and shall not
4 exceed the actual cost of the records check. The Department of
5 State Police shall furnish, pursuant to positive
6 identification, records of conviction to the Board. Each
7 applicant for licensure shall submit with his occupation
8 license application, on forms provided by the Board, 2 sets of
9 his fingerprints. All such applicants shall appear in person at
10 the location designated by the Board for the purpose of
11 submitting such sets of fingerprints; however, with the prior
12 approval of a State steward, an applicant may have such sets of
13 fingerprints taken by an official law enforcement agency and
14 submitted to the Board.

15 (f) The Board may, in its discretion, issue an occupation
16 license without submission of fingerprints ~~if an applicant has~~
17 ~~been duly licensed in another recognized racing jurisdiction~~
18 ~~after submitting fingerprints that were subjected to a Federal~~
19 ~~Bureau of Investigation criminal history background check in~~
20 ~~that jurisdiction.~~

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

22 (230 ILCS 5/15.1) (from Ch. 8, par. 37-15.1)

23 Sec. 15.1. Upon collection of the fee accompanying the
24 application for an occupation license, the Board shall be
25 authorized to make daily temporary deposits of the fees, for a

1 period not to exceed 7 days, with the horsemen's bookkeeper at
2 a race meeting. The horsemen's bookkeeper shall issue a check,
3 payable to the order of the Illinois Racing Board, for monies
4 deposited under this Section within 24 hours of receipt of the
5 monies. Provided however, upon the issuance of the check by the
6 horsemen's bookkeeper the check shall be deposited into the
7 Horse Racing Fund ~~in the State Treasury in accordance with the~~
8 ~~provisions of the "State Officers and Employees Money~~
9 ~~Disposition Act", approved June 9, 1911, as amended.~~

10 (Source: P.A. 84-432.)

11 (230 ILCS 5/18) (from Ch. 8, par. 37-18)

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

20 (b) In addition to the filing fee of \$1000 and the fees
21 provided in subsection (j) of Section 20, each organization
22 licensee shall pay a license fee of \$100 for each racing
23 program on which its daily pari-mutuel handle is \$400,000 or
24 more but less than \$700,000, and a license fee of \$200 for each
25 racing program on which its daily pari-mutuel handle is

1 \$700,000 or more. The additional fees required to be paid under
2 this Section by this amendatory Act of 1982 shall be remitted
3 by the organization licensee to the Illinois Racing Board with
4 each day's graduated privilege tax or pari-mutuel tax and
5 breakage as provided under Section 27.

6 (c) Sections 11-42-1, 11-42-5, and 11-54-1 of the "Illinois
7 Municipal Code," approved May 29, 1961, as now or hereafter
8 amended, shall not apply to any license under this Act.

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

10 (230 ILCS 5/19) (from Ch. 8, par. 37-19)

11 Sec. 19. (a) No organization license may be granted to
12 conduct a horse race meeting:

13 (1) except as provided in subsection (c) of Section 21
14 of this Act, to any person at any place within 35 miles of
15 any other place licensed by the Board to hold a race
16 meeting on the same date during the same hours, the mileage
17 measurement used in this subsection (a) shall be certified
18 to the Board by the Bureau of Systems and Services in the
19 Illinois Department of Transportation as the most commonly
20 used public way of vehicular travel;

21 (2) to any person in default in the payment of any
22 obligation or debt due the State under this Act, provided
23 no applicant shall be deemed in default in the payment of
24 any obligation or debt due to the State under this Act as
25 long as there is pending a hearing of any kind relevant to

1 such matter;

2 (3) to any person who has been convicted of the
3 violation of any law of the United States or any State law
4 which provided as all or part of its penalty imprisonment
5 in any penal institution; to any person against whom there
6 is pending a Federal or State criminal charge; to any
7 person who is or has been connected with or engaged in the
8 operation of any illegal business; to any person who does
9 not enjoy a general reputation in his community of being an
10 honest, upright, law-abiding person; provided that none of
11 the matters set forth in this subparagraph (3) shall make
12 any person ineligible to be granted an organization license
13 if the Board determines, based on circumstances of any such
14 case, that the granting of a license would not be
15 detrimental to the interests of horse racing and of the
16 public;

17 (4) to any person who does not at the time of
18 application for the organization license own or have a
19 contract or lease for the possession of a finished race
20 track suitable for the type of racing intended to be held
21 by the applicant and for the accommodation of the public.

22 (b) (Blank) ~~Horse racing on Sunday shall be prohibited~~
23 ~~unless authorized by ordinance or referendum of the~~
24 ~~municipality in which a race track or any of its appurtenances~~
25 ~~or facilities are located, or utilized.~~

26 (c) If any person is ineligible to receive an organization

1 license because of any of the matters set forth in subsection
2 (a) (2) or subsection (a) (3) of this Section, any other or
3 separate person that either (i) controls, directly or
4 indirectly, such ineligible person or (ii) is controlled,
5 directly or indirectly, by such ineligible person or by a
6 person which controls, directly or indirectly, such ineligible
7 person shall also be ineligible.

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

9 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

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

14 (1) the dates on which it intends to conduct the horse
15 race meeting, which dates shall be provided under Section
16 21;

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

19 (3) the location where it proposes to conduct the
20 meeting; and

21 (4) any other information the Board may reasonably
22 require.

23 (b) A separate application for an organization license
24 shall be filed for each horse race meeting which such person
25 proposes to hold. Any such application, if made by an

1 individual, or by any individual as trustee, shall be signed
2 and verified under oath by such individual. If made by
3 individuals or a partnership, it shall be signed and verified
4 under oath by at least 2 of such individuals or members of such
5 partnership as the case may be. If made by an association,
6 corporation, corporate trustee or any other entity, it shall be
7 signed by the president and attested by the secretary or
8 assistant secretary under the seal of such association, trust
9 or corporation if it has a seal, and shall also be verified
10 under oath by one of the signing officers.

11 (c) The application shall specify the name of the persons,
12 association, trust, or corporation making such application and
13 the post office address of the applicant; if the applicant is a
14 trustee, the names and addresses of the beneficiaries; if a
15 corporation, the names and post office addresses of all
16 officers, stockholders and directors; or if such stockholders
17 hold stock as a nominee or fiduciary, the names and post office
18 addresses of these persons, partnerships, corporations, or
19 trusts who are the beneficial owners thereof or who are
20 beneficially interested therein; and if a partnership, the
21 names and post office addresses of all partners, general or
22 limited; if the applicant is a corporation, the name of the
23 state of its incorporation shall be specified.

24 (d) The applicant shall execute and file with the Board a
25 good faith affirmative action plan to recruit, train, and
26 upgrade minorities in all classifications within the

1 association.

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

20 (e-2) In awarding racing dates for calendar year 2011 and
21 thereafter, the Board shall award racing dates to provide at
22 least 2,425 thoroughbred races and 3,238 standardbred races
23 each year. In awarding racing dates under this subsection
24 (e-2), the Board shall have the discretion to allocate those
25 racing dates among organization licensees.

26 (e-3) The Board may waive the requirements of subsection

1 (e-1) only if a lesser schedule of live racing is appropriate
2 because of (A) weather or unsafe track conditions due to acts
3 of God; (B) an agreement between the organization licensee and
4 the associations representing the largest number of owners,
5 trainers, jockeys, or standardbred drivers who race horses at
6 that organization licensee's racing meeting; or (C) a finding
7 by the Board of extraordinary circumstances and that it was in
8 the best interest of the public and the sport to conduct fewer
9 days of live racing.

10 (e-5) In reviewing an application for the purpose of
11 granting an organization license consistent with the best
12 interests of the public and the sport of horse racing, the
13 Board shall consider:

14 (1) the character, reputation, experience, and
15 financial integrity of the applicant and of any other
16 separate person that either:

17 (i) controls the applicant, directly or
18 indirectly, or

19 (ii) is controlled, directly or indirectly, by
20 that applicant or by a person who controls, directly or
21 indirectly, that applicant;

22 (2) the applicant's facilities or proposed facilities
23 for conducting horse racing;

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

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

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

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

9 (7) an agreement, if any, among organization licensees
10 as provided in subsection (b) of Section 21 of this Act;
11 and

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

15 In granting organization licenses and allocating dates for
16 horse race meetings, the Board shall have discretion to
17 determine an overall schedule, including required simulcasts
18 of Illinois races by host tracks that will, in its judgment, be
19 conducive to the best interests of the public and the sport of
20 horse racing.

21 (e-10) The Illinois Administrative Procedure Act shall
22 apply to administrative procedures of the Board under this Act
23 for the granting of an organization license, except that (1)
24 notwithstanding the provisions of subsection (b) of Section
25 10-40 of the Illinois Administrative Procedure Act regarding
26 cross-examination, the Board may prescribe rules limiting the

1 right of an applicant or participant in any proceeding to award
2 an organization license to conduct cross-examination of
3 witnesses at that proceeding where that cross-examination
4 would unduly obstruct the timely award of an organization
5 license under subsection (e) of Section 20 of this Act; (2) the
6 provisions of Section 10-45 of the Illinois Administrative
7 Procedure Act regarding proposals for decision are excluded
8 under this Act; (3) notwithstanding the provisions of
9 subsection (a) of Section 10-60 of the Illinois Administrative
10 Procedure Act regarding ex parte communications, the Board may
11 prescribe rules allowing ex parte communications with
12 applicants or participants in a proceeding to award an
13 organization license where conducting those communications
14 would be in the best interest of racing, provided all those
15 communications are made part of the record of that proceeding
16 pursuant to subsection (c) of Section 10-60 of the Illinois
17 Administrative Procedure Act; (4) the provisions of Section 14a
18 of this Act and the rules of the Board promulgated under that
19 Section shall apply instead of the provisions of Article 10 of
20 the Illinois Administrative Procedure Act regarding
21 administrative law judges; and (5) the provisions of subsection
22 (d) of Section 10-65 of the Illinois Administrative Procedure
23 Act that prevent summary suspension of a license pending
24 revocation or other action shall not apply.

25 (f) The Board may allot racing dates to an organization
26 licensee for more than one calendar year but for no more than 3

1 successive calendar years in advance, provided that the Board
2 shall review such allotment for more than one calendar year
3 prior to each year for which such allotment has been made. The
4 granting of an organization license to a person constitutes a
5 privilege to conduct a horse race meeting under the provisions
6 of this Act, and no person granted an organization license
7 shall be deemed to have a vested interest, property right, or
8 future expectation to receive an organization license in any
9 subsequent year as a result of the granting of an organization
10 license. Organization licenses shall be subject to revocation
11 if the organization licensee has violated any provision of this
12 Act or the rules and regulations promulgated under this Act or
13 has been convicted of a crime or has failed to disclose or has
14 stated falsely any information called for in the application
15 for an organization license. Any organization license
16 revocation proceeding shall be in accordance with Section 16
17 regarding suspension and revocation of occupation licenses.

18 (f-5) If, (i) an applicant does not file an acceptance of
19 the racing dates awarded by the Board as required under part
20 (1) of subsection (h) of this Section 20, or (ii) an
21 organization licensee has its license suspended or revoked
22 under this Act, the Board, upon conducting an emergency hearing
23 as provided for in this Act, may reaward on an emergency basis
24 pursuant to rules established by the Board, racing dates not
25 accepted or the racing dates associated with any suspension or
26 revocation period to one or more organization licensees, new

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

12 (g) (Blank).

13 (h) The Board shall send the applicant a copy of its
14 formally executed order by certified mail addressed to the
15 applicant at the address stated in his application, which
16 notice shall be mailed within 5 days of the date the formal
17 order is executed.

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

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

22 (2) pay to the Board an additional amount equal to \$110
23 for each racing date awarded; and

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

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

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

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

8 (230 ILCS 5/24) (from Ch. 8, par. 37-24)

9 Sec. 24. (a) No license shall be issued to or held by an
10 organization licensee unless all of its officers, directors,
11 and holders of ownership interests of at least 5% are first
12 approved by the Board. The Board shall not give approval of an
13 organization license application to any person who has been
14 convicted of or is under an indictment for a crime of moral
15 turpitude or has violated any provision of the racing law of
16 this State or any rules of the Board.

17 (b) An organization licensee must notify the Board within
18 10 days of any change in the holders of a direct or indirect
19 interest in the ownership of the organization licensee. The
20 Board may, after hearing, revoke the organization license of
21 any person who registers on its books or knowingly permits a
22 direct or indirect interest in the ownership of that person
23 without notifying the Board of the name of the holder in
24 interest within this period.

25 (c) In addition to the provisions of subsection (a) of this

1 Section, no person shall be granted an organization license if
2 any public official of the State or member of his or her family
3 holds any ownership or financial interest, directly or
4 indirectly, in the person.

5 (d) No person which has been granted an organization
6 license to hold a race meeting shall give to any public
7 official or member of his family, directly or indirectly, for
8 or without consideration, any interest in the person. The Board
9 shall, after hearing, revoke the organization license granted
10 to a person which has violated this subsection.

11 (e) (Blank).

12 (f) No organization licensee or concessionaire or officer,
13 director or holder or controller of 5% or more legal or
14 beneficial interest in any organization licensee or concession
15 shall make any sort of gift or contribution that is prohibited
16 under Article 10 of the State Officials and Employees Ethics
17 Act ~~of any kind~~ or pay or give any money or other thing of value
18 to any person who is a public official, or a candidate or
19 nominee for public office if that payment or gift is prohibited
20 under Article 10 of the State Officials and Employees Ethics
21 Act.

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

23 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

24 Sec. 26. Wagering.

25 (a) Any licensee may conduct and supervise the pari-mutuel

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

14 (b) Except for those gaming activities authorized under the
15 Illinois Lottery Act, Charitable Games Act, and Raffles Act,
16 the Riverboat Gambling Act, or Video Gaming Act, no ~~No~~ other
17 method of betting, pool making, wagering or gambling shall be
18 used or permitted by the licensee. Each licensee may retain,
19 subject to the payment of all applicable taxes and purses, an
20 amount not to exceed 17% of all money wagered under subsection
21 (a) of this Section, except as may otherwise be permitted under
22 this Act.

23 (b-5) An individual may place a wager under the pari-mutuel
24 system from any licensed location authorized under this Act
25 provided that wager is electronically recorded in the manner
26 described in Section 3.12 of this Act. Any wager made

1 electronically by an individual while physically on the
2 premises of a licensee shall be deemed to have been made at the
3 premises of that licensee.

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

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

24 (d) A pari-mutuel ticket shall be honored until December 31
25 of the next calendar year, and the licensee shall pay the same
26 and may charge the amount thereof against unpaid money

1 similarly accumulated on account of pari-mutuel tickets not
2 presented for payment.

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

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

1 pool with the organization licensee, the tax shall be 10% of
2 all monies received by the organization licensee with 25% of
3 the receipts from this 10% tax to be distributed to the county
4 in which the race was conducted.

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

13 (g) A host track may accept interstate simulcast wagers on
14 horse races conducted in other states or countries and shall
15 control the number of signals and types of breeds of racing in
16 its simulcast program, subject to the disapproval of the Board.
17 The Board may prohibit a simulcast program only if it finds
18 that the simulcast program is clearly adverse to the integrity
19 of racing. The host track simulcast program shall include the
20 signal of live racing of all organization licensees. All
21 non-host licensees and advance deposit wagering licensees
22 shall carry the signal of and accept wagers on live racing of
23 all organization licensees. Advance deposit wagering licensees
24 shall not be permitted to accept out-of-state wagers on any
25 Illinois signal provided pursuant to this Section without the
26 approval and consent of the organization licensee providing the

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

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

20 Notwithstanding any other provision of this Act, for a
21 period of 3 years after the effective date of this amendatory
22 Act of the 96th General Assembly, an organization licensee may
23 maintain a system whereby advance deposit wagering may take
24 place or an organization licensee, with the consent of the
25 horsemen association representing the largest number of
26 owners, trainers, jockeys, or standardbred drivers who race

1 horses at that organization licensee's racing meeting, may
2 contract with another person to carry out a system of advance
3 deposit wagering. Such consent may not be unreasonably
4 withheld. All advance deposit wagers placed from within
5 Illinois must be placed through a Board-approved advance
6 deposit wagering licensee; no other entity may accept an
7 advance deposit wager from a person within Illinois. All
8 advance deposit wagering is subject to any rules adopted by the
9 Board. The Board may adopt rules necessary to regulate advance
10 deposit wagering through the use of emergency rulemaking in
11 accordance with Section 5-45 of the Illinois Administrative
12 Procedure Act. The General Assembly finds that the adoption of
13 rules to regulate advance deposit wagering is deemed an
14 emergency and necessary for the public interest, safety, and
15 welfare. An advance deposit wagering licensee may retain all
16 moneys as agreed to by contract with an organization licensee.
17 Any moneys retained by the organization licensee from advance
18 deposit wagering, not including moneys retained by the advance
19 deposit wagering licensee, shall be paid 50% to the
20 organization licensee's purse account and 50% to the
21 organization licensee. If more than one breed races at the same
22 race track facility, then the 50% of the moneys to be paid to
23 an organization licensee's purse account shall be allocated
24 among all organization licensees' purse accounts operating at
25 that race track facility proportionately based on the actual
26 number of host days that the Board grants to that breed at that

1 race track facility in the current calendar year. To the extent
2 any fees from advance deposit wagering conducted in Illinois
3 for wagers in Illinois or other states have been placed in
4 escrow or otherwise withheld from wagers pending a
5 determination of the legality of advance deposit wagering, no
6 action shall be brought to declare such wagers or the
7 disbursement of any fees previously escrowed illegal.

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

25 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
26 intertrack wagering licensee other than the host track may

1 receive supplemental interstate simulcasts only with the
2 consent of the host track, except when the Board finds that
3 the simulcast is clearly adverse to the integrity of
4 racing. Consent granted under this paragraph (2) to any
5 intertrack wagering licensee shall be deemed consent to all
6 non-host licensees. The interstate commission fee for the
7 supplemental interstate simulcast shall be paid by all
8 participating non-host licensees.

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

25 (4) A licensee who receives an interstate simulcast may
26 combine its gross or net pools with pools at the sending

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

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

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

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

1 non-host licensee, and 50% to the purses at the host
2 track.

