



Rep. Thaddeus Jones

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LRB099 09048 AMC 39164 a

1 AMENDMENT TO HOUSE BILL 2663

2 AMENDMENT NO. _____. Amend House Bill 2663 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is
5 amended by changing Sections 3.080, 19, 20, 26, and 26.4 as
6 follows:

7 (230 ILCS 5/3.080)

8 Sec. 3.080. Simulcast program. Until January 1, 2016 or the
9 effective date of this amendatory Act of the 99th General
10 Assembly, whichever is later, "simulcast ~~"Simulcast~~ program"
11 means the program of simultaneously televised horse races,
12 including (i) the signal of any out-of-state horse race
13 selected by the host track subject to the disapproval of the
14 Board;7 (ii) the signals of live racing of all organization
15 licensees, which must be included by the host track; and (iii)
16 the signal of live racing at the DuQuoin and Springfield State

1 fairs, if mandated by the Board.

2 On and after January 1, 2016 or the effective date of this
3 amendatory Act of the 99th General Assembly, whichever is
4 later, "simulcast program" means the program of simultaneously
5 televised horse races, including (i) the signals of live racing
6 of all organization licensees and (ii) the signal of live
7 racing at the DuQuoin and Springfield State fairs, if mandated
8 by the Board.

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

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, until January 1, 2016 or the effective date of
15 this amendatory Act of the 99th General Assembly, whichever
16 is later, to any person at any place within 35 miles of any
17 other place licensed by the Board to hold a race meeting on
18 the same date during the same hours; ~~the~~ the mileage
19 measurement used in this subsection (a) shall be certified
20 to the Board by the Bureau of Systems and Services in the
21 Illinois Department of Transportation as the most commonly
22 used public way of vehicular travel;

23 (2) to any person in default in the payment of any
24 obligation or debt due the State under this Act, provided
25 no applicant shall be deemed in default in the payment of

1 any obligation or debt due to the State under this Act as
2 long as there is pending a hearing of any kind relevant to
3 such matter;

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

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

24 (b) Horse racing on Sunday shall be prohibited unless
25 authorized by ordinance or referendum of the municipality in
26 which a race track or any of its appurtenances or facilities

1 are located, or utilized.

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

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

11 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

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

16 (1) the dates on which it intends to conduct the horse
17 race meeting, which dates shall be provided under Section
18 21;

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

21 (3) the location where it proposes to conduct the
22 meeting; and

23 (4) any other information the Board may reasonably
24 require.

25 (b) A separate application for an organization license

1 shall be filed for each horse race meeting which such person
2 proposes to hold. Any such application, if made by an
3 individual, or by any individual as trustee, shall be signed
4 and verified under oath by such individual. If made by
5 individuals or a partnership, it shall be signed and verified
6 under oath by at least 2 of such individuals or members of such
7 partnership as the case may be. If made by an association,
8 corporation, corporate trustee or any other entity, it shall be
9 signed by the president and attested by the secretary or
10 assistant secretary under the seal of such association, trust
11 or corporation if it has a seal, and shall also be verified
12 under oath by one of the signing officers.

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

26 (d) The applicant shall execute and file with the Board a

1 good faith affirmative action plan to recruit, train, and
2 upgrade minorities in all classifications within the
3 association.

4 (e) With such application there shall be delivered to the
5 Board a certified check or bank draft payable to the order of
6 the Board for an amount equal to \$1,000. All applications for
7 the issuance of an organization license shall be filed with the
8 Board before August 1 of the year prior to the year for which
9 application is made and shall be acted upon by the Board at a
10 meeting to be held on such date as shall be fixed by the Board
11 during the last 15 days of September of such prior year. At
12 such meeting, the Board shall announce the award of the racing
13 meets, live racing schedule, and designation of host track to
14 the applicants and its approval or disapproval of each
15 application. No announcement shall be considered binding until
16 a formal order is executed by the Board, which shall be
17 executed no later than October 15 of that prior year. Until
18 January 1, 2016 or the effective date of this amendatory Act of
19 the 99th General Assembly, whichever is later, absent ~~Absent~~
20 the agreement of the affected organization licensees, the Board
21 shall not grant overlapping race meetings to 2 or more tracks
22 that are within 100 miles of each other to conduct the
23 thoroughbred racing.

24 (e-5) In reviewing an application for the purpose of
25 granting an organization license consistent with the best
26 interests of the public and the sport of horse racing, the

1 Board shall consider:

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

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

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

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

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

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

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

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

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

26 (8) the extent to which the applicant exceeds or meets

1 other standards for the issuance of an organization license
2 that the Board shall adopt by rule.