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

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

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

25 (B) Between January 1 and the third Friday in
26 February, inclusive, if no live thoroughbred racing is

1 occurring in Illinois during this period, and the
2 interstate simulcast is a thoroughbred race, the purse
3 share to its interstate simulcast purse pool to be
4 distributed under paragraph (10) of this subsection
5 (g);

6 (C) Between January 1 and the third Friday in
7 February, inclusive, if live thoroughbred racing is
8 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
9 the purse share from wagers made during this time
10 period to its thoroughbred purse account and between
11 6:30 p.m. and 6:30 a.m. the purse share from wagers
12 made during this time period to its standardbred purse
13 accounts;

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

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

22 (7.1) Notwithstanding any other provision of this Act
23 to the contrary, if no standardbred racing is conducted at
24 a racetrack located in Madison County during any calendar
25 year beginning on or after January 1, 2002, all moneys
26 derived by that racetrack from simulcast wagering and

1 inter-track wagering that (1) are to be used for purses and
2 (2) are generated between the hours of 6:30 p.m. and 6:30
3 a.m. during that calendar year shall be paid as follows:

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

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

24 (7.2) Notwithstanding any other provision of this Act
25 to the contrary, if no thoroughbred racing is conducted at
26 a racetrack located in Madison County during any calendar

1 year beginning on or after January 1, 2002, all moneys
2 derived by that racetrack from simulcast wagering and
3 inter-track wagering that (1) are to be used for purses and
4 (2) are generated between the hours of 6:30 a.m. and 6:30
5 p.m. during that calendar year shall be deposited as
6 follows:

7 (A) If the licensee that conducts horse racing at
8 that racetrack requests from the Board at least as many
9 racing dates as were conducted in calendar year 2000,
10 80% shall be deposited into its standardbred purse
11 account; and

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

1 paid to thoroughbred purses under this Act, and shall
2 not be commingled with other moneys deposited into that
3 Fund.

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

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

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

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

21 Moneys paid into the Illinois Colt Stakes Purse
22 Distribution Fund pursuant to this paragraph (7.3) shall be
23 paid to purses for standardbred races for Illinois
24 conceived and foaled horses conducted at any county
25 fairgrounds. Moneys paid into the Illinois Colt Stakes
26 Purse Distribution Fund pursuant to this paragraph (7.3)

1 shall be used as determined by the Department of
2 Agriculture, with the advice and assistance of the Illinois
3 Standardbred Breeders Fund Advisory Board, shall be in
4 addition to and not in lieu of any other moneys paid to
5 standardbred purses under this Act, and shall not be
6 commingled with any other moneys paid into that Fund.

7 (7.4) If live standardbred racing is conducted at a
8 racetrack located in Madison County at any time in calendar
9 year 2001 before the payment required under paragraph (7.3)
10 has been made, the organization licensee who is licensed to
11 conduct racing at that racetrack shall pay all moneys
12 derived by that racetrack from simulcast wagering and
13 inter-track wagering during calendar years 2000 and 2001
14 that (1) are to be used for purses and (2) are generated
15 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
16 2001 to the standardbred purse account at that racetrack to
17 be used for standardbred purses.

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

25 (8.1) Notwithstanding any provisions in this Act to the
26 contrary, if 2 organization licensees are conducting

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

14 (9) (Blank).

15 (10) (Blank).

16 (11) (Blank).

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

22 (13) Notwithstanding any other provision of this Act,
23 in the event that the total Illinois pari-mutuel handle on
24 Illinois horse races at all wagering facilities in any
25 calendar year is less than 75% of the total Illinois
26 pari-mutuel handle on Illinois horse races at all such

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

1 affiliated with a race track that maintains purse accounts
2 for both standardbred and thoroughbred racing, the amount
3 to be paid to the wagering facility shall be divided
4 between each purse account pro rata, based on the amount of
5 Illinois handle on Illinois standardbred and thoroughbred
6 racing respectively at the wagering facility during the
7 previous calendar year. Annually, the General Assembly
8 shall appropriate sufficient funds from the General
9 Revenue Fund to the Department of Agriculture for payment
10 into the thoroughbred and standardbred horse racing purse
11 accounts at Illinois pari-mutuel tracks. The amount paid to
12 each purse account shall be the amount certified by the
13 Illinois Racing Board in January to be transferred from
14 each account to each eligible racing facility in accordance
15 with the provisions of this Section. For the calendar year
16 in which an organization licensee that is eligible to
17 receive a payment under this paragraph (13) begins
18 conducting electronic gaming pursuant to an electronic
19 gaming license, the wagering facilities permitted to
20 receive amounts from the purse accounts under this
21 paragraph (13) shall receive 75% of the amount certified,
22 one year after an organization licensee first conducts
23 electronic wagering, the wagering facilities shall receive
24 50% of the amount certified, and 2 years after an
25 organization licensee first conducts electronic wagering,
26 the wagering facilities shall receive 25% of the amount

1 certified. Beginning 3 years after an organization
2 licensee first conducts electronic wagering, the wagering
3 facilities shall not receive any moneys from the purse
4 accounts under this paragraph (13).

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

9 (1) Any person licensed to conduct a race meeting (i)
10 at a track where 60 or more days of racing were conducted
11 during the immediately preceding calendar year or where
12 over the 5 immediately preceding calendar years an average
13 of 30 or more days of racing were conducted annually may be
14 issued an inter-track wagering license; (ii) at a track
15 located in a county that is bounded by the Mississippi
16 River, which has a population of less than 150,000
17 according to the 1990 decennial census, and an average of
18 at least 60 days of racing per year between 1985 and 1993
19 may be issued an inter-track wagering license; or (iii) at
20 a track located in Madison County that conducted at least
21 100 days of live racing during the immediately preceding
22 calendar year may be issued an inter-track wagering
23 license, unless a lesser schedule of live racing is the
24 result of (A) weather, unsafe track conditions, or other
25 acts of God; (B) an agreement between the organization
26 licensee and the associations representing the largest

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

23 (2) The Board shall examine the applications with
24 respect to their conformity with this Act and the rules and
25 regulations imposed by the Board. If found to be in
26 compliance with the Act and rules and regulations of the

1 Board, the Board may then issue a license to conduct
2 inter-track wagering and simulcast wagering to such
3 applicant. All such applications shall be acted upon by the
4 Board at a meeting to be held on such date as may be fixed
5 by the Board.

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

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

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

26 (6) All wagering under such license is subject to this

1 Act and to the rules and regulations from time to time
2 prescribed by the Board, and every such license issued by
3 the Board shall contain a recital to that effect.

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

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

11 (8.1) Inter-track wagering location licensees who
12 derive their licenses from a particular organization
13 licensee shall conduct inter-track wagering and simulcast
14 wagering only at locations which are either within 90 miles
15 of that race track where the particular organization
16 licensee is licensed to conduct racing, or within 135 miles
17 of that race track where the particular organization
18 licensee is licensed to conduct racing in the case of race
19 tracks in counties of less than 400,000 that were operating
20 on or before June 1, 1986. However, inter-track wagering
21 and simulcast wagering shall not be conducted by those
22 licensees at any location within 5 miles of any race track
23 at which a horse race meeting has been licensed in the
24 current year, unless the person having operating control of
25 such race track has given its written consent to such
26 inter-track wagering location licensees, which consent

1 must be filed with the Board at or prior to the time
2 application is made.

3 (8.2) Inter-track wagering or simulcast wagering shall
4 not be conducted by an inter-track wagering location
5 licensee at any location within 500 feet of an existing
6 church or existing elementary or secondary public or
7 private school recognized by the State Board of Education
8 ~~school~~, nor within 500 feet of the residences of more than
9 50 registered voters without receiving written permission
10 from a majority of the registered voters at such
11 residences. Such written permission statements shall be
12 filed with the Board. The distance of 500 feet shall be
13 measured to the nearest part of any building used for
14 worship services, education programs, residential
15 purposes, or conducting inter-track wagering by an
16 inter-track wagering location licensee, and not to
17 property boundaries. However, inter-track wagering or
18 simulcast wagering may be conducted at a site within 500
19 feet of a church, school or residences of 50 or more
20 registered voters if such church, school or residences have
21 been erected or established, or such voters have been
22 registered, after the Board issues the original
23 inter-track wagering location license at the site in
24 question. Inter-track wagering location licensees may
25 conduct inter-track wagering and simulcast wagering only
26 in areas that are zoned for commercial or manufacturing

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

13 (9) (Blank).

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

24 (10.1) Except as provided in subsection (g) of Section
25 27 of this Act, inter-track wagering location licensees
26 shall pay 1% of the pari-mutuel handle at each location to

1 the municipality in which such location is situated and 1%
2 of the pari-mutuel handle at each location to the county in
3 which such location is situated. In the event that an
4 inter-track wagering location licensee is situated in an
5 unincorporated area of a county, such licensee shall pay 2%
6 of the pari-mutuel handle from such location to such
7 county.

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

24 (A) That portion of all moneys wagered on
25 standardbred racing that is required under this Act to
26 be paid to purses shall be paid to purses for

1 standardbred races.

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

6 (11) (A) After payment of the privilege or pari-mutuel
7 tax, any other applicable taxes, and the costs and expenses
8 in connection with the gathering, transmission, and
9 dissemination of all data necessary to the conduct of
10 inter-track wagering, the remainder of the monies retained
11 under either Section 26 or Section 26.2 of this Act by the
12 inter-track wagering licensee on inter-track wagering
13 shall be allocated with 50% to be split between the 2
14 participating licensees and 50% to purses, except that an
15 intertrack wagering licensee that derives its license from
16 a track located in a county with a population in excess of
17 230,000 and that borders the Mississippi River shall not
18 divide any remaining retention with the Illinois
19 organization licensee that provides the race or races, and
20 an intertrack wagering licensee that accepts wagers on
21 races conducted by an organization licensee that conducts a
22 race meet in a county with a population in excess of
23 230,000 and that borders the Mississippi River shall not
24 divide any remaining retention with that organization
25 licensee.

26 (B) From the sums permitted to be retained pursuant to

1 this Act each inter-track wagering location licensee shall
2 pay (i) the privilege or pari-mutuel tax to the State; (ii)
3 4.75% of the pari-mutuel handle on intertrack wagering at
4 such location on races as purses, except that an intertrack
5 wagering location licensee that derives its license from a
6 track located in a county with a population in excess of
7 230,000 and that borders the Mississippi River shall retain
8 all purse moneys for its own purse account consistent with
9 distribution set forth in this subsection (h), and
10 intertrack wagering location licensees that accept wagers
11 on races conducted by an organization licensee located in a
12 county with a population in excess of 230,000 and that
13 borders the Mississippi River shall distribute all purse
14 moneys to purses at the operating host track; (iii) until
15 January 1, 2000, except as provided in subsection (g) of
16 Section 27 of this Act, 1% of the pari-mutuel handle
17 wagered on inter-track wagering and simulcast wagering at
18 each inter-track wagering location licensee facility to
19 the Horse Racing Tax Allocation Fund, provided that, to the
20 extent the total amount collected and distributed to the
21 Horse Racing Tax Allocation Fund under this subsection (h)
22 during any calendar year exceeds the amount collected and
23 distributed to the Horse Racing Tax Allocation Fund during
24 calendar year 1994, that excess amount shall be
25 redistributed (I) to all inter-track wagering location
26 licensees, based on each licensee's pro-rata share of the

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

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

1 12 months, 5.75%; during the fourth 12 months, 6.25%; and
2 during the fifth 12 months and thereafter, 6.75%. The
3 following amounts shall be retained by the licensee to
4 satisfy all costs and expenses of conducting its wagering:
5 during the first 12 months the licensee is in operation,
6 8.25% of the pari-mutuel handle wagered at the location;
7 during the second 12 months, 8.25%; during the third 12
8 months, 7.75%; during the fourth 12 months, 7.25%; and
9 during the fifth 12 months and thereafter, 6.75%. For
10 additional intertrack wagering location licensees
11 authorized under this amendatory Act of 1995, purses for
12 the first 12 months the licensee is in operation shall be
13 5.75% of the pari-mutuel wagered at the location, purses
14 for the second 12 months the licensee is in operation shall
15 be 6.25%, and purses thereafter shall be 6.75%. For
16 additional intertrack location licensees authorized under
17 this amendatory Act of 1995, the licensee shall be allowed
18 to retain to satisfy all costs and expenses: 7.75% of the
19 pari-mutuel handle wagered at the location during its first
20 12 months of operation, 7.25% during its second 12 months
21 of operation, and 6.75% thereafter.

22 (C) There is hereby created the Horse Racing Tax
23 Allocation Fund which shall remain in existence until
24 December 31, 1999. Moneys remaining in the Fund after
25 December 31, 1999 shall be paid into the General Revenue
26 Fund. Until January 1, 2000, all monies paid into the Horse

1 Racing Tax Allocation Fund pursuant to this paragraph (11)
2 by inter-track wagering location licensees located in park
3 districts of 500,000 population or less, or in a
4 municipality that is not included within any park district
5 but is included within a conservation district and is the
6 county seat of a county that (i) is contiguous to the state
7 of Indiana and (ii) has a 1990 population of 88,257
8 according to the United States Bureau of the Census, and
9 operating on May 1, 1994 shall be allocated by
10 appropriation as follows:

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

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

22 Four-sevenths to park districts or municipalities
23 that do not have a park district of 500,000 population
24 or less for museum purposes (if an inter-track wagering
25 location licensee is located in such a park district)
26 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

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

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

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

23 Two-sevenths to the Department of Agriculture.
24 Fifty percent of this two-sevenths shall be used to
25 promote the Illinois horse racing and breeding
26 industry, and shall be distributed by the Department of

1 Agriculture upon the advice of a 9-member committee
2 appointed by the Governor consisting of the following
3 members: the Director of Agriculture, who shall serve
4 as chairman; 2 representatives of organization
5 licensees conducting thoroughbred race meetings in
6 this State, recommended by those licensees; 2
7 representatives of organization licensees conducting
8 standardbred race meetings in this State, recommended
9 by those licensees; a representative of the Illinois
10 Thoroughbred Breeders and Owners Foundation,
11 recommended by that Foundation; a representative of
12 the Illinois Standardbred Owners and Breeders
13 Association, recommended by that Association; a
14 representative of the Horsemen's Benevolent and
15 Protective Association or any successor organization
16 thereto established in Illinois comprised of the
17 largest number of owners and trainers, recommended by
18 that Association or that successor organization; and a
19 representative of the Illinois Harness Horsemen's
20 Association, recommended by that Association.
21 Committee members shall serve for terms of 2 years,
22 commencing January 1 of each even-numbered year. If a
23 representative of any of the above-named entities has
24 not been recommended by January 1 of any even-numbered
25 year, the Governor shall appoint a committee member to
26 fill that position. Committee members shall receive no

1 compensation for their services as members but shall be
2 reimbursed for all actual and necessary expenses and
3 disbursements incurred in the performance of their
4 official duties. The remaining 50% of this
5 two-sevenths shall be distributed to county fairs for
6 premiums and rehabilitation as set forth in the
7 Agricultural Fair Act;

8 Four-sevenths to museums and aquariums located in
9 park districts of over 500,000 population; provided
10 that the monies are distributed in accordance with the
11 previous year's distribution of the maintenance tax
12 for such museums and aquariums as provided in Section 2
13 of the Park District Aquarium and Museum Act; and

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

23 (D) Except as provided in paragraph (11) of this
24 subsection (h), with respect to purse allocation from
25 intertrack wagering, the monies so retained shall be
26 divided as follows:

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

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

21 (iii) If the inter-track wagering is being
22 conducted by an inter-track wagering location
23 licensee, except an intertrack wagering location
24 licensee that derives its license from an
25 organization licensee located in a county with a
26 population in excess of 230,000 and bounded by the

1 Mississippi River, the entire purse allocation for
2 Illinois races shall be to purses at the track
3 where the race meeting being wagered on is being
4 held.

5 (12) The Board shall have all powers necessary and
6 proper to fully supervise and control the conduct of
7 inter-track wagering and simulcast wagering by inter-track
8 wagering licensees and inter-track wagering location
9 licensees, including, but not limited to the following:

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

19 (B) The Board, and any person or persons to whom it
20 delegates this power, is vested with the power to enter
21 the facilities of any licensee to determine whether
22 there has been compliance with the provisions of this
23 Act and the rules and regulations relating to the
24 conduct of such wagering.

25 (C) The Board, and any person or persons to whom it
26 delegates this power, may eject or exclude from any

1 licensee's facilities, any person whose conduct or
2 reputation is such that his presence on such premises
3 may, in the opinion of the Board, call into the
4 question the honesty and integrity of, or interfere
5 with the orderly conduct of such wagering; provided,
6 however, that no person shall be excluded or ejected
7 from such premises solely on the grounds of race,
8 color, creed, national origin, ancestry, or sex.

9 (D) (Blank).

10 (E) The Board is vested with the power to appoint
11 delegates to execute any of the powers granted to it
12 under this Section for the purpose of administering
13 this wagering and any rules and regulations
14 promulgated in accordance with this Act.

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

23 (G) The Board is vested with the power to impose
24 civil penalties of up to \$5,000 against individuals and
25 up to \$10,000 against licensees for each violation of
26 any provision of this Act relating to the conduct of

1 this wagering, any rules adopted by the Board, any
2 order of the Board or any other action which in the
3 Board's discretion, is a detriment or impediment to
4 such wagering.

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

1 Illinois State Fair in Sangamon County or the DuQuoin State
2 Fair in Perry County, or to any wagering conducted on those
3 race meetings.

4 (i) Notwithstanding the other provisions of this Act, the
5 conduct of wagering at wagering facilities is authorized on all
6 days, except as limited by subsection (b) of Section 19 of this
7 Act.

8 (Source: P.A. 96-762, eff. 8-25-09.)

9 (230 ILCS 5/28) (from Ch. 8, par. 37-28)

10 Sec. 28. Except as provided in subsection (g) of Section 27
11 of this Act, moneys collected shall be distributed according to
12 the provisions of this Section 28.

13 (a) Thirty per cent of the total of all monies received by
14 the State as privilege taxes shall be paid into the
15 Metropolitan Exposition Auditorium and Office Building Fund in
16 the State Treasury.

17 (b) In addition, 4.5% of the total of all monies received
18 by the State as privilege taxes shall be paid into the State
19 treasury into a special Fund to be known as the Metropolitan
20 Exposition, Auditorium, and Office Building Fund.

21 (c) Fifty per cent of the total of all monies received by
22 the State as privilege taxes under the provisions of this Act
23 shall be paid into the Agricultural Premium Fund.

24 (d) Seven per cent of the total of all monies received by
25 the State as privilege taxes shall be paid into the Fair and

1 Exposition Fund in the State treasury; provided, however, that
2 when all bonds issued prior to July 1, 1984 by the Metropolitan
3 Fair and Exposition Authority shall have been paid or payment
4 shall have been provided for upon a refunding of those bonds,
5 thereafter 1/12 of \$1,665,662 of such monies shall be paid each
6 month into the Build Illinois Fund, and the remainder into the
7 Fair and Exposition Fund. All excess monies shall be allocated
8 to the Department of Agriculture for distribution to county
9 fairs for premiums and rehabilitation as set forth in the
10 Agricultural Fair Act.