3 Except as otherwise provided in this subsection (e-5), in
4 ~~In~~ granting organization licenses and allocating dates for
5 horse race meetings, the Board shall have discretion to
6 determine an overall schedule, including required simulcasts
7 of Illinois races by host tracks that will, in its judgment, be
8 conducive to the best interests of the public and the sport of
9 horse racing. At the first scheduled meeting on or after the
10 effective date of this amendatory Act of the 99th General
11 Assembly, the Board shall allocate a minimum of 30 racing dates
12 to any organization licensee that applies as long as the
13 organization licensee is in good standing with the Board in the
14 current year.

15 (e-10) The Illinois Administrative Procedure Act shall
16 apply to administrative procedures of the Board under this Act
17 for the granting of an organization license, except that (1)
18 notwithstanding the provisions of subsection (b) of Section
19 10-40 of the Illinois Administrative Procedure Act regarding
20 cross-examination, the Board may prescribe rules limiting the
21 right of an applicant or participant in any proceeding to award
22 an organization license to conduct cross-examination of
23 witnesses at that proceeding where that cross-examination
24 would unduly obstruct the timely award of an organization
25 license under subsection (e) of Section 20 of this Act; (2) the
26 provisions of Section 10-45 of the Illinois Administrative

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

19 (f) The Board may allot racing dates to an organization
20 licensee for more than one calendar year but for no more than 3
21 successive calendar years in advance, provided that the Board
22 shall review such allotment for more than one calendar year
23 prior to each year for which such allotment has been made. The
24 granting of an organization license to a person constitutes a
25 privilege to conduct a horse race meeting under the provisions
26 of this Act, and no person granted an organization license

1 shall be deemed to have a vested interest, property right, or
2 future expectation to receive an organization license in any
3 subsequent year as a result of the granting of an organization
4 license, except as required in subsection (e-5) of this
5 Section. Organization licenses shall be subject to revocation
6 if the organization licensee has violated any provision of this
7 Act or the rules and regulations promulgated under this Act or
8 has been convicted of a crime or has failed to disclose or has
9 stated falsely any information called for in the application
10 for an organization license. Any organization license
11 revocation proceeding shall be in accordance with Section 16
12 regarding suspension and revocation of occupation licenses.

13 (f-5) If, (i) an applicant does not file an acceptance of
14 the racing dates awarded by the Board as required under part
15 (1) of subsection (h) of this Section 20, or (ii) an
16 organization licensee has its license suspended or revoked
17 under this Act, the Board, upon conducting an emergency hearing
18 as provided for in this Act, may reaward on an emergency basis
19 pursuant to rules established by the Board, racing dates not
20 accepted or the racing dates associated with any suspension or
21 revocation period to one or more organization licensees, new
22 applicants, or any combination thereof, upon terms and
23 conditions that the Board determines are in the best interest
24 of racing, provided, the organization licensees or new
25 applicants receiving the awarded racing dates file an
26 acceptance of those reawarded racing dates as required under

1 paragraph (1) of subsection (h) of this Section 20 and comply
2 with the other provisions of this Act. The Illinois
3 Administrative Procedure Act shall not apply to the
4 administrative procedures of the Board in conducting the
5 emergency hearing and the reallocation of racing dates on an
6 emergency basis.

7 (g) (Blank).

8 (h) The Board shall send the applicant a copy of its
9 formally executed order by certified mail addressed to the
10 applicant at the address stated in his application, which
11 notice shall be mailed within 5 days of the date the formal
12 order is executed.

13 Except as required in subsection (e-5) of this Section,
14 each ~~Each~~ applicant notified shall, within 10 days after
15 receipt of the final executed order of the Board awarding
16 racing dates:

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

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

21 (3) file with the Board the bonds required in Sections
22 21 and 25 at least 20 days prior to the first day of each
23 race meeting.

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

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

4 (Source: P.A. 97-333, eff. 8-12-11.)

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

6 Sec. 26. Wagering.

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

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

1 otherwise be permitted under this Act.

2 (b-5) An individual may place a wager under the pari-mutuel
3 system from any licensed location authorized under this Act
4 provided that wager is electronically recorded in the manner
5 described in Section 3.12 of this Act. Any wager made
6 electronically by an individual while physically on the
7 premises of a licensee shall be deemed to have been made at the
8 premises of that licensee.

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

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

1 distributed to the purse account of the organization licensee
2 and the organization licensee.

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

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

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

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

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

18 (g) Until January 1, 2016 or the effective date of this
19 amendatory Act of the 99th General Assembly, whichever is
20 later, a host track may accept interstate simulcast wagers on
21 horse races conducted in other states or countries and shall
22 control the number of signals and types of breeds of racing in
23 its simulcast program, subject to the disapproval of the Board.
24 The Board may prohibit a simulcast program only if it finds
25 that the simulcast program is clearly adverse to the integrity
26 of racing. The host track simulcast program shall include the

1 signal of live racing of all organization licensees. All
2 non-host licensees and advance deposit wagering licensees
3 shall carry the signal of and accept wagers on live racing of
4 all organization licensees. On or after January 1, 2016 or the
5 effective date of this amendatory Act of the 99th General
6 Assembly, whichever is later, all tracks may accept interstate
7 simulcast wagers on horse races conducted in other states or
8 countries and shall control the number of signals and types of
9 breeds of racing in its simulcast program, subject to the
10 disapproval of the Board. The Board may prohibit a simulcast
11 program only if it finds that the simulcast program is clearly
12 adverse to the integrity of racing. Licensees and advance
13 deposit wagering licensees shall carry the signal of and accept
14 wagers on live racing of all organization licensees. Advance
15 deposit wagering licensees shall not be permitted to accept
16 out-of-state wagers on any Illinois signal provided pursuant to
17 this Section without the approval and consent of the
18 organization licensee providing the signal. Until January 1,
19 2016 or the effective date of this amendatory Act of the 99th
20 General Assembly, whichever is later, ~~For one year after the~~
21 ~~effective date of this amendatory Act of the 98th General~~
22 ~~Assembly,~~ non-host licensees may carry the host track simulcast
23 program and shall accept wagers on all races included as part
24 of the simulcast program of horse races conducted at race
25 tracks located within North America upon which wagering is
26 permitted. Until January 1, 2016 or the effective date of this

1 amendatory Act of the 99th General Assembly, whichever is
2 later, For a period of one year after the effective date of
3 ~~this amendatory Act of the 98th General Assembly,~~ on horse
4 races conducted at race tracks located outside of North
5 America, non-host licensees may accept wagers on all races
6 included as part of the simulcast program upon which wagering
7 is permitted. Until January 1, 2016 or the effective date of
8 this amendatory Act of the 99th General Assembly, whichever is
9 later, Beginning one year after the effective date of this
10 ~~amendatory Act of the 98th General Assembly,~~ non-host licensees
11 may carry the host track simulcast program and shall accept
12 wagers on all races included as part of the simulcast program
13 upon which wagering is permitted. All organization licensees
14 shall provide their live signal to all advance deposit wagering
15 licensees for a simulcast commission fee not to exceed 6% of
16 the advance deposit wagering licensee's Illinois handle on the
17 organization licensee's signal without prior approval by the
18 Board. The Board may adopt rules under which it may permit
19 simulcast commission fees in excess of 6%. The Board shall
20 adopt rules limiting the interstate commission fees charged to
21 an advance deposit wagering licensee. The Board shall adopt
22 rules regarding advance deposit wagering on interstate
23 simulcast races that shall reflect, among other things, the
24 General Assembly's desire to maximize revenues to the State,
25 horsemen purses, and organization ~~organizational~~ licensees.
26 However, organization licensees providing live signals

1 pursuant to the requirements of this subsection (g) may
2 petition the Board to withhold their live signals from an
3 advance deposit wagering licensee if the organization licensee
4 discovers and the Board finds reputable or credible information
5 that the advance deposit wagering licensee is under
6 investigation by another state or federal governmental agency,
7 the advance deposit wagering licensee's license has been
8 suspended in another state, or the advance deposit wagering
9 licensee's license is in revocation proceedings in another
10 state. The organization licensee's provision of their live
11 signal to an advance deposit wagering licensee under this
12 subsection (g) pertains to wagers placed from within Illinois.
13 Advance deposit wagering licensees may place advance deposit
14 wagering terminals at wagering facilities as a convenience to
15 customers. The advance deposit wagering licensee shall not
16 charge or collect any fee from purses for the placement of the
17 advance deposit wagering terminals. The costs and expenses of
18 the host track and non-host licensees associated with
19 interstate simulcast wagering, other than the interstate
20 commission fee, shall be borne by the host track and all
21 non-host licensees incurring these costs. The interstate
22 commission fee shall not exceed 5% of Illinois handle on the
23 interstate simulcast race or races without prior approval of
24 the Board. The Board shall promulgate rules under which it may
25 permit interstate commission fees in excess of 5%. The
26 interstate commission fee and other fees charged by the sending

1 racetrack, including, but not limited to, satellite decoder
2 fees, shall, until January 1, 2016 or the effective date of
3 this amendatory Act of the 99th General Assembly, whichever is
4 later, be uniformly applied to the host track and all non-host
5 licensees.

6 Notwithstanding any other provision of this Act, until
7 February 1, 2017, an organization licensee, with the consent of
8 the horsemen association representing the largest number of
9 owners, trainers, jockeys, or standardbred drivers who race
10 horses at that organization licensee's racing meeting, may
11 maintain a system whereby advance deposit wagering may take
12 place or an organization licensee, with the consent of the
13 horsemen association representing the largest number of
14 owners, trainers, jockeys, or standardbred drivers who race
15 horses at that organization licensee's racing meeting, may
16 contract with another person to carry out a system of advance
17 deposit wagering. Such consent may not be unreasonably
18 withheld. Only with respect to an appeal to the Board that
19 consent for an organization licensee that maintains its own
20 advance deposit wagering system is being unreasonably
21 withheld, the Board shall issue a final order within 30 days
22 after initiation of the appeal, and the organization licensee's
23 advance deposit wagering system may remain operational during
24 that 30-day period. The actions of any organization licensee
25 who conducts advance deposit wagering or any person who has a
26 contract with an organization licensee to conduct advance