11 (e) The monies provided for in Section 30 shall be paid
12 into the Illinois Thoroughbred Breeders Fund.

13 (f) The monies provided for in Section 31 shall be paid
14 into the Illinois Standardbred Breeders Fund.

15 (g) Until January 1, 2000, that part representing 1/2 of
16 the total breakage in Thoroughbred, Harness, Appaloosa,
17 Arabian, and Quarter Horse racing in the State shall be paid
18 into the Illinois Race Track Improvement Fund as established in
19 Section 32.

20 (h) All other monies received by the Board under this Act
21 shall be paid into the Horse Racing Fund ~~General Revenue Fund~~
22 ~~of the State.~~

23 (i) The salaries of the Board members, secretary, stewards,
24 directors of mutuels, veterinarians, representatives,
25 accountants, clerks, stenographers, inspectors and other
26 employees of the Board, and all expenses of the Board incident

1 to the administration of this Act, including, but not limited
2 to, all expenses and salaries incident to the taking of saliva
3 and urine samples in accordance with the rules and regulations
4 of the Board shall be paid out of the Agricultural Premium
5 Fund.

6 (j) The Agricultural Premium Fund shall also be used:

7 (1) for the expenses of operating the Illinois State
8 Fair and the DuQuoin State Fair, including the payment of
9 prize money or premiums;

10 (2) for the distribution to county fairs, vocational
11 agriculture section fairs, agricultural societies, and
12 agricultural extension clubs in accordance with the
13 Agricultural Fair Act, as amended;

14 (3) for payment of prize monies and premiums awarded
15 and for expenses incurred in connection with the
16 International Livestock Exposition and the Mid-Continent
17 Livestock Exposition held in Illinois, which premiums, and
18 awards must be approved, and paid by the Illinois
19 Department of Agriculture;

20 (4) for personal service of county agricultural
21 advisors and county home advisors;

22 (5) for distribution to agricultural home economic
23 extension councils in accordance with "An Act in relation
24 to additional support and finance for the Agricultural and
25 Home Economic Extension Councils in the several counties in
26 this State and making an appropriation therefor", approved

1 July 24, 1967, as amended;

2 (6) for research on equine disease, including a
3 development center therefor;

4 (7) for training scholarships for study on equine
5 diseases to students at the University of Illinois College
6 of Veterinary Medicine;

7 (8) for the rehabilitation, repair and maintenance of
8 the Illinois and DuQuoin State Fair Grounds and the
9 structures and facilities thereon and the construction of
10 permanent improvements on such Fair Grounds, including
11 such structures, facilities and property located on such
12 State Fair Grounds which are under the custody and control
13 of the Department of Agriculture;

14 (9) for the expenses of the Department of Agriculture
15 under Section 5-530 of the Departments of State Government
16 Law (20 ILCS 5/5-530);

17 (10) for the expenses of the Department of Commerce and
18 Economic Opportunity under Sections 605-620, 605-625, and
19 605-630 of the Department of Commerce and Economic
20 Opportunity Law (20 ILCS 605/605-620, 605/605-625, and
21 605/605-630);

22 (11) for remodeling, expanding, and reconstructing
23 facilities destroyed by fire of any Fair and Exposition
24 Authority in counties with a population of 1,000,000 or
25 more inhabitants;

26 (12) for the purpose of assisting in the care and

1 general rehabilitation of disabled veterans of any war and
2 their surviving spouses and orphans;

3 (13) for expenses of the Department of State Police for
4 duties performed under this Act;

5 (14) for the Department of Agriculture for soil surveys
6 and soil and water conservation purposes;

7 (15) for the Department of Agriculture for grants to
8 the City of Chicago for conducting the Chicagofest;

9 (16) for the State Comptroller for grants and operating
10 expenses authorized by the Illinois Global Partnership
11 Act.

12 (k) To the extent that monies paid by the Board to the
13 Agricultural Premium Fund are in the opinion of the Governor in
14 excess of the amount necessary for the purposes herein stated,
15 the Governor shall notify the Comptroller and the State
16 Treasurer of such fact, who, upon receipt of such notification,
17 shall transfer such excess monies from the Agricultural Premium
18 Fund to the General Revenue Fund.

19 (Source: P.A. 94-91, Sections 55-135 and 90-10, eff. 7-1-05.)

20 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

21 Sec. 30. (a) The General Assembly declares that it is the
22 policy of this State to encourage the breeding of thoroughbred
23 horses in this State and the ownership of such horses by
24 residents of this State in order to provide for: sufficient
25 numbers of high quality thoroughbred horses to participate in

1 thoroughbred racing meetings in this State, and to establish
2 and preserve the agricultural and commercial benefits of such
3 breeding and racing industries to the State of Illinois. It is
4 the intent of the General Assembly to further this policy by
5 the provisions of this Act.

6 (b) Each organization licensee conducting a thoroughbred
7 racing meeting pursuant to this Act shall provide at least two
8 races each day limited to Illinois conceived and foaled horses
9 or Illinois foaled horses or both. A minimum of 6 races shall
10 be conducted each week limited to Illinois conceived and foaled
11 or Illinois foaled horses or both. No horses shall be permitted
12 to start in such races unless duly registered under the rules
13 of the Department of Agriculture.

14 (c) Conditions of races under subsection (b) shall be
15 commensurate with past performance, quality, and class of
16 Illinois conceived and foaled and Illinois foaled horses
17 available. If, however, sufficient competition cannot be had
18 among horses of that class on any day, the races may, with
19 consent of the Board, be eliminated for that day and substitute
20 races provided.

21 (d) There is hereby created a special fund of the State
22 Treasury to be known as the Illinois Thoroughbred Breeders
23 Fund.

24 Except as provided in subsection (g) of Section 27 of this
25 Act, 8.5% of all the monies received by the State as privilege
26 taxes on Thoroughbred racing meetings shall be paid into the

1 Illinois Thoroughbred Breeders Fund.

2 (e) The Illinois Thoroughbred Breeders Fund shall be
3 administered by the Department of Agriculture with the advice
4 and assistance of the Advisory Board created in subsection (f)
5 of this Section.

6 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
7 shall consist of the Director of the Department of Agriculture,
8 who shall serve as Chairman; a member of the Illinois Racing
9 Board, designated by it; 2 representatives of the organization
10 licensees conducting thoroughbred racing meetings, recommended
11 by them; 2 representatives of the Illinois Thoroughbred
12 Breeders and Owners Foundation, recommended by it; and 2
13 representatives of the Horsemen's Benevolent Protective
14 Association or any successor organization established in
15 Illinois comprised of the largest number of owners and
16 trainers, recommended by it, with one representative of the
17 Horsemen's Benevolent and Protective Association to come from
18 its Illinois Division, and one from its Chicago Division.
19 Advisory Board members shall serve for 2 years commencing
20 January 1 of each odd numbered year. If representatives of the
21 organization licensees conducting thoroughbred racing
22 meetings, the Illinois Thoroughbred Breeders and Owners
23 Foundation, and the Horsemen's Benevolent Protection
24 Association have not been recommended by January 1, of each odd
25 numbered year, the Director of the Department of Agriculture
26 shall make an appointment for the organization failing to so

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

6 (g) Moneys ~~No monies~~ shall be expended from the Illinois
7 Thoroughbred Breeders Fund ~~except~~ as appropriated by the
8 General Assembly pursuant to this Act, the Riverboat Gambling
9 Act, or both. Monies appropriated from the Illinois
10 Thoroughbred Breeders Fund shall be expended by the Department
11 of Agriculture, with the advice and assistance of the Illinois
12 Thoroughbred Breeders Fund Advisory Board, for the following
13 purposes only:

14 (1) To provide purse supplements to owners of horses
15 participating in races limited to Illinois conceived and
16 foaled and Illinois foaled horses. Any such purse
17 supplements shall not be included in and shall be paid in
18 addition to any purses, stakes, or breeders' awards offered
19 by each organization licensee as determined by agreement
20 between such organization licensee and an organization
21 representing the horsemen. No monies from the Illinois
22 Thoroughbred Breeders Fund shall be used to provide purse
23 supplements for claiming races in which the minimum
24 claiming price is less than \$7,500.

25 (2) To provide stakes and awards to be paid to the
26 owners of the winning horses in certain races limited to

1 Illinois conceived and foaled and Illinois foaled horses
2 designated as stakes races.

3 (2.5) To provide an award to the owner or owners of an
4 Illinois conceived and foaled or Illinois foaled horse that
5 wins a maiden special weight, an allowance, overnight
6 handicap race, or claiming race with claiming price of
7 \$10,000 or more providing the race is not restricted to
8 Illinois conceived and foaled or Illinois foaled horses.
9 Awards shall also be provided to the owner or owners of
10 Illinois conceived and foaled and Illinois foaled horses
11 that place second or third in those races. To the extent
12 that additional moneys are required to pay the minimum
13 additional awards of 40% of the purse the horse earns for
14 placing first, second or third in those races for Illinois
15 foaled horses and of 60% of the purse the horse earns for
16 placing first, second or third in those races for Illinois
17 conceived and foaled horses, those moneys shall be provided
18 from the purse account at the track where earned.

19 (3) To provide stallion awards to the owner or owners
20 of any stallion that is duly registered with the Illinois
21 Thoroughbred Breeders Fund Program prior to the effective
22 date of this amendatory Act of 1995 whose duly registered
23 Illinois conceived and foaled offspring wins a race
24 conducted at an Illinois thoroughbred racing meeting other
25 than a claiming race. Such award shall not be paid to the
26 owner or owners of an Illinois stallion that served outside

1 this State at any time during the calendar year in which
2 such race was conducted.

3 (4) To provide \$75,000 annually for purses to be
4 distributed to county fairs that provide for the running of
5 races during each county fair exclusively for the
6 thoroughbreds conceived and foaled in Illinois. The
7 conditions of the races shall be developed by the county
8 fair association and reviewed by the Department with the
9 advice and assistance of the Illinois Thoroughbred
10 Breeders Fund Advisory Board. There shall be no wagering of
11 any kind on the running of Illinois conceived and foaled
12 races at county fairs.

13 (4.1) To provide purse money for an Illinois stallion
14 stakes program.

15 (5) No less than 80% of all monies appropriated from
16 the Illinois Thoroughbred Breeders Fund shall be expended
17 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
18 (5) as shown above.

19 (6) To provide for educational programs regarding the
20 thoroughbred breeding industry.

21 (7) To provide for research programs concerning the
22 health, development and care of the thoroughbred horse.

23 (8) To provide for a scholarship and training program
24 for students of equine veterinary medicine.

25 (9) To provide for dissemination of public information
26 designed to promote the breeding of thoroughbred horses in

1 Illinois.

2 (10) To provide for all expenses incurred in the
3 administration of the Illinois Thoroughbred Breeders Fund.

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

12 (i) A sum equal to 12 1/2% of the first prize money of
13 every purse won by an Illinois foaled or an Illinois conceived
14 and foaled horse in races not limited to Illinois foaled horses
15 or Illinois conceived and foaled horses, or both, shall be paid
16 by the organization licensee conducting the horse race meeting.
17 Such sum shall be paid from the organization licensee's share
18 of the money wagered as follows: 11 1/2% to the breeder of the
19 winning horse and 1% to the organization representing
20 thoroughbred breeders and owners whose representative serves
21 on the Illinois Thoroughbred Breeders Fund Advisory Board for
22 verifying the amounts of breeders' awards earned, assuring
23 their distribution in accordance with this Act, and servicing
24 and promoting the Illinois thoroughbred horse racing industry.
25 The organization representing thoroughbred breeders and owners
26 shall cause all expenditures of monies received under this

1 subsection (i) to be audited at least annually by a registered
2 public accountant. The organization shall file copies of each
3 annual audit with the Racing Board, the Clerk of the House of
4 Representatives and the Secretary of the Senate, and shall make
5 copies of each annual audit available to the public upon
6 request and upon payment of the reasonable cost of photocopying
7 the requested number of copies. Such payments shall not reduce
8 any award to the owner of the horse or reduce the taxes payable
9 under this Act. Upon completion of its racing meet, each
10 organization licensee shall deliver to the organization
11 representing thoroughbred breeders and owners whose
12 representative serves on the Illinois Thoroughbred Breeders
13 Fund Advisory Board a listing of all the Illinois foaled and
14 the Illinois conceived and foaled horses which won breeders'
15 awards and the amount of such breeders' awards under this
16 subsection to verify accuracy of payments and assure proper
17 distribution of breeders' awards in accordance with the
18 provisions of this Act. Such payments shall be delivered by the
19 organization licensee within 30 days of the end of each race
20 meeting.

21 Effective with the commencement of operation of electronic
22 gaming pursuant to an electronic gaming license at a racetrack
23 for which certain payments are made into the Illinois
24 Thoroughbred Breeders Fund pursuant to Section 56 of this Act,
25 all moneys paid under this subsection (i) for races at that
26 racetrack shall be paid out of the Illinois Thoroughbred

1 Breeders Fund instead of paid by the organization licensee
2 conducting the horse race meeting.

3 (j) A sum equal to 12 1/2% of the first prize money won in
4 each race limited to Illinois foaled horses or Illinois
5 conceived and foaled horses, or both, shall be paid in the
6 following manner by the organization licensee conducting the
7 horse race meeting, from the organization licensee's share of
8 the money wagered: 11 1/2% to the breeders of the horses in
9 each such race which are the official first, second, third and
10 fourth finishers and 1% to the organization representing
11 thoroughbred breeders and owners whose representative serves
12 on the Illinois Thoroughbred Breeders Fund Advisory Board for
13 verifying the amounts of breeders' awards earned, assuring
14 their proper distribution in accordance with this Act, and
15 servicing and promoting the Illinois thoroughbred horse racing
16 industry. The organization representing thoroughbred breeders
17 and owners shall cause all expenditures of monies received
18 under this subsection (j) to be audited at least annually by a
19 registered public accountant. The organization shall file
20 copies of each annual audit with the Racing Board, the Clerk of
21 the House of Representatives and the Secretary of the Senate,
22 and shall make copies of each annual audit available to the
23 public upon request and upon payment of the reasonable cost of
24 photocopying the requested number of copies.

25 The 11 1/2% paid to the breeders in accordance with this
26 subsection shall be distributed as follows:

1 (1) 60% of such sum shall be paid to the breeder of the
2 horse which finishes in the official first position;

3 (2) 20% of such sum shall be paid to the breeder of the
4 horse which finishes in the official second position;

5 (3) 15% of such sum shall be paid to the breeder of the
6 horse which finishes in the official third position; and

7 (4) 5% of such sum shall be paid to the breeder of the
8 horse which finishes in the official fourth position.

9 Such payments shall not reduce any award to the owners of a
10 horse or reduce the taxes payable under this Act. Upon
11 completion of its racing meet, each organization licensee shall
12 deliver to the organization representing thoroughbred breeders
13 and owners whose representative serves on the Illinois
14 Thoroughbred Breeders Fund Advisory Board a listing of all the
15 Illinois foaled and the Illinois conceived and foaled horses
16 which won breeders' awards and the amount of such breeders'
17 awards in accordance with the provisions of this Act. Such
18 payments shall be delivered by the organization licensee within
19 30 days of the end of each race meeting.

20 Effective with the commencement of operation of electronic
21 gaming pursuant to an electronic gaming license at a racetrack
22 for which certain payments are made into the Illinois
23 Thoroughbred Breeders Fund pursuant to Section 56 of this Act,
24 all moneys paid under this subsection (j) for races at that
25 racetrack shall be paid out of the Illinois Thoroughbred
26 Breeders Fund instead of paid by the organization licensee

1 conducting the horse race meeting.

2 (k) The term "breeder", as used herein, means the owner of
3 the mare at the time the foal is dropped. An "Illinois foaled
4 horse" is a foal dropped by a mare which enters this State on
5 or before December 1, in the year in which the horse is bred,
6 provided the mare remains continuously in this State until its
7 foal is born. An "Illinois foaled horse" also means a foal born
8 of a mare in the same year as the mare enters this State on or
9 before March 1, and remains in this State at least 30 days
10 after foaling, is bred back during the season of the foaling to
11 an Illinois Registered Stallion (unless a veterinarian
12 certifies that the mare should not be bred for health reasons),
13 and is not bred to a stallion standing in any other state
14 during the season of foaling. An "Illinois foaled horse" also
15 means a foal born in Illinois of a mare purchased at public
16 auction subsequent to the mare entering this State prior to
17 February 1 of the foaling year providing the mare is owned
18 solely by one or more Illinois residents or an Illinois entity
19 that is entirely owned by one or more Illinois residents.

20 (l) The Department of Agriculture shall, by rule, with the
21 advice and assistance of the Illinois Thoroughbred Breeders
22 Fund Advisory Board:

23 (1) Qualify stallions for Illinois breeding; such
24 stallions to stand for service within the State of Illinois
25 at the time of a foal's conception. Such stallion must not
26 stand for service at any place outside the State of

1 Illinois during the calendar year in which the foal is
2 conceived. The Department of Agriculture may assess and
3 collect application fees for the registration of
4 Illinois-eligible stallions. All fees collected are to be
5 paid into the Illinois Thoroughbred Breeders Fund.

6 (2) Provide for the registration of Illinois conceived
7 and foaled horses and Illinois foaled horses. No such horse
8 shall compete in the races limited to Illinois conceived
9 and foaled horses or Illinois foaled horses or both unless
10 registered with the Department of Agriculture. The
11 Department of Agriculture may prescribe such forms as are
12 necessary to determine the eligibility of such horses. The
13 Department of Agriculture may assess and collect
14 application fees for the registration of Illinois-eligible
15 foals. All fees collected are to be paid into the Illinois
16 Thoroughbred Breeders Fund. No person shall knowingly
17 prepare or cause preparation of an application for
18 registration of such foals containing false information.

19 (m) The Department of Agriculture, with the advice and
20 assistance of the Illinois Thoroughbred Breeders Fund Advisory
21 Board, shall provide that certain races limited to Illinois
22 conceived and foaled and Illinois foaled horses be stakes races
23 and determine the total amount of stakes and awards to be paid
24 to the owners of the winning horses in such races.

25 In determining the stakes races and the amount of awards
26 for such races, the Department of Agriculture shall consider

1 factors, including but not limited to, the amount of money
2 appropriated for the Illinois Thoroughbred Breeders Fund
3 program, organization licensees' contributions, availability
4 of stakes caliber horses as demonstrated by past performances,
5 whether the race can be coordinated into the proposed racing
6 dates within organization licensees' racing dates, opportunity
7 for colts and fillies and various age groups to race, public
8 wagering on such races, and the previous racing schedule.

9 (n) The Board and the organizational licensee shall notify
10 the Department of the conditions and minimum purses for races
11 limited to Illinois conceived and foaled and Illinois foaled
12 horses conducted for each organizational licensee conducting a
13 thoroughbred racing meeting. The Department of Agriculture
14 with the advice and assistance of the Illinois Thoroughbred
15 Breeders Fund Advisory Board may allocate monies for purse
16 supplements for such races. In determining whether to allocate
17 money and the amount, the Department of Agriculture shall
18 consider factors, including but not limited to, the amount of
19 money appropriated for the Illinois Thoroughbred Breeders Fund
20 program, the number of races that may occur, and the
21 organizational licensee's purse structure.

22 (o) In order to improve the breeding quality of
23 thoroughbred horses in the State, the General Assembly
24 recognizes that existing provisions of this Section to
25 encourage such quality breeding need to be revised and
26 strengthened. As such, a Thoroughbred Breeder's Program Task

1 Force is to be appointed by the Governor by September 1, 1999
2 to make recommendations to the General Assembly by no later
3 than March 1, 2000. This task force is to be composed of 2
4 representatives from the Illinois Thoroughbred Breeders and
5 Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's
6 Association, 3 from Illinois race tracks operating
7 thoroughbred race meets for an average of at least 30 days in
8 the past 3 years, the Director of Agriculture, the Executive
9 Director of the Racing Board, who shall serve as Chairman.

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

11 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

12 Sec. 31. (a) The General Assembly declares that it is the
13 policy of this State to encourage the breeding of standardbred
14 horses in this State and the ownership of such horses by
15 residents of this State in order to provide for: sufficient
16 numbers of high quality standardbred horses to participate in
17 harness racing meetings in this State, and to establish and
18 preserve the agricultural and commercial benefits of such
19 breeding and racing industries to the State of Illinois. It is
20 the intent of the General Assembly to further this policy by
21 the provisions of this Section of this Act.

22 (b) Each organization licensee conducting a harness racing
23 meeting pursuant to this Act shall provide for at least two
24 races each race program limited to Illinois conceived and
25 foaled horses. A minimum of 6 races shall be conducted each

1 week limited to Illinois conceived and foaled horses. No horses
2 shall be permitted to start in such races unless duly
3 registered under the rules of the Department of Agriculture.

4 (c) Conditions of races under subsection (b) shall be
5 commensurate with past performance, quality and class of
6 Illinois conceived and foaled horses available. If, however,
7 sufficient competition cannot be had among horses of that class
8 on any day, the races may, with consent of the Board, be
9 eliminated for that day and substitute races provided.

10 (d) There is hereby created a special fund of the State
11 Treasury to be known as the Illinois Standardbred Breeders
12 Fund.

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

18 (e) The Illinois Standardbred Breeders Fund shall be
19 administered by the Department of Agriculture with the
20 assistance and advice of the Advisory Board created in
21 subsection (f) of this Section.

22 (f) The Illinois Standardbred Breeders Fund Advisory Board
23 is hereby created. The Advisory Board shall consist of the
24 Director of the Department of Agriculture, who shall serve as
25 Chairman; the Superintendent of the Illinois State Fair; a
26 member of the Illinois Racing Board, designated by it; a

1 representative of the Illinois Standardbred Owners and
2 Breeders Association, recommended by it; a representative of
3 the Illinois Association of Agricultural Fairs, recommended by
4 it, such representative to be from a fair at which Illinois
5 conceived and foaled racing is conducted; a representative of
6 the organization licensees conducting harness racing meetings,
7 recommended by them and a representative of the Illinois
8 Harness Horsemen's Association, recommended by it. Advisory
9 Board members shall serve for 2 years commencing January 1, of
10 each odd numbered year. If representatives of the Illinois
11 Standardbred Owners and Breeders Associations, the Illinois
12 Association of Agricultural Fairs, the Illinois Harness
13 Horsemen's Association, and the organization licensees
14 conducting harness racing meetings have not been recommended by
15 January 1, of each odd numbered year, the Director of the
16 Department of Agriculture shall make an appointment for the
17 organization failing to so recommend a member of the Advisory
18 Board. Advisory Board members shall receive no compensation for
19 their services as members but shall be reimbursed for all
20 actual and necessary expenses and disbursements incurred in the
21 execution of their official duties.

22 (g) No monies shall be expended from the Illinois
23 Standardbred Breeders Fund except as appropriated by the
24 General Assembly pursuant to this Act, the Riverboat Gambling
25 Act, or both. Monies appropriated from the Illinois
26 Standardbred Breeders Fund shall be expended by the Department

1 of Agriculture, with the assistance and advice of the Illinois
2 Standardbred Breeders Fund Advisory Board for the following
3 purposes only:

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

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

8 3. To provide purse supplements for races limited to
9 Illinois conceived and foaled horses conducted by
10 associations conducting harness racing meetings.

11 4. No less than 75% of all monies in the Illinois
12 Standardbred Breeders Fund shall be expended for purses in
13 1, 2 and 3 as shown above.

14 5. In the discretion of the Department of Agriculture
15 to provide awards to harness breeders of Illinois conceived
16 and foaled horses which win races conducted by organization
17 licensees conducting harness racing meetings. A breeder is
18 the owner of a mare at the time of conception. No more than
19 10% of all monies appropriated from the Illinois
20 Standardbred Breeders Fund shall be expended for such
21 harness breeders awards. No more than 25% of the amount
22 expended for harness breeders awards shall be expended for
23 expenses incurred in the administration of such harness
24 breeders awards.

25 6. To pay for the improvement of racing facilities
26 located at the State Fair and County fairs.

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

3 8. To promote the sport of harness racing.

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

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

21 Effective with the commencement of operation of electronic
22 gaming pursuant to an electronic gaming license at a racetrack
23 for which certain payments are made into the Illinois
24 Standardbred Breeders Fund pursuant to Section 56 of this Act,
25 all moneys paid under this subsection (i) for races at that
26 racetrack shall be paid out of the Illinois Standardbred

1 Breeders Fund instead of paid by the organization licensee
2 conducting the horse race meeting.

3 (j) The Department of Agriculture shall, by rule, with the
4 assistance and advice of the Illinois Standardbred Breeders
5 Fund Advisory Board:

6 1. Qualify stallions for Illinois Standardbred Breeders
7 Fund breeding; such stallion shall be owned by a resident of
8 the State of Illinois or by an Illinois corporation all of
9 whose shareholders, directors, officers and incorporators are
10 residents of the State of Illinois. Such stallion shall stand
11 for service at and within the State of Illinois at the time of
12 a foal's conception, and such stallion must not stand for
13 service at any place, nor may semen from such stallion be
14 transported, outside the State of Illinois during that calendar
15 year in which the foal is conceived and that the owner of the
16 stallion was for the 12 months prior, a resident of Illinois.
17 The articles of agreement of any partnership, joint venture,
18 limited partnership, syndicate, association or corporation and
19 any bylaws and stock certificates must contain a restriction
20 that provides that the ownership or transfer of interest by any
21 one of the persons a party to the agreement can only be made to
22 a person who qualifies as an Illinois resident.

23 2. Provide for the registration of Illinois conceived and
24 foaled horses and no such horse shall compete in the races
25 limited to Illinois conceived and foaled horses unless
26 registered with the Department of Agriculture. The Department

1 of Agriculture may prescribe such forms as may be necessary to
2 determine the eligibility of such horses. No person shall
3 knowingly prepare or cause preparation of an application for
4 registration of such foals containing false information. A mare
5 (dam) must be in the state at least 30 days prior to foaling or
6 remain in the State at least 30 days at the time of foaling.
7 Beginning with the 1996 breeding season and for foals of 1997
8 and thereafter, a foal conceived by transported fresh semen may
9 be eligible for Illinois conceived and foaled registration
10 provided all breeding and foaling requirements are met. The
11 stallion must be qualified for Illinois Standardbred Breeders
12 Fund breeding at the time of conception and the mare must be
13 inseminated within the State of Illinois. The foal must be
14 dropped in Illinois and properly registered with the Department
15 of Agriculture in accordance with this Act.

16 3. Provide that at least a 5 day racing program shall be
17 conducted at the State Fair each year, which program shall
18 include at least the following races limited to Illinois
19 conceived and foaled horses: (a) a two year old Trot and Pace,
20 and Filly Division of each; (b) a three year old Trot and Pace,
21 and Filly Division of each; (c) an aged Trot and Pace, and Mare
22 Division of each.

23 4. Provide for the payment of nominating, sustaining and
24 starting fees for races promoting the sport of harness racing
25 and for the races to be conducted at the State Fair as provided
26 in subsection (j) 3 of this Section provided that the

1 nominating, sustaining and starting payment required from an
2 entrant shall not exceed 2% of the purse of such race. All
3 nominating, sustaining and starting payments shall be held for
4 the benefit of entrants and shall be paid out as part of the
5 respective purses for such races. Nominating, sustaining and
6 starting fees shall be held in trust accounts for the purposes
7 as set forth in this Act and in accordance with Section 205-15
8 of the Department of Agriculture Law (20 ILCS 205/205-15).

9 5. Provide for the registration with the Department of
10 Agriculture of Colt Associations or county fairs desiring to
11 sponsor races at county fairs.

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

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

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

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

21 (Source: P.A. 91-239, eff. 1-1-00.)

22 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

23 Sec. 31.1. (a) Until after the first full calendar year any
24 organization license is issued an electronic gaming license,
25 organization ~~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 \$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 (b) No later than October 1st of each year, any qualified
23 charitable organization seeking an allotment of contributed
24 funds shall submit to the Board an application for those funds,
25 using the Board's approved form. No later than December 31st of
26 each year, the Board shall distribute all such amounts

1 collected that year to such charitable organization
2 applicants.

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

4 (230 ILCS 5/56 new)

5 Sec. 56. Electronic gaming.

6 (a) A person, firm, or corporation having operating control
7 of a racetrack may apply to the Gaming Board for an electronic
8 gaming license. An electronic gaming license shall authorize
9 its holder to conduct gambling using slot machines, video games
10 of chance, electronic gambling games, or any combination of
11 these on the grounds of the race track controlled by the
12 licensee's race track. Only one electronic gaming license may
13 be awarded for any race track. Each license shall specify the
14 number of slot machines, video games of chance, or electronic
15 gambling games that its holder may operate.

16 An electronic gaming licensee may not permit persons under
17 21 years of age to be present in its electronic gaming
18 facility, but the licensee may accept wagers on live racing and
19 inter-track wagers at its electronic gaming facility.

20 (b) The gross gaming receipts by an electronic gaming
21 licensee from electronic gaming remaining after the payment of
22 taxes under Section 13 of the Riverboat Gambling Act shall be
23 distributed as follows:

24 (1) An amount equal to 11% of the gross gaming receipts
25 shall be paid to purse accounts at the track at which the

1 organization licensee conducts racing.

2 (2) The remainder shall be retained by the electronic
3 gaming licensee.

4 Section 10. The Riverboat Gambling Act is amended by
5 changing Sections 3, 4, 5, 8, 9, 11, 11.1, 12, 13, 14, 18, 19,
6 20, and 23 and by adding Sections 7.6 and 7.7 as follows:

7 (230 ILCS 10/3) (from Ch. 120, par. 2403)

8 Sec. 3. ~~Riverboat~~ Gambling Authorized.

9 (a) Riverboat gambling operations and electronic gaming
10 operations ~~and the system of wagering incorporated therein~~, as
11 defined in this Act, are hereby authorized to the extent that
12 they are carried out in accordance with the provisions of this
13 Act.

14 (b) This Act does not apply to the pari-mutuel system of
15 wagering used or intended to be used in connection with the
16 horse-race meetings as authorized under the Illinois Horse
17 Racing Act of 1975, lottery games authorized under the Illinois
18 Lottery Law, bingo authorized under the Bingo License and Tax
19 Act, charitable games authorized under the Charitable Games Act
20 or pull tabs and jar games conducted under the Illinois Pull
21 Tabs and Jar Games Act. This Act does apply to electronic
22 gaming authorized under the Illinois Horse Racing Act of 1975
23 to the extent provided in that Act and in this Act.

24 (c) Riverboat gambling conducted pursuant to this Act may

1 be authorized upon any water within the State of Illinois or
2 any water other than Lake Michigan which constitutes a boundary
3 of the State of Illinois. A licensee may conduct riverboat
4 gambling authorized under this Act regardless of whether it
5 conducts excursion cruises. A licensee may permit the
6 continuous ingress and egress of passengers for the purpose of
7 gambling.

8 (d) Gambling that is conducted in accordance with this Act
9 using slot machines and video games of chance and other
10 electronic gambling games as defined in both the Riverboat
11 Gambling Act and the Horse Racing Act of 1975.

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

13 (230 ILCS 10/4) (from Ch. 120, par. 2404)

14 Sec. 4. Definitions. As used in this Act:

15 ~~(a)~~ "Board" means the Illinois Gaming Board.

16 ~~(b)~~ "Occupational license" means a license issued by the
17 Board to a person or entity to perform an occupation which the
18 Board has identified as requiring a license to engage in
19 riverboat gambling in Illinois.

20 ~~(c)~~ "Gambling game" includes, but is not limited to,
21 baccarat, twenty-one, poker, craps, slot machine, video game of
22 chance, roulette wheel, klondike table, punchboard, faro
23 layout, keno layout, numbers ticket, push card, jar ticket, or
24 pull tab which is authorized by the Board as a wagering device
25 under this Act.

1 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
2 permanently moored barge, or permanently moored barges that are
3 permanently fixed together to operate as one vessel, on which
4 lawful gambling is authorized and licensed as provided in this
5 Act.

6 ~~(e)~~ "Managers license" means a license issued by the Board
7 to a person or entity to manage gambling operations conducted
8 by the State pursuant to Section 7.3.

9 ~~(f)~~ "Dock" means the location where a riverboat moors for
10 the purpose of embarking passengers for and disembarking
11 passengers from the riverboat.

12 ~~(g)~~ "Whole gaming ~~Gross~~ receipts" means the total amount of
13 money exchanged for the purchase of chips, tokens or electronic
14 cards by riverboat patrons or electronic gaming patrons.

15 ~~(h)~~ "Gross gaming ~~Adjusted-gross~~ receipts" means the whole
16 gaming ~~gross~~ receipts less winnings paid to wagerers.

17 ~~(i)~~ "Cheat" means to alter the selection of criteria which
18 determine the result of a gambling game or the amount or
19 frequency of payment in a gambling game.

20 ~~(j)~~ "Department" means the Department of Revenue.

21 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
22 gambling games authorized under this Act upon a riverboat or
23 authorized under this Act and the Illinois Horse Racing Act of
24 1975 at an electronic gaming facility.

25 ~~(l)~~ "License bid" means the lump sum amount of money that
26 an applicant bids and agrees to pay the State in return for an

1 owners license that is re-issued on or after July 1, 2003.

2 ~~(m)~~ The terms "minority person" and "female" shall have the
3 same meaning as defined in Section 2 of the Business Enterprise
4 for Minorities, Females, and Persons with Disabilities Act.

5 "Owners license" means a license to conduct riverboat
6 gambling operations, but does not include an electronic gaming
7 license.

8 "Licensed owner" means a person who holds an owners
9 license.

10 "Electronic gaming" means the conduct of gambling using
11 slot machines, video games of chance, and electronic gambling
12 games licensed under this Act at a race track licensed under
13 the Illinois Horse Racing Act of 1975 pursuant to the Illinois
14 Horse Racing Act of 1975 and this Act.

15 "Electronic gaming facility" means the area where the Board
16 has authorized electronic gaming at a race track of an
17 organization licensee under the Illinois Horse Racing Act of
18 1975 that holds an electronic gaming license.

19 "Electronic gaming license" means a license issued by the
20 Board under Section 7.6 of this Act authorizing electronic
21 gaming at an electronic gaming facility.

22 "Electronic gaming licensee" means an entity that holds an
23 electronic gaming license.

24 "Organization licensee" means an entity authorized by the
25 Illinois Racing Board to conduct pari-mutuel wagering in
26 accordance with the Illinois Horse Racing Act of 1975. With

1 respect only to electronic gaming, "organization licensee"
2 includes the authorization for electronic gaming created under
3 subsection (a) of Section 56 of the Illinois Horse Racing Act
4 of 1975.

5 (Source: P.A. 95-331, eff. 8-21-07.)

6 (230 ILCS 10/5) (from Ch. 120, par. 2405)

7 Sec. 5. Gaming Board.

8 (a) (1) There is hereby established within the Department
9 of Revenue an Illinois Gaming Board which shall have the powers
10 and duties specified in this Act, and all other powers
11 necessary and proper to fully and effectively execute this Act
12 for the purpose of administering, regulating, and enforcing the
13 system of riverboat gambling established by this Act. Its
14 jurisdiction shall extend under this Act to every person,
15 association, corporation, partnership and trust involved in
16 riverboat gambling operations in the State of Illinois.

17 (2) The Board shall consist of 5 members to be appointed by
18 the Governor with the advice and consent of the Senate, one of
19 whom shall be designated by the Governor to be chairman. Each
20 member shall have a reasonable knowledge of the practice,
21 procedure and principles of gambling operations. Each member
22 shall either be a resident of Illinois or shall certify that he
23 will become a resident of Illinois before taking office. At
24 least one member shall be experienced in law enforcement and
25 criminal investigation, at least one member shall be a

1 certified public accountant experienced in accounting and
2 auditing, and at least one member shall be a lawyer licensed to
3 practice law in Illinois.

4 (3) The terms of office of the Board members shall be 3
5 years, except that the terms of office of the initial Board
6 members appointed pursuant to this Act will commence from the
7 effective date of this Act and run as follows: one for a term
8 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
9 a term ending July 1, 1993. Upon the expiration of the
10 foregoing terms, the successors of such members shall serve a
11 term for 3 years and until their successors are appointed and
12 qualified for like terms. Vacancies in the Board shall be
13 filled for the unexpired term in like manner as original
14 appointments. Each member of the Board shall be eligible for
15 reappointment at the discretion of the Governor with the advice
16 and consent of the Senate.

17 (4) Each member of the Board shall receive \$300 for each
18 day the Board meets and for each day the member conducts any
19 hearing pursuant to this Act. Each member of the Board shall
20 also be reimbursed for all actual and necessary expenses and
21 disbursements incurred in the execution of official duties.