1 deposit wagering who conducts advance deposit wagering on or
2 after January 1, 2013 and prior to the effective date of this
3 amendatory Act of the 98th General Assembly taken in reliance
4 on the changes made to this subsection (g) by this amendatory
5 Act of the 98th General Assembly are hereby validated, provided
6 payment of all applicable pari-mutuel taxes are remitted to the
7 Board. All advance deposit wagers placed from within Illinois
8 must be placed through a Board-approved advance deposit
9 wagering licensee; no other entity may accept an advance
10 deposit wager from a person within Illinois. All advance
11 deposit wagering is subject to any rules adopted by the Board.
12 The Board may adopt rules necessary to regulate advance deposit
13 wagering through the use of emergency rulemaking in accordance
14 with Section 5-45 of the Illinois Administrative Procedure Act.
15 The General Assembly finds that the adoption of rules to
16 regulate advance deposit wagering is deemed an emergency and
17 necessary for the public interest, safety, and welfare. An
18 advance deposit wagering licensee may retain all moneys as
19 agreed to by contract with an organization licensee. Any moneys
20 retained by the organization licensee from advance deposit
21 wagering, not including moneys retained by the advance deposit
22 wagering licensee, shall be paid 50% to the organization
23 licensee's purse account and 50% to the organization licensee.
24 With the exception of any organization licensee that is owned
25 by a publicly traded company that is incorporated in a state
26 other than Illinois and advance deposit wagering licensees

1 under contract with such organization licensees, organization
2 licensees that maintain advance deposit wagering systems and
3 advance deposit wagering licensees that contract with
4 organization licensees shall provide sufficiently detailed
5 monthly accountings to the horsemen association representing
6 the largest number of owners, trainers, jockeys, or
7 standardbred drivers who race horses at that organization
8 licensee's racing meeting so that the horsemen association, as
9 an interested party, can confirm the accuracy of the amounts
10 paid to the purse account at the horsemen association's
11 affiliated organization licensee from advance deposit
12 wagering. If more than one breed races at the same race track
13 facility, then the 50% of the moneys to be paid to an
14 organization licensee's purse account shall be allocated among
15 all organization licensees' purse accounts operating at that
16 race track facility proportionately based on the actual number
17 of ~~host~~ days that the Board grants to that breed at that race
18 track facility in the current calendar year. To the extent any
19 fees from advance deposit wagering conducted in Illinois for
20 wagers in Illinois or other states have been placed in escrow
21 or otherwise withheld from wagers pending a determination of
22 the legality of advance deposit wagering, no action shall be
23 brought to declare such wagers or the disbursement of any fees
24 previously escrowed illegal.

25 (1) Until January 1, 2016 or the effective date of this
26 amendatory Act of the 99th General Assembly, whichever is

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

18 (2) Until January 1, 2016 or the effective date of this
19 amendatory Act of the 99th General Assembly, whichever is
20 later, between ~~Between~~ the hours of 6:30 p.m. and 6:30 a.m.
21 an intertrack wagering licensee other than the host track
22 may receive supplemental interstate simulcasts only with
23 the consent of the host track, except when the Board finds
24 that the simulcast is clearly adverse to the integrity of
25 racing. Consent granted under this paragraph (2) to any
26 intertrack wagering licensee shall be deemed consent to all

1 non-host licensees. The interstate commission fee for the
2 supplemental interstate simulcast shall be paid by all
3 participating non-host licensees.

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

20 (4) A licensee who receives an interstate simulcast may
21 combine its gross or net pools with pools at the sending
22 racetracks pursuant to rules established by the Board. All
23 licensees combining their gross pools at a sending
24 racetrack shall adopt the take-out percentages of the
25 sending racetrack. A licensee may also establish a separate
26 pool and takeout structure for wagering purposes on races

1 conducted at race tracks outside of the State of Illinois.
2 The licensee may permit pari-mutuel wagers placed in other
3 states or countries to be combined with its gross or net
4 wagering pools or other wagering pools.

5 (5) Until January 1, 2016 or the effective date of this
6 amendatory Act of the 99th General Assembly, whichever is
7 later, after ~~After~~ the payment of the interstate commission
8 fee (except for the interstate commission fee on a
9 supplemental interstate simulcast, which shall be paid by
10 the host track and by each non-host licensee through the
11 host-track) and all applicable State and local taxes,
12 except as provided in subsection (g) of Section 27 of this
13 Act, the remainder of moneys retained from simulcast
14 wagering pursuant to this subsection (g), and Section 26.2
15 shall be divided as follows:

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

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

26 On or after January 1, 2016 or the effective date of

1 this amendatory Act of the 99th General Assembly, whichever
2 is later, after the payment of the interstate commission
3 fee and all applicable State and local taxes, except as
4 provided in subsection (g) of Section 27 of this Act, the
5 licensee shall retain 50% of the retention from interstate
6 simulcast wagers and shall pay 50% to purses at the track
7 from which the licensee derives its license.

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

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

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

1 occurring in Illinois during this period, when the
2 interstate simulcast is a standardbred race, the purse
3 share to its standardbred purse account;

4 (B) Between January 1 and the third Friday in
5 February, inclusive, if no live thoroughbred racing is
6 occurring in Illinois during this period, and the
7 interstate simulcast is a thoroughbred race, the purse
8 share to its interstate simulcast purse pool to be
9 distributed under paragraph (10) of this subsection
10 (g);

11 (C) Between January 1 and the third Friday in
12 February, inclusive, if live thoroughbred racing is
13 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
14 the purse share from wagers made during this time
15 period to its thoroughbred purse account and between
16 6:30 p.m. and 6:30 a.m. the purse share from wagers
17 made during this time period to its standardbred purse
18 accounts;

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

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

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

9 (A) If the licensee that conducts horse racing at
10 that racetrack requests from the Board at least as many
11 racing dates as were conducted in calendar year 2000,
12 80% shall be paid to its thoroughbred purse account;
13 and

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

1 assistance of the Illinois Standardbred Breeders Fund
2 Advisory Board.

3 (7.2) Notwithstanding any other provision of this Act
4 to the contrary, if no thoroughbred racing is conducted at
5 a racetrack located in Madison County during any calendar
6 year beginning on or after January 1, 2002, all moneys
7 derived by that racetrack from simulcast wagering and
8 inter-track wagering that (1) are to be used for purses and
9 (2) are generated between the hours of 6:30 a.m. and 6:30
10 p.m. during that calendar year shall be deposited as
11 follows:

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

17 (B) Twenty percent shall be deposited into the
18 Illinois Colt Stakes Purse Distribution Fund. Moneys
19 deposited into the Illinois Colt Stakes Purse
20 Distribution Fund pursuant to this subparagraph (B)
21 shall be paid to Illinois conceived and foaled
22 thoroughbred breeders' programs and to thoroughbred
23 purses for races conducted at any county fairgrounds
24 for Illinois conceived and foaled horses at the
25 discretion of the Department of Agriculture, with the
26 advice and assistance of the Illinois Thoroughbred

1 Breeders Fund Advisory Board. The moneys deposited
2 into the Illinois Colt Stakes Purse Distribution Fund
3 pursuant to this subparagraph (B) shall be deposited
4 within 2 weeks after the day they were generated, shall
5 be in addition to and not in lieu of any other moneys
6 paid to thoroughbred purses under this Act, and shall
7 not be commingled with other moneys deposited into that
8 Fund.

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

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

19 (B) Twenty percent to the Illinois Colt Stakes
20 Purse Distribution Fund.

21 Failure to make the payment to the Illinois Colt Stakes
22 Purse Distribution Fund before January 1, 2002 shall result
23 in the immediate revocation of the licensee's organization
24 license, inter-track wagering license, and inter-track
25 wagering location license.

26 Moneys paid into the Illinois Colt Stakes Purse

1 Distribution Fund pursuant to this paragraph (7.3) shall be
2 paid to purses for standardbred races for Illinois
3 conceived and foaled horses conducted at any county
4 fairgrounds. Moneys paid into the Illinois Colt Stakes
5 Purse Distribution Fund pursuant to this paragraph (7.3)
6 shall be used as determined by the Department of
7 Agriculture, with the advice and assistance of the Illinois
8 Standardbred Breeders Fund Advisory Board, shall be in
9 addition to and not in lieu of any other moneys paid to
10 standardbred purses under this Act, and shall not be
11 commingled with any other moneys paid into that Fund.

12 (7.4) If live standardbred racing is conducted at a
13 racetrack located in Madison County at any time in calendar
14 year 2001 before the payment required under paragraph (7.3)
15 has been made, the organization licensee who is licensed to
16 conduct racing at that racetrack shall pay all moneys
17 derived by that racetrack from simulcast wagering and
18 inter-track wagering during calendar years 2000 and 2001
19 that (1) are to be used for purses and (2) are generated
20 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
21 2001 to the standardbred purse account at that racetrack to
22 be used for standardbred purses.

23 (8) Notwithstanding any provision in this Act to the
24 contrary, an organization licensee from a track located in
25 a county with a population in excess of 230,000 and that
26 borders the Mississippi River and its affiliated non-host

1 licensees shall not be entitled to share in any retention
2 generated on racing, inter-track wagering, or simulcast
3 wagering at any other Illinois wagering facility.