22 (5) No person shall be appointed a member of the Board or
23 continue to be a member of the Board who is, or whose spouse,
24 child or parent is, a member of the board of directors of, or a
25 person financially interested in, any gambling operation
26 subject to the jurisdiction of this Board, or any race track,

1 race meeting, racing association or the operations thereof
2 subject to the jurisdiction of the Illinois Racing Board. No
3 Board member shall hold any other public office for which he
4 shall receive compensation other than necessary travel or other
5 incidental expenses. No person shall be a member of the Board
6 who is not of good moral character or who has been convicted
7 of, or is under indictment for, a felony under the laws of
8 Illinois or any other state, or the United States.

9 (6) Any member of the Board may be removed by the Governor
10 for neglect of duty, misfeasance, malfeasance, or nonfeasance
11 in office.

12 (7) Before entering upon the discharge of the duties of his
13 office, each member of the Board shall take an oath that he
14 will faithfully execute the duties of his office according to
15 the laws of the State and the rules and regulations adopted
16 therewith and shall give bond to the State of Illinois,
17 approved by the Governor, in the sum of \$25,000. Every such
18 bond, when duly executed and approved, shall be recorded in the
19 office of the Secretary of State. Whenever the Governor
20 determines that the bond of any member of the Board has become
21 or is likely to become invalid or insufficient, he shall
22 require such member forthwith to renew his bond, which is to be
23 approved by the Governor. Any member of the Board who fails to
24 take oath and give bond within 30 days from the date of his
25 appointment, or who fails to renew his bond within 30 days
26 after it is demanded by the Governor, shall be guilty of

1 neglect of duty and may be removed by the Governor. The cost of
2 any bond given by any member of the Board under this Section
3 shall be taken to be a part of the necessary expenses of the
4 Board.

5 (8) Upon the request of the Board, the Department shall
6 employ such personnel as may be necessary to carry out the
7 functions of the Board. No person shall be employed to serve
8 the Board who is, or whose spouse, parent or child is, an
9 official of, or has a financial interest in or financial
10 relation with, any operator engaged in gambling operations
11 within this State or any organization engaged in conducting
12 horse racing within this State. Any employee violating these
13 prohibitions shall be subject to termination of employment.

14 (9) An Administrator shall perform any and all duties that
15 the Board shall assign him. The salary of the Administrator
16 shall be determined by the Board and approved by the Director
17 of the Department and, in addition, he shall be reimbursed for
18 all actual and necessary expenses incurred by him in discharge
19 of his official duties. The Administrator shall keep records of
20 all proceedings of the Board and shall preserve all records,
21 books, documents and other papers belonging to the Board or
22 entrusted to its care. The Administrator shall devote his full
23 time to the duties of the office and shall not hold any other
24 office or employment.

25 (b) The Board shall have general responsibility for the
26 implementation of this Act. Its duties include, without

1 limitation, the following:

2 (1) To decide promptly and in reasonable order all
3 license applications. Any party aggrieved by an action of
4 the Board denying, suspending, revoking, restricting or
5 refusing to renew a license may request a hearing before
6 the Board. A request for a hearing must be made to the
7 Board in writing within 5 days after service of notice of
8 the action of the Board. Notice of the action of the Board
9 shall be served either by personal delivery or by certified
10 mail, postage prepaid, to the aggrieved party. Notice
11 served by certified mail shall be deemed complete on the
12 business day following the date of such mailing. The Board
13 shall conduct all requested hearings promptly and in
14 reasonable order;

15 (2) To conduct all hearings pertaining to civil
16 violations of this Act or rules and regulations promulgated
17 hereunder;

18 (3) To promulgate such rules and regulations as in its
19 judgment may be necessary to protect or enhance the
20 credibility and integrity of gambling operations
21 authorized by this Act and the regulatory process
22 hereunder;

23 (4) To provide for the establishment and collection of
24 all license and registration fees and taxes imposed by this
25 Act and the rules and regulations issued pursuant hereto.
26 All such fees and taxes shall be deposited into the State

1 Gaming Fund;

2 (5) To provide for the levy and collection of penalties
3 and fines for the violation of provisions of this Act and
4 the rules and regulations promulgated hereunder. All such
5 fines and penalties shall be deposited into the Education
6 Assistance Fund, created by Public Act 86-0018, of the
7 State of Illinois;

8 (6) To be present through its inspectors and agents any
9 time gambling operations are conducted on any riverboat or
10 at any electronic gaming facility for the purpose of
11 certifying the revenue thereof, receiving complaints from
12 the public, and conducting such other investigations into
13 the conduct of the gambling games and the maintenance of
14 the equipment as from time to time the Board may deem
15 necessary and proper;

16 (7) To review and rule upon any complaint by a licensee
17 regarding any investigative procedures of the State which
18 are unnecessarily disruptive of gambling operations. The
19 need to inspect and investigate shall be presumed at all
20 times. The disruption of a licensee's operations shall be
21 proved by clear and convincing evidence, and establish
22 that: (A) the procedures had no reasonable law enforcement
23 purposes, and (B) the procedures were so disruptive as to
24 unreasonably inhibit gambling operations;

25 (8) To hold at least one meeting each quarter of the
26 fiscal year. In addition, special meetings may be called by

1 the Chairman or any 2 Board members upon 72 hours written
2 notice to each member. All Board meetings shall be subject
3 to the Open Meetings Act. Three members of the Board shall
4 constitute a quorum, and 3 votes shall be required for any
5 final determination by the Board. The Board shall keep a
6 complete and accurate record of all its meetings. A
7 majority of the members of the Board shall constitute a
8 quorum for the transaction of any business, for the
9 performance of any duty, or for the exercise of any power
10 which this Act requires the Board members to transact,
11 perform or exercise en banc, except that, upon order of the
12 Board, one of the Board members or an administrative law
13 judge designated by the Board may conduct any hearing
14 provided for under this Act or by Board rule and may
15 recommend findings and decisions to the Board. The Board
16 member or administrative law judge conducting such hearing
17 shall have all powers and rights granted to the Board in
18 this Act. The record made at the time of the hearing shall
19 be reviewed by the Board, or a majority thereof, and the
20 findings and decision of the majority of the Board shall
21 constitute the order of the Board in such case;

22 (9) To maintain records which are separate and distinct
23 from the records of any other State board or commission.
24 Such records shall be available for public inspection and
25 shall accurately reflect all Board proceedings;

26 (10) To file a written annual report with the Governor

1 on or before March 1 each year and such additional reports
2 as the Governor may request. The annual report shall
3 include a statement of receipts and disbursements by the
4 Board, actions taken by the Board, and any additional
5 information and recommendations which the Board may deem
6 valuable or which the Governor may request;

7 (11) (Blank);

8 (12) To assume responsibility for the administration
9 and enforcement of the Bingo License and Tax Act, the
10 Charitable Games Act, and the Pull Tabs and Jar Games Act
11 if such responsibility is delegated to it by the Director
12 of Revenue; and

13 (13) To assume responsibility for administration and
14 enforcement of the Video Gaming Act.

15 (c) The Board shall have jurisdiction over and shall
16 supervise all gambling operations governed by this Act. The
17 Board shall have all powers necessary and proper to fully and
18 effectively execute the provisions of this Act, including, but
19 not limited to, the following:

20 (1) To investigate applicants and determine the
21 eligibility of applicants for licenses and to select among
22 competing applicants the applicants which best serve the
23 interests of the citizens of Illinois.

24 (2) To have jurisdiction and supervision over all
25 ~~riverboat~~ gambling operations authorized under this Act ~~in~~
26 ~~this State~~ and all persons in places ~~on riverboats~~ where

1 gambling operations are conducted.

2 (3) To promulgate rules and regulations for the purpose
3 of administering the provisions of this Act and to
4 prescribe rules, regulations and conditions under which
5 all ~~riverboat~~ gambling operations subject to this Act ~~in~~
6 ~~the State~~ shall be conducted. Such rules and regulations
7 are to provide for the prevention of practices detrimental
8 to the public interest and for the best interests of
9 ~~riverboat~~ gambling, including rules and regulations
10 regarding the inspection of electronic gaming facilities
11 and ~~such~~ riverboats and the review of any permits or
12 licenses necessary to operate a riverboat or electronic
13 gaming facility under any laws or regulations applicable to
14 riverboats and electronic gaming facilities, and to impose
15 penalties for violations thereof.

16 (4) To enter the office, riverboats, electronic gaming
17 facilities, and other facilities, or other places of
18 business of a licensee, where evidence of the compliance or
19 noncompliance with the provisions of this Act is likely to
20 be found.

21 (5) To investigate alleged violations of this Act or
22 the rules of the Board and to take appropriate disciplinary
23 action against a licensee or a holder of an occupational
24 license for a violation, or institute appropriate legal
25 action for enforcement, or both.

26 (6) To adopt standards for the licensing of all persons

1 under this Act, as well as for electronic or mechanical
2 gambling games, and to establish fees for such licenses.

3 (7) To adopt appropriate standards for all electronic
4 gaming facilities, riverboats, and other facilities
5 authorized under this Act.

6 (8) To require that the records, including financial or
7 other statements of any licensee under this Act, shall be
8 kept in such manner as prescribed by the Board and that any
9 such licensee involved in the ownership or management of
10 gambling operations submit to the Board an annual balance
11 sheet and profit and loss statement, list of the
12 stockholders or other persons having a 1% or greater
13 beneficial interest in the gambling activities of each
14 licensee, and any other information the Board deems
15 necessary in order to effectively administer this Act and
16 all rules, regulations, orders and final decisions
17 promulgated under this Act.

18 (9) To conduct hearings, issue subpoenas for the
19 attendance of witnesses and subpoenas duces tecum for the
20 production of books, records and other pertinent documents
21 in accordance with the Illinois Administrative Procedure
22 Act, and to administer oaths and affirmations to the
23 witnesses, when, in the judgment of the Board, it is
24 necessary to administer or enforce this Act or the Board
25 rules.

26 (10) To prescribe a form to be used by any licensee

1 involved in the ownership or management of gambling
2 operations as an application for employment for their
3 employees.

4 (11) To revoke or suspend licenses, as the Board may
5 see fit and in compliance with applicable laws of the State
6 regarding administrative procedures, and to review
7 applications for the renewal of licenses. The Board may
8 suspend an owners license or an electronic gaming license,
9 without notice or hearing, upon a determination that the
10 safety or health of patrons or employees is jeopardized by
11 continuing a gambling operation conducted under that
12 license a riverboat's operation. The suspension may remain
13 in effect until the Board determines that the cause for
14 suspension has been abated. The Board may revoke the owners
15 license or the electronic gaming license upon a
16 determination that the licensee ~~owner~~ has not made
17 satisfactory progress toward abating the hazard.

18 (12) To eject or exclude or authorize the ejection or
19 exclusion of, any person from ~~riverboat~~ gambling
20 facilities where that ~~such~~ person is in violation of this
21 Act, rules and regulations thereunder, or final orders of
22 the Board, or where such person's conduct or reputation is
23 such that his or her presence within the ~~riverboat~~ gambling
24 facilities may, in the opinion of the Board, call into
25 question the honesty and integrity of the gambling
26 operations or interfere with the orderly conduct thereof;

1 provided that the propriety of such ejection or exclusion
2 is subject to subsequent hearing by the Board.

3 (13) To require all licensees of gambling operations to
4 utilize a cashless wagering system whereby all players'
5 money is converted to tokens, electronic cards, or chips
6 which shall be used only for wagering in the gambling
7 establishment.

8 (14) (Blank).

9 (15) To suspend, revoke or restrict owners licenses or
10 electronic gaming licenses, to require the removal of a
11 licensee or an employee of a licensee for a violation of
12 this Act or a Board rule or for engaging in a fraudulent
13 practice, and to impose civil penalties of up to \$5,000
14 against individuals and up to \$10,000 or an amount equal to
15 the daily whole gaming ~~gross~~ receipts, whichever is larger,
16 against licensees for each violation of any provision of
17 the Act, any rules adopted by the Board, any order of the
18 Board or any other action which, in the Board's discretion,
19 is a detriment or impediment to ~~riverboat~~ gambling
20 operations.

21 (16) To hire employees to gather information, conduct
22 investigations and carry out any other tasks contemplated
23 under this Act.

24 (17) To establish minimum levels of insurance to be
25 maintained by licensees.

26 (18) To authorize a licensee to sell or serve alcoholic

1 liquors, wine or beer as defined in the Liquor Control Act
2 of 1934 on board a riverboat and to have exclusive
3 authority to establish the hours for sale and consumption
4 of alcoholic liquor on board a riverboat, notwithstanding
5 any provision of the Liquor Control Act of 1934 or any
6 local ordinance, and regardless of whether the riverboat
7 makes excursions. The establishment of the hours for sale
8 and consumption of alcoholic liquor on board a riverboat is
9 an exclusive power and function of the State. A home rule
10 unit may not establish the hours for sale and consumption
11 of alcoholic liquor on board a riverboat. This amendatory
12 Act of 1991 is a denial and limitation of home rule powers
13 and functions under subsection (h) of Section 6 of Article
14 VII of the Illinois Constitution.

15 (19) After consultation with the U.S. Army Corps of
16 Engineers, to establish binding emergency orders upon the
17 concurrence of a majority of the members of the Board
18 regarding the navigability of water, relative to
19 excursions, in the event of extreme weather conditions,
20 acts of God or other extreme circumstances.

21 (20) To delegate the execution of any of its powers
22 under this Act for the purpose of administering and
23 enforcing this Act and its rules and regulations hereunder.

24 (20.6) To appoint investigators to conduct
25 investigations, searches, seizures, arrests, and other
26 duties imposed under this Act, as deemed necessary by the

1 Board. These investigators have and may exercise all of the
2 rights and powers of peace officers, provided that these
3 powers shall be limited to offenses or violations occurring
4 or committed on a riverboat or dock, as defined in
5 subsections (d) and (f) of Section 4, or as otherwise
6 provided by this Act or any other law.

7 (20.7) To contract with the Department of State Police
8 for the use of trained and qualified State police officers
9 and with the Department of Revenue for the use of trained
10 and qualified Department of Revenue investigators to
11 conduct investigations, searches, seizures, arrests, and
12 other duties imposed under this Act and to exercise all of
13 the rights and powers of peace officers, provided that the
14 powers of Department of Revenue investigators under this
15 subdivision (20.7) shall be limited to offenses or
16 violations occurring or committed on a riverboat or dock,
17 as defined in subsections (d) and (f) of Section 4, or as
18 otherwise provided by this Act or any other law. In the
19 event the Department of State Police or the Department of
20 Revenue is unable to fill contracted police or
21 investigative positions, the Board may appoint
22 investigators to fill those positions pursuant to
23 subdivision (20.6).

24 (21) To make rules concerning the conduct of electronic
25 gaming.

26 (22) ~~(21)~~ To take any other action as may be reasonable

1 or appropriate to enforce this Act and rules and
2 regulations hereunder.

3 (d) The Board may seek and shall receive the cooperation of
4 the Department of State Police in conducting background
5 investigations of applicants and in fulfilling its
6 responsibilities under this Section. Costs incurred by the
7 Department of State Police as a result of such cooperation
8 shall be paid by the Board in conformance with the requirements
9 of Section 2605-400 of the Department of State Police Law (20
10 ILCS 2605/2605-400).

11 (e) The Board must authorize to each investigator and to
12 any other employee of the Board exercising the powers of a
13 peace officer a distinct badge that, on its face, (i) clearly
14 states that the badge is authorized by the Board and (ii)
15 contains a unique identifying number. No other badge shall be
16 authorized by the Board.

17 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; revised
18 8-20-09.)

19 (230 ILCS 10/7.6 new)

20 Sec. 7.6. Electronic gaming.

21 (a) The General Assembly finds that the horse racing and
22 riverboat gambling industries share many similarities and
23 collectively comprise the bulk of the State's gaming industry.
24 One feature common to both industries is that each is highly
25 regulated by the State of Illinois. The General Assembly

1 further finds, however, that despite their shared features each
2 industry is distinct from the other in that horse racing is and
3 continues to be intimately tied to Illinois' agricultural
4 economy and is, at its core, a spectator sport. This
5 distinction requires the General Assembly to utilize different
6 methods to regulate and promote the horse racing industry
7 throughout the State. The General Assembly finds that in order
8 to promote live horse racing as a spectator sport in Illinois
9 and the agricultural economy of this State, it is necessary to
10 allow electronic gaming at Illinois race tracks as an ancillary
11 use given the success of other states in increasing live racing
12 purse accounts and improving the quality of horses
13 participating in horse race meetings.

14 (b) The Illinois Gaming Board shall award one electronic
15 gaming license to each organization licensee that conducts live
16 horse racing under the Illinois Horse Racing Act of 1975 at the
17 organization licensee's race track, subject to the application
18 and eligibility requirements of this Section. Within 60 days
19 after the effective date of this amendatory Act of the 96th
20 General Assembly, an organization licensee may submit an
21 application for an electronic gaming license. The application
22 shall specify the number of gaming positions the applicant
23 intends to use.

24 The Board shall determine within 120 days after receiving
25 an application for an electronic gaming license, whether to
26 grant an electronic gaming license to the organization

1 licensee. If the Board does not make a determination within 120
2 days, the Board shall give a written explanation to the
3 organization licensee as to why it has not reached a
4 determination and when it reasonably expects to make a
5 determination.

6 The electronic gaming licensee shall purchase up to the
7 amount of electronic gaming positions authorized under this Act
8 within 120 days after receiving its electronic gaming license.
9 If an electronic gaming licensee is prepared to purchase the
10 electronic gaming positions, but is temporarily prohibited
11 from doing so by order of a court of competent jurisdiction or
12 the Board, then the 120-day period is tolled until a resolution
13 is reached. If an electronic gaming licensee does purchase
14 electronic gaming positions within the 120-day period, then the
15 electronic gaming licensee shall not be estopped from
16 proceeding to operate or operating electronic gaming
17 positions, unless otherwise stated by a court of competent
18 jurisdiction or the Board.

19 An electronic gaming license shall authorize its holder to
20 conduct electronic gaming at its race track at the following
21 times:

22 (1) On days when it conducts live racing at the track
23 where its electronic gaming facility is located, from 8:00
24 a.m. until 3:00 a.m. on the following day.

25 (2) On days when it is scheduled to conduct simulcast
26 wagering on races run in the United States, from 8:00 a.m.

1 until 3:00 a.m. on the following day.

2 A license to conduct electronic gaming and any renewal of
3 an electronic gaming license shall authorize electronic gaming
4 for a period of 4 years. The fee for the issuance or renewal of
5 an electronic gaming license shall be \$40,000.