4 (8.1) Until January 1, 2016 or the effective date of
5 this amendatory Act of the 99th General Assembly, whichever
6 is later, notwithstanding ~~Notwithstanding~~ any provisions
7 in this Act to the contrary, if 2 organization licensees
8 are conducting standardbred race meetings concurrently
9 between the hours of 6:30 p.m. and 6:30 a.m., after payment
10 of all applicable State and local taxes and interstate
11 commission fees, the remainder of the amount retained from
12 simulcast wagering otherwise attributable to the host
13 track and to host track purses shall be split daily between
14 the 2 organization licensees and the purses at the tracks
15 of the 2 organization licensees, respectively, based on
16 each organization licensee's share of the total live handle
17 for that day, provided that this provision shall not apply
18 to any non-host licensee that derives its license from a
19 track located in a county with a population in excess of
20 230,000 and that borders the Mississippi River.

21 (9) (Blank).

22 (10) (Blank).

23 (11) (Blank).

24 (12) The Board shall have authority to compel all ~~host~~
25 tracks to receive the simulcast of any or all races
26 conducted at the Springfield or DuQuoin State fairgrounds

1 and include all such races as part of their simulcast
2 programs.

3 (13) Notwithstanding any other provision of this Act,
4 in the event that the total Illinois pari-mutuel handle on
5 Illinois horse races at all wagering facilities in any
6 calendar year is less than 75% of the total Illinois
7 pari-mutuel handle on Illinois horse races at all such
8 wagering facilities for calendar year 1994, then each
9 wagering facility that has an annual total Illinois
10 pari-mutuel handle on Illinois horse races that is less
11 than 75% of the total Illinois pari-mutuel handle on
12 Illinois horse races at such wagering facility for calendar
13 year 1994, shall be permitted to receive, from any amount
14 otherwise payable to the purse account at the race track
15 with which the wagering facility is affiliated in the
16 succeeding calendar year, an amount equal to 2% of the
17 differential in total Illinois pari-mutuel handle on
18 Illinois horse races at the wagering facility between that
19 calendar year in question and 1994 provided, however, that
20 a wagering facility shall not be entitled to any such
21 payment until the Board certifies in writing to the
22 wagering facility the amount to which the wagering facility
23 is entitled and a schedule for payment of the amount to the
24 wagering facility, based on: (i) the racing dates awarded
25 to the race track affiliated with the wagering facility
26 during the succeeding year; (ii) the sums available or

1 anticipated to be available in the purse account of the
2 race track affiliated with the wagering facility for purses
3 during the succeeding year; and (iii) the need to ensure
4 reasonable purse levels during the payment period. The
5 Board's certification shall be provided no later than
6 January 31 of the succeeding year. In the event a wagering
7 facility entitled to a payment under this paragraph (13) is
8 affiliated with a race track that maintains purse accounts
9 for both standardbred and thoroughbred racing, the amount
10 to be paid to the wagering facility shall be divided
11 between each purse account pro rata, based on the amount of
12 Illinois handle on Illinois standardbred and thoroughbred
13 racing respectively at the wagering facility during the
14 previous calendar year. Annually, the General Assembly
15 shall appropriate sufficient funds from the General
16 Revenue Fund to the Department of Agriculture for payment
17 into the thoroughbred and standardbred horse racing purse
18 accounts at Illinois pari-mutuel tracks. The amount paid to
19 each purse account shall be the amount certified by the
20 Illinois Racing Board in January to be transferred from
21 each account to each eligible racing facility in accordance
22 with the provisions of this Section.

23 (h) The Board may approve and license the conduct of
24 inter-track wagering and simulcast wagering by inter-track
25 wagering licensees and inter-track wagering location licensees
26 subject to the following terms and conditions:

1 (1) Any person licensed to conduct a race meeting (i)
2 at a track where 60 or more days of racing were conducted
3 during the immediately preceding calendar year or where
4 over the 5 immediately preceding calendar years an average
5 of 30 or more days of racing were conducted annually may be
6 issued an inter-track wagering license; (ii) at a track
7 located in a county that is bounded by the Mississippi
8 River, which has a population of less than 150,000
9 according to the 1990 decennial census, and an average of
10 at least 60 days of racing per year between 1985 and 1993
11 may be issued an inter-track wagering license; or (iii) at
12 a track located in Madison County that conducted at least
13 100 days of live racing during the immediately preceding
14 calendar year may be issued an inter-track wagering
15 license, unless a lesser schedule of live racing is the
16 result of (A) weather, unsafe track conditions, or other
17 acts of God; (B) an agreement between the organization
18 licensee and the associations representing the largest
19 number of owners, trainers, jockeys, or standardbred
20 drivers who race horses at that organization licensee's
21 racing meeting; or (C) a finding by the Board of
22 extraordinary circumstances and that it was in the best
23 interest of the public and the sport to conduct fewer than
24 100 days of live racing. Any such person having operating
25 control of the racing facility may also receive up to 6
26 inter-track wagering location licenses. In no event shall

1 more than 6 inter-track wagering locations be established
2 for each eligible race track, except that an eligible race
3 track located in a county that has a population of more
4 than 230,000 and that is bounded by the Mississippi River
5 may establish up to 7 inter-track wagering locations and an
6 eligible race track located in Cook County may establish up
7 to 8 inter-track wagering locations. An application for
8 said license shall be filed with the Board prior to such
9 dates as may be fixed by the Board. With an application for
10 an inter-track wagering location license there shall be
11 delivered to the Board a certified check or bank draft
12 payable to the order of the Board for an amount equal to
13 \$500. The application shall be on forms prescribed and
14 furnished by the Board. The application shall comply with
15 all other rules, regulations and conditions imposed by the
16 Board in connection therewith.

17 (2) The Board shall examine the applications with
18 respect to their conformity with this Act and the rules and
19 regulations imposed by the Board. If found to be in
20 compliance with the Act and rules and regulations of the
21 Board, the Board may then issue a license to conduct
22 inter-track wagering and simulcast wagering to such
23 applicant. All such applications shall be acted upon by the
24 Board at a meeting to be held on such date as may be fixed
25 by the Board.

26 (3) In granting licenses to conduct inter-track

1 wagering and simulcast wagering, the Board shall give due
2 consideration to the best interests of the public, of horse
3 racing, and of maximizing revenue to the State.

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

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

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

24 (7) An inter-track wagering licensee or inter-track
25 wagering location licensee may accept wagers at the track
26 or location where it is licensed, or as otherwise provided

1 under this Act.

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

5 (8.1) Inter-track wagering location licensees who
6 derive their licenses from a particular organization
7 licensee shall conduct inter-track wagering and simulcast
8 wagering only at locations that are within 140 miles of
9 that race track where the particular organization licensee
10 is licensed to conduct racing. However, inter-track
11 wagering and simulcast wagering shall not be conducted by
12 those licensees at any location within 5 miles of any race
13 track at which a horse race meeting has been licensed in
14 the current year, unless the person having operating
15 control of such race track has given its written consent to
16 such inter-track wagering location licensees, which
17 consent must be filed with the Board at or prior to the
18 time application is made. In the case of any inter-track
19 wagering location licensee initially licensed after
20 December 31, 2013, inter-track wagering and simulcast
21 wagering shall not be conducted by those inter-track
22 wagering location licensees that are located outside the
23 City of Chicago at any location within 8 miles of any race
24 track at which a horse race meeting has been licensed in
25 the current year, unless the person having operating
26 control of such race track has given its written consent to

1 such inter-track wagering location licensees, which
2 consent must be filed with the Board at or prior to the
3 time application is made.

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

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

12 (9) (Blank).

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

23 (10.1) Except as provided in subsection (g) of Section
24 27 of this Act, inter-track wagering location licensees
25 shall pay 1% of the pari-mutuel handle at each location to
26 the municipality in which such location is situated and 1%

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

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

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

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

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

25 (B) From the sums permitted to be retained pursuant to
26 this Act each inter-track wagering location licensee shall

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

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

1 of the pari-mutuel handle on inter-track wagering wagered
2 at such location to satisfy all costs and expenses of
3 conducting its wagering. Until January 1, 2016 or the
4 effective date of this amendatory Act of the 99th General
5 Assembly, whichever is later, the ~~The~~ remainder of the
6 monies retained by the inter-track wagering location
7 licensee shall be allocated 40% to the location licensee
8 and 60% to the organization licensee which provides the
9 Illinois races to the location, except that an intertrack
10 wagering location licensee that derives its license from a
11 track located in a county with a population in excess of
12 230,000 and that borders the Mississippi River shall not
13 divide any remaining retention with the organization
14 licensee that provides the race or races and an intertrack
15 wagering location licensee that accepts wagers on races
16 conducted by an organization licensee that conducts a race
17 meet in a county with a population in excess of 230,000 and
18 that borders the Mississippi River shall not divide any
19 remaining retention with the organization licensee. On and
20 after January 1, 2016 or the effective date of this
21 amendatory Act of the 99th General Assembly, whichever is
22 later, the remainder of the monies retained by the
23 inter-track wagering location licensee shall be allocated
24 100% to the location licensee. Notwithstanding the
25 provisions of clauses (ii) and (iv) of this paragraph, in
26 the case of the additional inter-track wagering location