6 (c) To be eligible to conduct electronic gaming, a person,
7 firm, or corporation must (i) obtain an electronic gaming
8 license, (ii) hold an organization license under the Illinois
9 Horse Racing Act of 1975, (iii) hold an inter-track wagering
10 license, (iv) pay an initial fee of \$10,000 per gaming position
11 from electronic gaming licensees where electronic gaming is
12 conducted in Cook County and \$5,000 for electronic gaming
13 licensees where electronic gaming is located outside of Cook
14 County before beginning to conduct electronic gaming plus make
15 the reconciliation payment required under subsection (h), (v)
16 conduct at least 30 days of live racing per year, (vi) meet the
17 requirements of subsection (a) of Section 56 of the Illinois
18 Horse Racing Act of 1975, and (vii) meet all other requirements
19 of this Act that apply to owners licensees. Only those persons,
20 firms, or corporations (or its successors or assigns) that had
21 operating control of a race track and held an inter-track
22 wagering license authorized by the Illinois Racing Board in
23 2009 are eligible.

24 All payments by licensees under this subsection (c) shall
25 be deposited into the Capital Projects Fund.

26 (d) The Board may approve electronic gaming positions

1 statewide as provided in this Section. The authority to operate
2 electronic gaming positions under this Section shall be
3 allocated as follows: up to 1,200 gaming positions for any
4 organization licensee in Cook County and up to 900 gaming
5 positions for any organization licensee outside of Cook County.

6 (e) Subject to the approval of the Illinois Gaming Board,
7 an electronic gaming licensee may make modification or
8 additions to any existing buildings and structures to comply
9 with the requirements of this Act. The Illinois Gaming Board
10 shall make its decision after consulting with the Illinois
11 Racing Board. In no case, however, shall the Illinois Gaming
12 Board approve any modification or addition that alters the
13 grounds of the organizational licensee such that the act of
14 live racing is an ancillary activity to electronic gaming.
15 Electronic gaming may take place in existing structures where
16 inter-track wagering is conducted at the race track or a
17 facility within 300 yards of the race track in accordance with
18 the provisions of this Act and the Illinois Horse Racing Act of
19 1975.

20 (f) An electronic gaming licensee may conduct electronic
21 gaming at a temporary facility pending the construction of a
22 permanent facility or the remodeling of an existing facility to
23 accommodate electronic gaming participants for up to 12 months
24 after receiving an electronic gaming license. Upon request by
25 an electronic gaming licensee and upon a showing of good cause
26 by the electronic gaming licensee, the Board shall extend the

1 period during which the licensee may conduct electronic gaming
2 at a temporary facility by up to 12 months. The Board shall
3 make rules concerning the conduct of electronic gaming from
4 temporary facilities.

5 (g) The Illinois Gaming Board must adopt emergency rules in
6 accordance with Section 5-45 of the Illinois Administrative
7 Procedure Act as necessary to ensure compliance with the
8 provisions of this amendatory Act of the 96th General Assembly
9 concerning electronic gaming. The adoption of emergency rules
10 authorized by this subsection (g) shall be deemed to be
11 necessary for the public interest, safety, and welfare.

12 (h) Each organization license who obtains electronic
13 gaming positions must make a reconciliation payment 4 years
14 after the date the electronic gaming licensee begins operating
15 the positions in an amount equal to 25% of the net gross gaming
16 receipts from electronic gaming for the most lucrative 12-month
17 period of operations, minus an amount equal to the initial
18 \$10,000 or \$5,000 per electronic gaming position initial
19 payment. If this calculation results in a negative amount, then
20 the electronic gaming licensee is not entitled to any
21 reimbursement of fees previously paid. This reconciliation
22 payment may be made in installments over a period of no more
23 than 5 years, subject to Board approval. However, the total
24 payment of the reconciliation shall not exceed \$50,000,000.

25 All payments by licensees under this subsection (h) shall
26 be deposited into the Capital Projects Fund.

1 (i) As soon as practical after a request is made by the
2 Illinois Gaming Board, to minimize duplicate submissions by the
3 applicant, the Illinois Racing Board must provide information
4 on an applicant for an electronic gaming license to the
5 Illinois Gaming Board.

6 (230 ILCS 10/7.7 new)

7 Sec. 7.7. Home rule. The regulation and licensing of
8 electronic gaming and electronic gaming licensees are
9 exclusive powers and functions of the State. A home rule unit
10 may not regulate or license electronic gaming or electronic
11 gaming licensees. This Section is a denial and limitation of
12 home rule powers and functions under subsection (h) of Section
13 6 of Article VII of the Illinois Constitution.

14 (230 ILCS 10/8) (from Ch. 120, par. 2408)

15 Sec. 8. Suppliers licenses.

16 (a) The Board may issue a suppliers license to such
17 persons, firms or corporations which apply therefor upon the
18 payment of a non-refundable application fee set by the Board,
19 upon a determination by the Board that the applicant is
20 eligible for a suppliers license and upon payment of a \$5,000
21 annual license fee.

22 (b) The holder of a suppliers license is authorized to sell
23 or lease, and to contract to sell or lease, gambling equipment
24 and supplies to any licensee involved in the ownership or

1 management of gambling operations.

2 (c) Gambling supplies and equipment may not be distributed
3 unless supplies and equipment conform to standards adopted by
4 rules of the Board.

5 (d) A person, firm or corporation is ineligible to receive
6 a suppliers license if:

7 (1) the person has been convicted of a felony under the
8 laws of this State, any other state, or the United States;

9 (2) the person has been convicted of any violation of
10 Article 28 of the Criminal Code of 1961, or substantially
11 similar laws of any other jurisdiction;

12 (3) the person has submitted an application for a
13 license under this Act which contains false information;

14 (4) the person is a member of the Board;

15 (5) the firm or corporation is one in which a person
16 defined in (1), (2), (3) or (4), is an officer, director or
17 managerial employee;

18 (6) the firm or corporation employs a person who
19 participates in the management or operation of riverboat
20 gambling authorized under this Act;

21 (7) the license of the person, firm or corporation
22 issued under this Act, or a license to own or operate
23 gambling facilities in any other jurisdiction, has been
24 revoked.

25 (e) Any person that supplies any equipment, devices, or
26 supplies to a licensed riverboat gambling operation or

1 electronic gaming operation must first obtain a suppliers
2 license. A supplier shall furnish to the Board a list of all
3 equipment, devices and supplies offered for sale or lease in
4 connection with gambling games authorized under this Act. A
5 supplier shall keep books and records for the furnishing of
6 equipment, devices and supplies to gambling operations
7 separate and distinct from any other business that the supplier
8 might operate. A supplier shall file a quarterly return with
9 the Board listing all sales and leases. A supplier shall
10 permanently affix its name to all its equipment, devices, and
11 supplies for gambling operations. Any supplier's equipment,
12 devices or supplies which are used by any person in an
13 unauthorized gambling operation shall be forfeited to the
14 State. A holder of an owners license or an electronic gaming
15 license ~~A licensed owner~~ may own its own equipment, devices and
16 supplies. Each holder of an owners license or an electronic
17 gaming license under the Act shall file an annual report
18 listing its inventories of gambling equipment, devices and
19 supplies.

20 (f) Any person who knowingly makes a false statement on an
21 application is guilty of a Class A misdemeanor.

22 (g) Any gambling equipment, devices and supplies provided
23 by any licensed supplier may either be repaired on the
24 riverboat or at the electronic gaming facility or removed from
25 the riverboat or electronic gaming facility to a ~~an on-shore~~
26 facility owned by the holder of an owners license or electronic

1 gaming license for repair.

2 (Source: P.A. 86-1029; 87-826.)

3 (230 ILCS 10/9) (from Ch. 120, par. 2409)

4 Sec. 9. Occupational licenses.

5 (a) The Board may issue an occupational license to an
6 applicant upon the payment of a non-refundable fee set by the
7 Board, upon a determination by the Board that the applicant is
8 eligible for an occupational license and upon payment of an
9 annual license fee in an amount to be established. To be
10 eligible for an occupational license, an applicant must:

11 (1) be at least 21 years of age if the applicant will
12 perform any function involved in gaming by patrons. Any
13 applicant seeking an occupational license for a non-gaming
14 function shall be at least 18 years of age;

15 (2) not have been convicted of a felony offense, a
16 violation of Article 28 of the Criminal Code of 1961, or a
17 similar statute of any other jurisdiction, or a crime
18 involving dishonesty or moral turpitude;

19 (3) have demonstrated a level of skill or knowledge
20 which the Board determines to be necessary in order to
21 operate gambling aboard a riverboat or at an electronic
22 gaming facility; and

23 (4) have met standards for the holding of an
24 occupational license as adopted by rules of the Board. Such
25 rules shall provide that any person or entity seeking an

1 occupational license to manage gambling operations
2 hereunder shall be subject to background inquiries and
3 further requirements similar to those required of
4 applicants for an owners license. Furthermore, such rules
5 shall provide that each such entity shall be permitted to
6 manage gambling operations for only one licensed owner.

7 (b) Each application for an occupational license shall be
8 on forms prescribed by the Board and shall contain all
9 information required by the Board. The applicant shall set
10 forth in the application: whether he has been issued prior
11 gambling related licenses; whether he has been licensed in any
12 other state under any other name, and, if so, such name and his
13 age; and whether or not a permit or license issued to him in
14 any other state has been suspended, restricted or revoked, and,
15 if so, for what period of time.

16 (c) Each applicant shall submit with his application, on
17 forms provided by the Board, 2 sets of his fingerprints. The
18 Board shall charge each applicant a fee set by the Department
19 of State Police to defray the costs associated with the search
20 and classification of fingerprints obtained by the Board with
21 respect to the applicant's application. These fees shall be
22 paid into the State Police Services Fund.

23 (d) The Board may in its discretion refuse an occupational
24 license to any person: (1) who is unqualified to perform the
25 duties required of such applicant; (2) who fails to disclose or
26 states falsely any information called for in the application;

1 (3) who has been found guilty of a violation of this Act or
2 whose prior gambling related license or application therefor
3 has been suspended, restricted, revoked or denied for just
4 cause in any other state; or (4) for any other just cause.

5 (e) The Board may suspend, revoke or restrict any
6 occupational licensee: (1) for violation of any provision of
7 this Act; (2) for violation of any of the rules and regulations
8 of the Board; (3) for any cause which, if known to the Board,
9 would have disqualified the applicant from receiving such
10 license; or (4) for default in the payment of any obligation or
11 debt due to the State of Illinois; or (5) for any other just
12 cause.

13 (f) A person who knowingly makes a false statement on an
14 application is guilty of a Class A misdemeanor.

15 (g) Any license issued pursuant to this Section shall be
16 valid for a period of one year from the date of issuance.

17 (h) Nothing in this Act shall be interpreted to prohibit a
18 licensed owner or electronic gaming licensee from entering into
19 an agreement with a school approved under the Private Business
20 and Vocational Schools Act for the training of any occupational
21 licensee. Any training offered by such a school shall be in
22 accordance with a written agreement between the licensed owner
23 or electronic gaming licensee and the school.

24 (i) Any training provided for occupational licensees may be
25 conducted either at the site of the gambling facility ~~on the~~
26 ~~riverboat~~ or at a school with which a licensed owner or

1 electronic gaming licensee has entered into an agreement
2 pursuant to subsection (h).

3 (Source: P.A. 86-1029; 87-826.)

4 (230 ILCS 10/11) (from Ch. 120, par. 2411)

5 Sec. 11. Conduct of gambling. Gambling may be conducted by
6 licensed owners or licensed managers on behalf of the State
7 aboard riverboats. Gambling may be conducted by electronic
8 gaming licensees at electronic gaming facilities. Gambling
9 authorized under this Section shall be, subject to the
10 following standards:

11 (1) A licensee may conduct riverboat gambling
12 authorized under this Act regardless of whether it conducts
13 excursion cruises. A licensee may permit the continuous
14 ingress and egress of patrons ~~passengers~~ for the purpose of
15 gambling.

16 (2) (Blank).

17 (3) Minimum and maximum wagers on games shall be set by
18 the licensee.

19 (4) Agents of the Board and the Department of State
20 Police may board and inspect any riverboat or enter and
21 inspect any portion of an electronic gaming facility at any
22 time for the purpose of determining whether this Act is
23 being complied with. Every riverboat, if under way and
24 being hailed by a law enforcement officer or agent of the
25 Board, must stop immediately and lay to.

1 (5) Employees of the Board shall have the right to be
2 present on the riverboat or on adjacent facilities under
3 the control of the licensee and at the electronic gaming
4 facility under the control of the electronic gaming
5 licensee.

6 (6) Gambling equipment and supplies customarily used
7 in conducting riverboat gambling or electronic gaming must
8 be purchased or leased only from suppliers licensed for
9 such purpose under this Act.

10 (7) Persons licensed under this Act shall permit no
11 form of wagering on gambling games except as permitted by
12 this Act.

13 (8) Wagers may be received only from a person present
14 on a licensed riverboat or at an electronic gaming
15 facility. No person present on a licensed riverboat or at
16 an electronic gaming facility shall place or attempt to
17 place a wager on behalf of another person who is not
18 present on the riverboat or at the electronic gaming
19 facility.

20 (9) Wagering, including electronic gaming, shall not
21 be conducted with money or other negotiable currency.

22 (10) A person under age 21 shall not be permitted on an
23 area of a riverboat where gambling is being conducted or at
24 an electronic gaming facility where gambling is being
25 conducted, except for a person at least 18 years of age who
26 is an employee of the riverboat gambling operation or

1 electronic gaming operation. No employee under age 21 shall
2 perform any function involved in gambling by the patrons.
3 No person under age 21 shall be permitted to make a wager
4 under this Act.

5 (11) Gambling excursion cruises are permitted only
6 when the waterway for which the riverboat is licensed is
7 navigable, as determined by the Board in consultation with
8 the U.S. Army Corps of Engineers. This paragraph (11) does
9 not limit the ability of a licensee to conduct gambling
10 authorized under this Act when gambling excursion cruises
11 are not permitted.

12 (12) All tokens, chips or electronic cards used to make
13 wagers must be purchased (i) from a licensed owner or
14 manager either aboard a riverboat or at an onshore facility
15 which has been approved by the Board and which is located
16 where the riverboat docks or (ii) from an electronic gaming
17 licensee at the electronic gaming facility. The tokens,
18 chips or electronic cards may be purchased by means of an
19 agreement under which the owner or manager extends credit
20 to the patron. Such tokens, chips or electronic cards may
21 be used while aboard the riverboat or at the electronic
22 gaming facility only for the purpose of making wagers on
23 gambling games.

24 (13) Notwithstanding any other Section of this Act, in
25 addition to the other licenses authorized under this Act,
26 the Board may issue special event licenses allowing persons

1 who are not otherwise licensed to conduct riverboat
2 gambling to conduct such gambling on a specified date or
3 series of dates. Riverboat gambling under such a license
4 may take place on a riverboat not normally used for
5 riverboat gambling. The Board shall establish standards,
6 fees and fines for, and limitations upon, such licenses,
7 which may differ from the standards, fees, fines and
8 limitations otherwise applicable under this Act. All such
9 fees shall be deposited into the State Gaming Fund. All
10 such fines shall be deposited into the Education Assistance
11 Fund, created by Public Act 86-0018, of the State of
12 Illinois.

13 (14) In addition to the above, gambling must be
14 conducted in accordance with all rules adopted by the
15 Board.

16 (Source: P.A. 93-28, eff. 6-20-03.)

17 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

18 Sec. 11.1. Collection of amounts owing under credit
19 agreements. Notwithstanding any applicable statutory provision
20 to the contrary, a licensed owner, ~~or~~ manager, or electronic
21 gaming licensee who extends credit to a riverboat gambling
22 patron or an electronic gaming patron pursuant to Section 11
23 (a) (12) of this Act is expressly authorized to institute a
24 cause of action to collect any amounts due and owing under the
25 extension of credit, as well as the owner's or manager's costs,

1 expenses and reasonable attorney's fees incurred in
2 collection.

3 (Source: P.A. 93-28, eff. 6-20-03.)

4 (230 ILCS 10/12) (from Ch. 120, par. 2412)

5 Sec. 12. Admission tax; fees.

6 (a) A tax is hereby imposed upon admissions to riverboats
7 operated by licensed owners authorized pursuant to this Act.
8 Until July 1, 2002, the rate is \$2 per person admitted. From
9 July 1, 2002 until July 1, 2003, the rate is \$3 per person
10 admitted. From July 1, 2003 until the effective date of this
11 amendatory Act of the 94th General Assembly, for a licensee
12 that admitted 1,000,000 persons or fewer in the previous
13 calendar year, the rate is \$3 per person admitted; for a
14 licensee that admitted more than 1,000,000 but no more than
15 2,300,000 persons in the previous calendar year, the rate is \$4
16 per person admitted; and for a licensee that admitted more than
17 2,300,000 persons in the previous calendar year, the rate is \$5
18 per person admitted. Beginning on the effective date of this
19 amendatory Act of the 94th General Assembly, for a licensee
20 that admitted 1,000,000 persons or fewer in calendar year 2004,
21 the rate is \$2 per person admitted, and for all other licensees
22 the rate is \$3 per person admitted. This admission tax is
23 imposed upon the licensed owner conducting gambling.

24 (1) The admission tax shall be paid for each admission,
25 except that a person who exits a riverboat gambling

1 facility and reenters that riverboat gambling facility
2 within the same gaming day shall be subject only to the
3 initial admission tax.

4 (2) (Blank).

5 (3) The riverboat licensee may issue tax-free passes to
6 actual and necessary officials and employees of the
7 licensee or other persons actually working on the
8 riverboat.

9 (4) The number and issuance of tax-free passes is
10 subject to the rules of the Board, and a list of all
11 persons to whom the tax-free passes are issued shall be
12 filed with the Board.

13 (a-5) A fee is hereby imposed upon admissions operated by
14 licensed managers on behalf of the State pursuant to Section
15 7.3 at the rates provided in this subsection (a-5). For a
16 licensee that admitted 1,000,000 persons or fewer in the
17 previous calendar year, the rate is \$3 per person admitted; for
18 a licensee that admitted more than 1,000,000 but no more than
19 2,300,000 persons in the previous calendar year, the rate is \$4
20 per person admitted; and for a licensee that admitted more than
21 2,300,000 persons in the previous calendar year, the rate is \$5
22 per person admitted.

23 (1) The admission fee shall be paid for each admission.

24 (2) (Blank).

25 (3) The licensed manager may issue fee-free passes to
26 actual and necessary officials and employees of the manager

1 or other persons actually working on the riverboat.