1 licenses authorized under paragraph (1) of this subsection
2 (h) by this amendatory Act of 1991, those licensees shall
3 pay the following amounts as purses: during the first 12
4 months the licensee is in operation, 5.25% of the
5 pari-mutuel handle wagered at the location on races; during
6 the second 12 months, 5.25%; during the third 12 months,
7 5.75%; during the fourth 12 months, 6.25%; and during the
8 fifth 12 months and thereafter, 6.75%. The following
9 amounts shall be retained by the licensee to satisfy all
10 costs and expenses of conducting its wagering: during the
11 first 12 months the licensee is in operation, 8.25% of the
12 pari-mutuel handle wagered at the location; during the
13 second 12 months, 8.25%; during the third 12 months, 7.75%;
14 during the fourth 12 months, 7.25%; and during the fifth 12
15 months and thereafter, 6.75%. For additional intertrack
16 wagering location licensees authorized under this
17 amendatory Act of 1995, purses for the first 12 months the
18 licensee is in operation shall be 5.75% of the pari-mutuel
19 wagered at the location, purses for the second 12 months
20 the licensee is in operation shall be 6.25%, and purses
21 thereafter shall be 6.75%. For additional intertrack
22 location licensees authorized under this amendatory Act of
23 1995, the licensee shall be allowed to retain to satisfy
24 all costs and expenses: 7.75% of the pari-mutuel handle
25 wagered at the location during its first 12 months of
26 operation, 7.25% during its second 12 months of operation,

1 and 6.75% thereafter.

2 (C) There is hereby created the Horse Racing Tax
3 Allocation Fund which shall remain in existence until
4 December 31, 1999. Moneys remaining in the Fund after
5 December 31, 1999 shall be paid into the General Revenue
6 Fund. Until January 1, 2000, all monies paid into the Horse
7 Racing Tax Allocation Fund pursuant to this paragraph (11)
8 by inter-track wagering location licensees located in park
9 districts of 500,000 population or less, or in a
10 municipality that is not included within any park district
11 but is included within a conservation district and is the
12 county seat of a county that (i) is contiguous to the state
13 of Indiana and (ii) has a 1990 population of 88,257
14 according to the United States Bureau of the Census, and
15 operating on May 1, 1994 shall be allocated by
16 appropriation as follows:

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

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

1 Agricultural Fair Act;

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

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

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

26 Until January 1, 2000, all other monies paid into the

1 Horse Racing Tax Allocation Fund pursuant to this paragraph
2 (11) shall be allocated by appropriation as follows:

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

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

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

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

1 subparagraph (C) shall be inoperative and of no force
2 and effect on and after January 1, 2000.

3 (D) Until January 1, 2016 or the effective date of
4 this amendatory Act of the 99th General Assembly,
5 whichever is later, except ~~Except~~ as provided in
6 paragraph (11) of this subsection (h), with respect to
7 purse allocation from intertrack wagering, the monies
8 so retained shall be divided as follows:

9 (i) If the inter-track wagering licensee,
10 except an intertrack wagering licensee that
11 derives its license from an organization licensee
12 located in a county with a population in excess of
13 230,000 and bounded by the Mississippi River, is
14 not conducting its own race meeting during the same
15 dates, then the entire purse allocation shall be to
16 purses at the track where the races wagered on are
17 being conducted.

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

1 the track where the inter-track wagering licensee
2 is accepting such wagers.

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

13 On and after January 1, 2016 or the effective date
14 of this amendatory Act of the 99th General Assembly,
15 whichever is later, except as provided in paragraph
16 (11) of this subsection (h), with respect to purse
17 allocation from inter-track wagering, the entire purse
18 allocation shall be to the purse accounts that are
19 affiliated with the organization licensee from which
20 the inter-track wagering location licensee derives its
21 license.

22 (12) The Board shall have all powers necessary and
23 proper to fully supervise and control the conduct of
24 inter-track wagering and simulcast wagering by inter-track
25 wagering licensees and inter-track wagering location
26 licensees, including, but not limited to the following:

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

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

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

26 (D) (Blank).

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

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

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

22 (13) The Department of Agriculture may enter into
23 agreements with licensees authorizing such licensees to
24 conduct inter-track wagering on races to be held at the
25 licensed race meetings conducted by the Department of
26 Agriculture. Such agreement shall specify the races of the

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

21 (i) Notwithstanding the other provisions of this Act, the
22 conduct of wagering at wagering facilities is authorized on all
23 days, except as limited by subsection (b) of Section 19 of this
24 Act.

25 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;
26 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)

1 (230 ILCS 5/26.4) (from Ch. 8, par. 37-26.4)

2 Sec. 26.4. In addition to the amount retained pursuant to
3 paragraph (10) of subsection (h) of Section 26, inter-track
4 wagering location licensees shall retain an additional amount
5 equal to 2.5% of each winning wager and winnings from wagers,
6 from which they shall pay the tax specified in paragraph (10.1)
7 of subsection (h) of Section 26.

8 With respect to wagers on all races associated with a
9 simulcast program from a ~~host~~ track, each inter-track wagering
10 location licensee that conducts wagers on these races may
11 impose a surcharge of up to .5% on each winning wager and
12 winnings from each such wager during the period of July 1,
13 1995, to December 31, 1995; provided amounts derived from this
14 surcharge, if imposed, shall not be paid to or allocated to
15 purses.

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."