2 (4) The number and issuance of fee-free passes is
3 subject to the rules of the Board, and a list of all
4 persons to whom the fee-free passes are issued shall be
5 filed with the Board.

6 (b) From the tax imposed under subsection (a) and the fee
7 imposed under subsection (a-5), a municipality shall receive
8 from the State \$1 for each person embarking on a riverboat
9 docked within the municipality, and a county shall receive \$1
10 for each person embarking on a riverboat docked within the
11 county but outside the boundaries of any municipality. The
12 municipality's or county's share shall be collected by the
13 Board on behalf of the State and remitted quarterly by the
14 State, subject to appropriation, to the treasurer of the unit
15 of local government for deposit in the general fund.

16 (c) The licensed owner shall pay the entire admission tax
17 to the Board and the licensed manager shall pay the entire
18 admission fee to the Board. Such payments shall be made daily.
19 Accompanying each payment shall be a return on forms provided
20 by the Board which shall include other information regarding
21 admissions as the Board may require. Failure to submit either
22 the payment or the return within the specified time may result
23 in suspension or revocation of the owners or managers license.

24 (c-5) A tax is imposed on admissions to electronic gaming
25 facilities at the rate of \$3 per person admitted by an
26 electronic gaming licensee. The tax is imposed upon the

1 electronic gaming licensee.

2 (1) The admission tax shall be paid for each admission,
3 except that a person who exits an electronic gaming
4 facility and reenters that electronic gaming facility
5 within the same gaming day, as the term "gaming day" is
6 defined by the Board by rule, shall be subject only to the
7 initial admission tax. The Board shall establish, by rule,
8 a procedure to determine whether a person admitted to an
9 electronic gaming facility has paid the admission tax.

10 (2) An electronic gaming licensee may issue tax-free
11 passes to actual and necessary officials and employees of
12 the licensee and other persons associated with electronic
13 gaming operations.

14 (3) The number and issuance of tax-free passes is
15 subject to the rules of the Board, and a list of all
16 persons to whom the tax-free passes are issued shall be
17 filed with the Board.

18 (4) The electronic gaming licensee shall pay the entire
19 admission tax to the Board.

20 Such payments shall be made daily. Accompanying each
21 payment shall be a return on forms provided by the Board, which
22 shall include other information regarding admission as the
23 Board may require. Failure to submit either the payment or the
24 return within the specified time may result in suspension or
25 revocation of the organization licensee's license.

26 From the tax imposed under this subsection (c-5), the

1 municipality in which an electronic gaming facility is located
2 or, if the electronic gaming facility is not located within a
3 municipality, the county in which the electronic gaming
4 facility is located shall receive, subject to appropriation, \$1
5 for each person who enters the electronic gaming facility. For
6 each admission to the electronic gaming facility in excess of
7 1,500,000 in a year, from the tax imposed under this subsection
8 (c-5), the county in which the electronic gaming facility is
9 located shall receive, subject to appropriation, \$0.30, which
10 shall be in addition to any other moneys paid to the county
11 under this Section and \$0.20 shall be paid into the
12 Agricultural Premium Fund.

13 After payments made under this subsection (c-5), all
14 remaining amounts shall be deposited into the Capital Projects
15 Fund.

16 (d) The Board shall administer and collect the admission
17 tax imposed by this Section, to the extent practicable, in a
18 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
19 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
20 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
21 Penalty and Interest Act.

22 (Source: P.A. 94-673, eff. 8-23-05; 95-663, eff. 10-11-07.)

23 (230 ILCS 10/13) (from Ch. 120, par. 2413)

24 Sec. 13. Wagering tax; rate; distribution.

25 (a) Until January 1, 1998, a tax is imposed on the adjusted

1 gross receipts received from gambling games authorized under
2 this Act at the rate of 20%.

3 (a-1) From January 1, 1998 until July 1, 2002, a privilege
4 tax is imposed on persons engaged in the business of conducting
5 riverboat gambling operations, based on the adjusted gross
6 receipts received by a licensed owner from gambling games
7 authorized under this Act at the following rates:

8 15% of annual adjusted gross receipts up to and
9 including \$25,000,000;

10 20% of annual adjusted gross receipts in excess of
11 \$25,000,000 but not exceeding \$50,000,000;

12 25% of annual adjusted gross receipts in excess of
13 \$50,000,000 but not exceeding \$75,000,000;

14 30% of annual adjusted gross receipts in excess of
15 \$75,000,000 but not exceeding \$100,000,000;

16 35% of annual adjusted gross receipts in excess of
17 \$100,000,000.

18 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
19 is imposed on persons engaged in the business of conducting
20 riverboat gambling operations, other than licensed managers
21 conducting riverboat gambling operations on behalf of the
22 State, based on the adjusted gross receipts received by a
23 licensed owner from gambling games authorized under this Act at
24 the following rates:

25 15% of annual adjusted gross receipts up to and
26 including \$25,000,000;

1 22.5% of annual adjusted gross receipts in excess of
2 \$25,000,000 but not exceeding \$50,000,000;

3 27.5% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 32.5% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 37.5% of annual adjusted gross receipts in excess of
8 \$100,000,000 but not exceeding \$150,000,000;

9 45% of annual adjusted gross receipts in excess of
10 \$150,000,000 but not exceeding \$200,000,000;

11 50% of annual adjusted gross receipts in excess of
12 \$200,000,000.

13 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
14 persons engaged in the business of conducting riverboat
15 gambling operations, other than licensed managers conducting
16 riverboat gambling operations on behalf of the State, based on
17 the adjusted gross receipts received by a licensed owner from
18 gambling games authorized under this Act at the following
19 rates:

20 15% of annual adjusted gross receipts up to and
21 including \$25,000,000;

22 27.5% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$37,500,000;

24 32.5% of annual adjusted gross receipts in excess of
25 \$37,500,000 but not exceeding \$50,000,000;

26 37.5% of annual adjusted gross receipts in excess of

1 \$50,000,000 but not exceeding \$75,000,000;
2 45% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$100,000,000;
4 50% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$250,000,000;
6 70% of annual adjusted gross receipts in excess of
7 \$250,000,000.

8 An amount equal to the amount of wagering taxes collected
9 under this subsection (a-3) that are in addition to the amount
10 of wagering taxes that would have been collected if the
11 wagering tax rates under subsection (a-2) were in effect shall
12 be paid into the Common School Fund.

13 The privilege tax imposed under this subsection (a-3) shall
14 no longer be imposed beginning on the earlier of (i) July 1,
15 2005; (ii) the first date after June 20, 2003 that riverboat
16 gambling operations are conducted pursuant to a dormant
17 license; or (iii) the first day that riverboat gambling
18 operations are conducted under the authority of an owners
19 license that is in addition to the 10 owners licenses initially
20 authorized under this Act. For the purposes of this subsection
21 (a-3), the term "dormant license" means an owners license that
22 is authorized by this Act under which no riverboat gambling
23 operations are being conducted on June 20, 2003.

24 (a-4) Beginning on the first day on which the tax imposed
25 under subsection (a-3) is no longer imposed, a privilege tax is
26 imposed on persons engaged in the business of conducting

1 riverboat gambling operations, other than licensed managers
2 conducting riverboat gambling operations on behalf of the
3 State, based on the ~~adjusted~~ gross receipts received by a
4 licensed owner from gambling games authorized under this Act at
5 the following rates:

6 15% of annual ~~adjusted~~ gross gaming receipts up to and
7 including \$25,000,000;

8 22.5% of annual ~~adjusted~~ gross gaming receipts in
9 excess of \$25,000,000 but not exceeding \$50,000,000;

10 27.5% of annual ~~adjusted~~ gross gaming receipts in
11 excess of \$50,000,000 but not exceeding \$75,000,000;

12 32.5% of annual ~~adjusted~~ gross gaming receipts in
13 excess of \$75,000,000 but not exceeding \$100,000,000;

14 37.5% of annual ~~adjusted~~ gross gaming receipts in
15 excess of \$100,000,000 but not exceeding \$150,000,000;

16 45% of annual ~~adjusted~~ gross gaming receipts in excess
17 of \$150,000,000 but not exceeding \$200,000,000;

18 50% of annual ~~adjusted~~ gross gaming receipts in excess
19 of \$200,000,000.

20 (a-5) Beginning on the effective date of this amendatory
21 Act of the 96th General Assembly, a privilege tax is imposed on
22 persons conducting electronic gaming, based on the gross gaming
23 receipts received by an electronic gaming licensee from
24 electronic gaming authorized under this Act at the following
25 rates:

26 15% of annual gross gaming receipts up to and including

1 \$25,000,000;

2 22.5% of annual gross gaming receipts in excess of
3 \$25,000,000 but not exceeding \$50,000,000;

4 27.5% of annual gross gaming receipts in excess of
5 \$50,000,000 but not exceeding \$75,000,000;

6 32.5% of annual gross gaming receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000;

8 37.5% of annual gross gaming receipts in excess of
9 \$100,000,000 but not exceeding \$150,000,000;

10 45% of annual gross gaming receipts in excess of
11 \$150,000,000 but not exceeding \$200,000,000;

12 50% of annual gross gaming receipts in excess of
13 \$200,000,000.

14 For the imposition of the privilege tax in this subsection
15 (a-5), amounts paid pursuant to subsection (b-1) of Section 56
16 of the Illinois Horse Racing Act shall not be included in the
17 determination of daily gross gaming receipts.

18 (a-8) Riverboat gambling operations conducted by a
19 licensed manager on behalf of the State are not subject to the
20 tax imposed under this Section.

21 (a-10) The taxes imposed by this Section shall be paid by
22 the licensed owner or the electronic gaming licensee to the
23 Board not later than 5:00 o'clock p.m. ~~3:00 o'clock p.m.~~ of the
24 day after the day when the wagers were made.

25 (a-15) If the privilege tax imposed under subsection (a-3)
26 is no longer imposed pursuant to item (i) of the last paragraph

1 of subsection (a-3), then by June 15 of each year, each owners
2 licensee, other than an owners licensee that admitted 1,000,000
3 persons or fewer in calendar year 2004, must, in addition to
4 the payment of all amounts otherwise due under this Section,
5 pay to the Board a reconciliation payment in the amount, if
6 any, by which the licensed owner's base amount exceeds the
7 amount of net privilege tax paid by the licensed owner to the
8 Board in the then current State fiscal year. A licensed owner's
9 net privilege tax obligation due for the balance of the State
10 fiscal year shall be reduced up to the total of the amount paid
11 by the licensed owner in its June 15 reconciliation payment.
12 The obligation imposed by this subsection (a-15) is binding on
13 any person, firm, corporation, or other entity that acquires an
14 ownership interest in any such owners license. The obligation
15 imposed under this subsection (a-15) terminates on the earliest
16 of: (i) July 1, 2007, (ii) the first day after the effective
17 date of this amendatory Act of the 94th General Assembly that
18 riverboat gambling operations are conducted pursuant to a
19 dormant license, (iii) the first day that riverboat gambling
20 operations are conducted under the authority of an owners
21 license that is in addition to the 10 owners licenses initially
22 authorized under this Act, or (iv) the first day that a
23 licensee under the Illinois Horse Racing Act of 1975 conducts
24 gaming operations with slot machines or other electronic gaming
25 devices. The Board must reduce the obligation imposed under
26 this subsection (a-15) by an amount the Board deems reasonable

1 for any of the following reasons: (A) an act or acts of God,
2 (B) an act of bioterrorism or terrorism or a bioterrorism or
3 terrorism threat that was investigated by a law enforcement
4 agency, or (C) a condition beyond the control of the owners
5 licensee that does not result from any act or omission by the
6 owners licensee or any of its agents and that poses a hazardous
7 threat to the health and safety of patrons. If an owners
8 licensee pays an amount in excess of its liability under this
9 Section, the Board shall apply the overpayment to future
10 payments required under this Section.

11 For purposes of this subsection (a-15):

12 "Act of God" means an incident caused by the operation of
13 an extraordinary force that cannot be foreseen, that cannot be
14 avoided by the exercise of due care, and for which no person
15 can be held liable.

16 "Base amount" means the following:

17 For a riverboat in Alton, \$31,000,000.

18 For a riverboat in East Peoria, \$43,000,000.

19 For the Empress riverboat in Joliet, \$86,000,000.

20 For a riverboat in Metropolis, \$45,000,000.

21 For the Harrah's riverboat in Joliet, \$114,000,000.

22 For a riverboat in Aurora, \$86,000,000.

23 For a riverboat in East St. Louis, \$48,500,000.

24 For a riverboat in Elgin, \$198,000,000.

25 "Dormant license" has the meaning ascribed to it in
26 subsection (a-3).

1 "Net privilege tax" means all privilege taxes paid by a
2 licensed owner to the Board under this Section, less all
3 payments made from the State Gaming Fund pursuant to subsection
4 (b) of this Section.

5 The changes made to this subsection (a-15) by Public Act
6 94-839 are intended to restate and clarify the intent of Public
7 Act 94-673 with respect to the amount of the payments required
8 to be made under this subsection by an owners licensee to the
9 Board.

10 (b) Until January 1, 1998, 25% of the tax revenue deposited
11 in the State Gaming Fund under this Section shall be paid,
12 subject to appropriation by the General Assembly, to the unit
13 of local government which is designated as the home dock of the
14 riverboat. Beginning January 1, 1998, from the tax revenue
15 deposited in the State Gaming Fund under this Section, an
16 amount equal to 5% of ~~adjusted~~ gross receipts generated by a
17 riverboat shall be paid monthly, subject to appropriation by
18 the General Assembly, to the unit of local government that is
19 designated as the home dock of the riverboat. From the tax
20 revenue deposited in the State Gaming Fund pursuant to
21 riverboat gambling operations conducted by a licensed manager
22 on behalf of the State, an amount equal to 5% of ~~adjusted~~ gross
23 receipts generated pursuant to those riverboat gambling
24 operations shall be paid monthly, subject to appropriation by
25 the General Assembly, to the unit of local government that is
26 designated as the home dock of the riverboat upon which those

1 riverboat gambling operations are conducted.

2 (b-5) Beginning on the effective date of this amendatory
3 Act of the 96th General Assembly, from the tax revenue from
4 electronic gaming deposited into the State Gaming Fund under
5 this Section, an amount equal to 5% of the gross gaming
6 receipts generated by an electronic gaming licensee shall be
7 paid monthly, subject to appropriation, to the municipality in
8 which the electronic gaming facility is located. If an
9 electronic gaming facility is not located within a
10 municipality, then an amount equal to 5% of the gross gaming
11 receipts generated by the electronic gaming licensee shall be
12 paid monthly, subject to appropriation, to the county in which
13 the electronic gaming facility is located.

14 (b-10) Beginning on the effective date of this amendatory
15 Act of the 96th General Assembly, from the tax revenue from
16 electronic gaming deposited into the State Gaming Fund under
17 this Section, an amount equal to 2% of the gross gaming
18 receipts generated by an electronic gaming licensee, but in no
19 event more than \$5,900,000 in any year, shall be paid monthly
20 into the Illinois Colt Stakes Purse Distribution Fund to be
21 used for horse racing purses at the Illinois State Fair and
22 DuQuoin State Fair and county fairs and for bonus programs to
23 pay owners of horses that win multiple stake races that are
24 restricted to Illinois conceived and foaled horses.

25 (b-20) Beginning on the effective date of this amendatory
26 Act of the 96th General Assembly, after the payments required

1 under subsections (b), (b-5), and (b-10) have been made, from
2 the tax revenue from electronic gaming deposited into the State
3 Gaming Fund under this Section, an amount equal to 0.875% of
4 the gross gaming receipts generated by an electronic gaming
5 licensee shall be paid monthly to the Illinois Thoroughbred
6 Breeders Fund and .875% shall be paid monthly to the Illinois
7 Standardbred Breeders Fund.

8 (b-30) Beginning on the effective date of this amendatory
9 act of the 96th General Assembly, after the payments required
10 under subsections (b), (b-5), (b-10), and (b-20) have been
11 made, from the tax revenue from electronic gaming deposited
12 into the State Gaming Fund under this Section, an amount equal
13 to one-twelfth of \$1,250,000 shall be paid monthly to the
14 Illinois Racing Board for the purpose of making grants to
15 non-profit organizations that provide medical and family,
16 counseling, and similar services to persons who reside or work
17 on the backstretch of Illinois racetracks.

18 (b-35) After payments required under subsections (b-5),
19 (b-10), (b-20), and (b-30) have been made from the tax revenue
20 from electronic gaming deposited into the State Gaming Fund
21 under this Section, all remaining amounts from electronic
22 gaming shall be deposited into the Capital Projects Fund.

23 (c) Appropriations, as approved by the General Assembly,
24 may be made from the State Gaming Fund to the Department of
25 Revenue and the Department of State Police for the
26 administration and enforcement of this Act and the Video Gaming

1 Act, or to the Department of Human Services for the
2 administration of programs to treat problem gambling.

3 (c-5) (Blank). ~~Before May 26, 2006 (the effective date of~~
4 ~~Public Act 94-804) and beginning on the effective date of this~~
5 ~~amendatory Act of the 95th General Assembly, unless any~~
6 ~~organization licensee under the Illinois Horse Racing Act of~~
7 ~~1975 begins to operate a slot machine or video game of chance~~
8 ~~under the Illinois Horse Racing Act of 1975 or this Act, after~~
9 ~~the payments required under subsections (b) and (c) have been~~
10 ~~made, an amount equal to 15% of the adjusted gross receipts of~~
11 ~~(1) an owners licensee that relocates pursuant to Section 11.2,~~
12 ~~(2) an owners licensee conducting riverboat gambling~~
13 ~~operations pursuant to an owners license that is initially~~
14 ~~issued after June 25, 1999, or (3) the first riverboat gambling~~
15 ~~operations conducted by a licensed manager on behalf of the~~
16 ~~State under Section 7.3, whichever comes first, shall be paid~~
17 ~~from the State Gaming Fund into the Horse Racing Equity Fund.~~

18 (c-10) (Blank). ~~Each year the General Assembly shall~~
19 ~~appropriate from the General Revenue Fund to the Education~~
20 ~~Assistance Fund an amount equal to the amount paid into the~~
21 ~~Horse Racing Equity Fund pursuant to subsection (c-5) in the~~
22 ~~prior calendar year.~~

23 (c-15) After the payments required under subsections (b),
24 (b-5), (b-10), (b-20), (b-30), and (c), and (e-5) have been
25 made, an amount equal to 2% of the ~~adjusted~~ gross receipts of
26 (1) an owners licensee that relocates pursuant to Section 11.2,

1 (2) an owners licensee conducting riverboat gambling
2 operations pursuant to an owners license that is initially
3 issued after June 25, 1999, or (3) the first riverboat gambling
4 operations conducted by a licensed manager on behalf of the
5 State under Section 7.3, whichever comes first, shall be paid,
6 subject to appropriation from the General Assembly, from the
7 State Gaming Fund to each home rule county with a population of
8 over 3,000,000 inhabitants for the purpose of enhancing the
9 county's criminal justice system.

10 (c-20) Each year the General Assembly shall appropriate
11 from the General Revenue Fund to the Education Assistance Fund
12 an amount equal to the amount paid to each home rule county
13 with a population of over 3,000,000 inhabitants pursuant to
14 subsection (c-15) in the prior calendar year.

15 (c-25) After the payments required under subsections (b),
16 (b-5), (b-10), (b-20), (b-30), (c), ~~(e-5)~~ and (c-15) have been
17 made, an amount equal to 2% of the ~~adjusted~~ gross receipts of
18 (1) an owners licensee that relocates pursuant to Section 11.2,
19 (2) an owners licensee conducting riverboat gambling
20 operations pursuant to an owners license that is initially
21 issued after June 25, 1999, or (3) the first riverboat gambling
22 operations conducted by a licensed manager on behalf of the
23 State under Section 7.3, whichever comes first, shall be paid
24 from the State Gaming Fund to Chicago State University.

25 (d) From time to time, the Board shall transfer the
26 remainder of the funds generated by this Act into the Education

1 Assistance Fund, created by Public Act 86-0018, of the State of
2 Illinois.

3 (e) Nothing in this Act shall prohibit the unit of local
4 government designated as the home dock of the riverboat from
5 entering into agreements with other units of local government
6 in this State or in other states to share its portion of the
7 tax revenue.

8 (f) To the extent practicable, the Board shall administer
9 and collect the wagering taxes imposed by this Section in a
10 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
11 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
12 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
13 Penalty and Interest Act.

14 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;
15 96-37, eff. 7-13-09.)

16 (230 ILCS 10/14) (from Ch. 120, par. 2414)

17 Sec. 14. Licensees - Records - Reports - Supervision.

18 (a) Licensed owners and electronic gaming licensees ~~A~~
19 ~~licensed owner~~ shall keep ~~his~~ books and records so as to
20 clearly show the following:

21 (1) The amount received daily from admission fees.

22 (2) The total amount of whole gaming ~~gross receipts~~.

23 (3) The total amount of the ~~adjusted~~ gross gaming receipts.

24 (b) Licensed owners and electronic gaming licensees ~~The~~
25 ~~licensed owner~~ shall furnish to the Board reports and

1 information as the Board may require with respect to its
2 activities on forms designed and supplied for such purpose by
3 the Board.

4 (c) The books and records kept by a licensed owner as
5 provided by this Section are public records and the
6 examination, publication, and dissemination of the books and
7 records are governed by the provisions of The Freedom of
8 Information Act.

9 (Source: P.A. 86-1029.)

10 (230 ILCS 10/18) (from Ch. 120, par. 2418)

11 Sec. 18. Prohibited Activities - Penalty.

12 (a) A person is guilty of a Class A misdemeanor for doing
13 any of the following:

14 (1) Conducting gambling where wagering is used or to be
15 used without a license issued by the Board.

16 (2) Conducting gambling where wagering is permitted
17 other than in the manner specified by Section 11.

18 (b) A person is guilty of a Class B misdemeanor for doing
19 any of the following:

20 (1) permitting a person under 21 years to make a wager;

21 or

22 (2) violating paragraph (12) of subsection (a) of
23 Section 11 of this Act.

24 (c) A person wagering or accepting a wager at any location
25 outside the riverboat or electronic gaming facility in

1 ~~violation of paragraph is subject to the penalties in~~
2 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
3 Criminal Code of 1961 is subject to the penalties provided in
4 that Section.

5 (d) A person commits a Class 4 felony and, in addition,
6 shall be barred for life from gambling operations ~~riverboats~~
7 under the jurisdiction of the Board, if the person does any of
8 the following:

9 (1) Offers, promises, or gives anything of value or
10 benefit to a person who is connected with a riverboat owner
11 or electronic gaming licensee including, but not limited
12 to, an officer or employee of a licensed owner or
13 electronic gaming licensee or holder of an occupational
14 license pursuant to an agreement or arrangement or with the
15 intent that the promise or thing of value or benefit will
16 influence the actions of the person to whom the offer,
17 promise, or gift was made in order to affect or attempt to
18 affect the outcome of a gambling game, or to influence
19 official action of a member of the Board.

20 (2) Solicits or knowingly accepts or receives a promise
21 of anything of value or benefit while the person is
22 connected with a riverboat or electronic gaming facility,
23 including, but not limited to, an officer or employee of a
24 licensed owner or electronic gaming licensee, or the holder
25 of an occupational license, pursuant to an understanding or
26 arrangement or with the intent that the promise or thing of

1 value or benefit will influence the actions of the person
2 to affect or attempt to affect the outcome of a gambling
3 game, or to influence official action of a member of the
4 Board.

5 (3) Uses or possesses with the intent to use a device
6 to assist:

7 (i) In projecting the outcome of the game.

8 (ii) In keeping track of the cards played.

9 (iii) In analyzing the probability of the
10 occurrence of an event relating to the gambling game.

11 (iv) In analyzing the strategy for playing or
12 betting to be used in the game except as permitted by
13 the Board.

14 (4) Cheats at a gambling game.

15 (5) Manufactures, sells, or distributes any cards,
16 chips, dice, game or device which is intended to be used to
17 violate any provision of this Act.

18 (6) Alters or misrepresents the outcome of a gambling
19 game on which wagers have been made after the outcome is
20 made sure but before it is revealed to the players.

21 (7) Places a bet after acquiring knowledge, not
22 available to all players, of the outcome of the gambling
23 game which is subject of the bet or to aid a person in
24 acquiring the knowledge for the purpose of placing a bet
25 contingent on that outcome.

26 (8) Claims, collects, or takes, or attempts to claim,

1 collect, or take, money or anything of value in or from the
2 gambling games, with intent to defraud, without having made
3 a wager contingent on winning a gambling game, or claims,
4 collects, or takes an amount of money or thing of value of
5 greater value than the amount won.

6 (9) Uses counterfeit chips or tokens in a gambling
7 game.

8 (10) Possesses any key or device designed for the
9 purpose of opening, entering, or affecting the operation of
10 a gambling game, drop box, or an electronic or mechanical
11 device connected with the gambling game or for removing
12 coins, tokens, chips or other contents of a gambling game.
13 This paragraph (10) does not apply to a gambling licensee
14 or employee of a gambling licensee acting in furtherance of
15 the employee's employment.

16 (e) The possession of more than one of the devices
17 described in subsection (d), paragraphs (3), (5) or (10)
18 permits a rebuttable presumption that the possessor intended to
19 use the devices for cheating.

20 An action to prosecute any crime occurring on a riverboat
21 shall be tried in the county of the dock at which the riverboat
22 is based.

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

24 (230 ILCS 10/19) (from Ch. 120, par. 2419)

25 Sec. 19. Forfeiture of property. (a) Except as provided in

1 subsection (b), any riverboat or electronic gaming facility
2 used for the conduct of gambling games in violation of this Act
3 shall be considered a gambling place in violation of Section
4 28-3 of the Criminal Code of 1961, as now or hereafter amended.
5 Every gambling device found on a riverboat or at an electronic
6 gaming facility operating gambling games in violation of this
7 Act and every slot machine and video game of chance found at an
8 electronic gaming facility operating gambling games in
9 violation of this Act shall be subject to seizure, confiscation
10 and destruction as provided in Section 28-5 of the Criminal
11 Code of 1961, as now or hereafter amended.

12 (b) It is not a violation of this Act for a riverboat or
13 other watercraft which is licensed for gaming by a contiguous
14 state to dock on the shores of this State if the municipality
15 having jurisdiction of the shores, or the county in the case of
16 unincorporated areas, has granted permission for docking and no
17 gaming is conducted on the riverboat or other watercraft while
18 it is docked on the shores of this State. No gambling device
19 shall be subject to seizure, confiscation or destruction if the
20 gambling device is located on a riverboat or other watercraft
21 which is licensed for gaming by a contiguous state and which is
22 docked on the shores of this State if the municipality having
23 jurisdiction of the shores, or the county in the case of
24 unincorporated areas, has granted permission for docking and no
25 gaming is conducted on the riverboat or other watercraft while
26 it is docked on the shores of this State.

1 (Source: P.A. 86-1029.)

2 (230 ILCS 10/20) (from Ch. 120, par. 2420)

3 Sec. 20. Prohibited activities - civil penalties. Any
4 person who conducts a gambling operation without first
5 obtaining a license to do so, or who continues to conduct such
6 games after revocation of his license, or any licensee who
7 conducts or allows to be conducted any unauthorized gambling
8 games on a riverboat or at an electronic gaming facility where
9 it is authorized to conduct its ~~riverboat~~ gambling operation,
10 in addition to other penalties provided, shall be subject to a
11 civil penalty equal to the amount of whole gaming ~~gross~~
12 receipts derived from wagering on the gambling games, whether
13 unauthorized or authorized, conducted on that day as well as
14 confiscation and forfeiture of all gambling game equipment used
15 in the conduct of unauthorized gambling games.

16 (Source: P.A. 86-1029.)

17 (230 ILCS 10/23) (from Ch. 120, par. 2423)

18 Sec. 23. The State Gaming Fund. On or after the effective
19 date of this Act, except as provided for payments into the
20 Horse Racing Equity Trust Fund under subsection (a) of Section
21 7, all of the fees and taxes collected pursuant to this Act
22 shall be deposited into the State Gaming Fund, a special fund
23 in the State Treasury, which is hereby created. The ~~adjusted~~
24 gross gaming receipts of any riverboat gambling operations

1 conducted by a licensed manager on behalf of the State
2 remaining after the payment of the fees and expenses of the
3 licensed manager shall be deposited into the State Gaming Fund.
4 Fines and penalties collected pursuant to this Act shall be
5 deposited into the Education Assistance Fund, created by Public
6 Act 86-0018, of the State of Illinois.

7 (Source: P.A. 93-28, eff. 6-20-03; 94-804, eff. 5-26-06.)

8 Section 15. The Criminal Code of 1961 is amended by
9 changing Section 28-5 and 28-7 as follows:

10 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

11 Sec. 28-5. Seizure of gambling devices and gambling funds.

12 (a) Every device designed for gambling which is incapable
13 of lawful use or every device used unlawfully for gambling
14 shall be considered a "gambling device", and shall be subject
15 to seizure, confiscation and destruction by the Department of
16 State Police or by any municipal, or other local authority,
17 within whose jurisdiction the same may be found. As used in
18 this Section, a "gambling device" includes any slot machine,
19 and includes any machine or device constructed for the
20 reception of money or other thing of value and so constructed
21 as to return, or to cause someone to return, on chance to the
22 player thereof money, property or a right to receive money or
23 property. With the exception of any device designed for
24 gambling which is incapable of lawful use, no gambling device

1 shall be forfeited or destroyed unless an individual with a
2 property interest in said device knows of the unlawful use of
3 the device.

4 (b) Every gambling device shall be seized and forfeited to
5 the county wherein such seizure occurs. Any money or other
6 thing of value integrally related to acts of gambling shall be
7 seized and forfeited to the county wherein such seizure occurs.

8 (c) If, within 60 days after any seizure pursuant to
9 subparagraph (b) of this Section, a person having any property
10 interest in the seized property is charged with an offense, the
11 court which renders judgment upon such charge shall, within 30
12 days after such judgment, conduct a forfeiture hearing to
13 determine whether such property was a gambling device at the
14 time of seizure. Such hearing shall be commenced by a written
15 petition by the State, including material allegations of fact,
16 the name and address of every person determined by the State to
17 have any property interest in the seized property, a
18 representation that written notice of the date, time and place
19 of such hearing has been mailed to every such person by
20 certified mail at least 10 days before such date, and a request
21 for forfeiture. Every such person may appear as a party and
22 present evidence at such hearing. The quantum of proof required
23 shall be a preponderance of the evidence, and the burden of
24 proof shall be on the State. If the court determines that the
25 seized property was a gambling device at the time of seizure,
26 an order of forfeiture and disposition of the seized property

1 shall be entered: a gambling device shall be received by the
2 State's Attorney, who shall effect its destruction, except that
3 valuable parts thereof may be liquidated and the resultant
4 money shall be deposited in the general fund of the county
5 wherein such seizure occurred; money and other things of value
6 shall be received by the State's Attorney and, upon
7 liquidation, shall be deposited in the general fund of the
8 county wherein such seizure occurred. However, in the event
9 that a defendant raises the defense that the seized slot
10 machine is an antique slot machine described in subparagraph
11 (b) (7) of Section 28-1 of this Code and therefore he is exempt
12 from the charge of a gambling activity participant, the seized
13 antique slot machine shall not be destroyed or otherwise
14 altered until a final determination is made by the Court as to
15 whether it is such an antique slot machine. Upon a final
16 determination by the Court of this question in favor of the
17 defendant, such slot machine shall be immediately returned to
18 the defendant. Such order of forfeiture and disposition shall,
19 for the purposes of appeal, be a final order and judgment in a
20 civil proceeding.

21 (d) If a seizure pursuant to subparagraph (b) of this
22 Section is not followed by a charge pursuant to subparagraph
23 (c) of this Section, or if the prosecution of such charge is
24 permanently terminated or indefinitely discontinued without
25 any judgment of conviction or acquittal (1) the State's
26 Attorney shall commence an in rem proceeding for the forfeiture

1 and destruction of a gambling device, or for the forfeiture and
2 deposit in the general fund of the county of any seized money
3 or other things of value, or both, in the circuit court and (2)
4 any person having any property interest in such seized gambling
5 device, money or other thing of value may commence separate
6 civil proceedings in the manner provided by law.

7 (e) Any gambling device displayed for sale to a riverboat
8 gambling operation or used to train occupational licensees of a
9 riverboat gambling operation as authorized under the Riverboat
10 Gambling Act is exempt from seizure under this Section.

11 (f) Any gambling equipment, devices and supplies provided
12 by a licensed supplier in accordance with the Riverboat
13 Gambling Act which are removed from a ~~the~~ riverboat or
14 electronic gaming facility for repair are exempt from seizure
15 under this Section.

16 (Source: P.A. 87-826.)

17 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

18 Sec. 28-7. Gambling contracts void.

19 (a) All promises, notes, bills, bonds, covenants,
20 contracts, agreements, judgments, mortgages, or other
21 securities or conveyances made, given, granted, drawn, or
22 entered into, or executed by any person whatsoever, where the
23 whole or any part of the consideration thereof is for any money
24 or thing of value, won or obtained in violation of any Section
25 of this Article are null and void.

1 (b) Any obligation void under this Section may be set aside
2 and vacated by any court of competent jurisdiction, upon a
3 complaint filed for that purpose, by the person so granting,
4 giving, entering into, or executing the same, or by his
5 executors or administrators, or by any creditor, heir, legatee,
6 purchaser or other person interested therein; or if a judgment,
7 the same may be set aside on motion of any person stated above,
8 on due notice thereof given.

9 (c) No assignment of any obligation void under this Section
10 may in any manner affect the defense of the person giving,
11 granting, drawing, entering into or executing such obligation,
12 or the remedies of any person interested therein.

13 (d) This Section shall not prevent a licensed owner of a
14 riverboat gambling operation or an electronic gaming licensee
15 under the Riverboat Gambling Act and the Illinois Horse Racing
16 Act of 1975 from instituting a cause of action to collect any
17 amount due and owing under an extension of credit to a
18 ~~riverboat~~ gambling patron as authorized under Section 11.1 of
19 the Riverboat Gambling Act.

20 (Source: P.A. 87-826.)

21 (30 ILCS 105/5.490 rep.)

22 Section 25. The State Finance Act is amended by repealing
23 Section 5.490.

24 (230 ILCS 5/54 rep.)

1 Section 30. The Illinois Horse Racing Act of 1975 is
2 amended by repealing Section and 54.

3 Section 97. Severability. The provisions of this Act are
4 severable under Section 1.31 of the Statute on Statutes.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	230 ILCS 5/1.2	
4	230 ILCS 5/3.11	from Ch. 8, par. 37-3.11
5	230 ILCS 5/3.31 new	
6	230 ILCS 5/3.32 new	
7	230 ILCS 5/3.33 new	
8	230 ILCS 5/3.34 new	
9	230 ILCS 5/3.35 new	
10	230 ILCS 5/9	from Ch. 8, par. 37-9
11	230 ILCS 5/15	from Ch. 8, par. 37-15
12	230 ILCS 5/15.1	from Ch. 8, par. 37-15.1
13	230 ILCS 5/18	from Ch. 8, par. 37-18
14	230 ILCS 5/19	from Ch. 8, par. 37-19
15	230 ILCS 5/20	from Ch. 8, par. 37-20
16	230 ILCS 5/24	from Ch. 8, par. 37-24
17	230 ILCS 5/26	from Ch. 8, par. 37-26
18	230 ILCS 5/28	from Ch. 8, par. 37-28
19	230 ILCS 5/30	from Ch. 8, par. 37-30
20	230 ILCS 5/31	from Ch. 8, par. 37-31
21	230 ILCS 5/31.1	from Ch. 8, par. 37-31.1
22	230 ILCS 5/56 new	
23	230 ILCS 10/3	from Ch. 120, par. 2403
24	230 ILCS 10/4	from Ch. 120, par. 2404
25	230 ILCS 10/5	from Ch. 120, par. 2405

1	230 ILCS 10/7.6 new	
2	230 ILCS 10/7.7 new	
3	230 ILCS 10/8	from Ch. 120, par. 2408
4	230 ILCS 10/9	from Ch. 120, par. 2409
5	230 ILCS 10/11	from Ch. 120, par. 2411
6	230 ILCS 10/11.1	from Ch. 120, par. 2411.1
7	230 ILCS 10/12	from Ch. 120, par. 2412
8	230 ILCS 10/13	from Ch. 120, par. 2413
9	230 ILCS 10/14	from Ch. 120, par. 2414
10	230 ILCS 10/18	from Ch. 120, par. 2418
11	230 ILCS 10/19	from Ch. 120, par. 2419
12	230 ILCS 10/20	from Ch. 120, par. 2420
13	230 ILCS 10/23	from Ch. 120, par. 2423
14	720 ILCS 5/28-5	from Ch. 38, par. 28-5
15	720 ILCS 5/28-7	from Ch. 38, par. 28-7
16	30 ILCS 105/5.490 rep.	
17	230 ILCS 5/54 rep.	