



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1445

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

230 ILCS 5/3.32 new
230 ILCS 5/3.33 new
230 ILCS 5/3.34 new
230 ILCS 5/3.35 new
230 ILCS 5/26
230 ILCS 5/26.10 new

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Authorizes organization licensees to offer wagering on standardbred, quarter horse, and thoroughbred historical horse races. Requires the prior written approval of the Illinois Racing Board. Provides guidelines for the conduct of wagering on historical horse races. Defines "historical horse race", "initial seed pool", "seed pool", and "terminal". Effective immediately.

LRB101 05162 SMS 50174 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Section 26 and by adding Sections 3.32, 3.33, 3.34,
6 3.35, and 26.10 as follows:

7 (230 ILCS 5/3.32 new)

8 Sec. 3.32. Historical horse race. "Historical horse race"
9 means a horse race that: (1) was previously run at a licensed
10 pari-mutuel facility located in the United States, (2)
11 concluded with official results, and (3) concluded without
12 scratches, disqualifications, or dead-heat finishes.

13 (230 ILCS 5/3.33 new)

14 Sec. 3.33. Initial seed pool. "Initial seed pool" means a
15 nonrefundable pool of money funded by an organization licensee
16 in an amount sufficient to ensure that a patron will be paid
17 the minimum amount required on a winning wager on a historical
18 horse race.

19 (230 ILCS 5/3.34 new)

20 Sec. 3.34. Seed pool. "Seed pool" means a pool of money
21 funded by patrons wagering on a historical horse race that is

1 used to ensure that all patrons are paid the minimum payout on
2 winning wagers.

3 (230 ILCS 5/3.35 new)

4 Sec. 3.35. Terminal. "Terminal" means any self-service
5 totalizator machine or other mechanical equipment used by a
6 patron to place a pari-mutuel wager on a live or historical
7 horse race.

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

9 Sec. 26. Wagering.

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

24 Subject to rules adopted by the Board, a licensee may

1 accept wagers on historical horse races as authorized in
2 Section 26.10 on standardbred horse racing, quarter horse
3 racing, and thoroughbred horse racing. Within 180 days after
4 the effective date of this amendatory Act of the 101st General
5 Assembly, the Board shall adopt rules necessary to regulate
6 wagering on historical horse races through the use of emergency
7 rulemaking in accordance with Section 5-45 of the Illinois
8 Administrative Procedure Act. The General Assembly finds that
9 the adoption of rules to regulate wagering on historical horse
10 racers is deemed an emergency and necessary for the public
11 interest, safety, and welfare.

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

18 (b-5) An individual may place a wager under the pari-mutuel
19 system from any licensed location authorized under this Act
20 provided that wager is electronically recorded in the manner
21 described in Section 3.12 of this Act. Any wager made
22 electronically by an individual while physically on the
23 premises of a licensee shall be deemed to have been made at the
24 premises of that licensee.

25 (c) Until January 1, 2000, the sum held by any licensee for
26 payment of outstanding pari-mutuel tickets, if unclaimed prior

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

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

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

24 (e) No licensee shall knowingly permit any minor, other
25 than an employee of such licensee or an owner, trainer, jockey,
26 driver, or employee thereof, to be admitted during a racing

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

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

26 An organization licensee may permit one or more of its

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

8 (g) A host track may accept interstate simulcast wagers on
9 horse races conducted in other states or countries and shall
10 control the number of signals and types of breeds of racing in
11 its simulcast program, subject to the disapproval of the Board.
12 The Board may prohibit a simulcast program only if it finds
13 that the simulcast program is clearly adverse to the integrity
14 of racing. The host track simulcast program shall include the
15 signal of live racing of all organization licensees. All
16 non-host licensees and advance deposit wagering licensees
17 shall carry the signal of and accept wagers on live racing of
18 all organization licensees. Advance deposit wagering licensees
19 shall not be permitted to accept out-of-state wagers on any
20 Illinois signal provided pursuant to this Section without the
21 approval and consent of the organization licensee providing the
22 signal. For one year after August 15, 2014 (the effective date
23 of Public Act 98-968), non-host licensees may carry the host
24 track simulcast program and shall accept wagers on all races
25 included as part of the simulcast program of horse races
26 conducted at race tracks located within North America upon

1 which wagering is permitted. For a period of one year after
2 August 15, 2014 (the effective date of Public Act 98-968), on
3 horse races conducted at race tracks located outside of North
4 America, non-host licensees may accept wagers on all races
5 included as part of the simulcast program upon which wagering
6 is permitted. Beginning August 15, 2015 (one year after the
7 effective date of Public Act 98-968), non-host licensees may
8 carry the host track simulcast program and shall accept wagers
9 on all races included as part of the simulcast program upon
10 which wagering is permitted. All organization licensees shall
11 provide their live signal to all advance deposit wagering
12 licensees for a simulcast commission fee not to exceed 6% of
13 the advance deposit wagering licensee's Illinois handle on the
14 organization licensee's signal without prior approval by the
15 Board. The Board may adopt rules under which it may permit
16 simulcast commission fees in excess of 6%. The Board shall
17 adopt rules limiting the interstate commission fees charged to
18 an advance deposit wagering licensee. The Board shall adopt
19 rules regarding advance deposit wagering on interstate
20 simulcast races that shall reflect, among other things, the
21 General Assembly's desire to maximize revenues to the State,
22 horsemen purses, and organizational licensees. However,
23 organization licensees providing live signals pursuant to the
24 requirements of this subsection (g) may petition the Board to
25 withhold their live signals from an advance deposit wagering
26 licensee if the organization licensee discovers and the Board

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

26 Notwithstanding any other provision of this Act, through

1 December 31, 2020, an organization licensee, with the consent
2 of the horsemen association representing the largest number of
3 owners, trainers, jockeys, or standardbred drivers who race
4 horses at that organization licensee's racing meeting, may
5 maintain a system whereby advance deposit wagering may take
6 place or an organization licensee, with the consent of the
7 horsemen association representing the largest number of
8 owners, trainers, jockeys, or standardbred drivers who race
9 horses at that organization licensee's racing meeting, may
10 contract with another person to carry out a system of advance
11 deposit wagering. Such consent may not be unreasonably
12 withheld. Only with respect to an appeal to the Board that
13 consent for an organization licensee that maintains its own
14 advance deposit wagering system is being unreasonably
15 withheld, the Board shall issue a final order within 30 days
16 after initiation of the appeal, and the organization licensee's
17 advance deposit wagering system may remain operational during
18 that 30-day period. The actions of any organization licensee
19 who conducts advance deposit wagering or any person who has a
20 contract with an organization licensee to conduct advance
21 deposit wagering who conducts advance deposit wagering on or
22 after January 1, 2013 and prior to June 7, 2013 (the effective
23 date of Public Act 98-18) taken in reliance on the changes made
24 to this subsection (g) by Public Act 98-18 are hereby
25 validated, provided payment of all applicable pari-mutuel
26 taxes are remitted to the Board. All advance deposit wagers

1 placed from within Illinois must be placed through a
2 Board-approved advance deposit wagering licensee; no other
3 entity may accept an advance deposit wager from a person within
4 Illinois. All advance deposit wagering is subject to any rules
5 adopted by the Board. The Board may adopt rules necessary to
6 regulate advance deposit wagering through the use of emergency
7 rulemaking in accordance with Section 5-45 of the Illinois
8 Administrative Procedure Act. The General Assembly finds that
9 the adoption of rules to regulate advance deposit wagering is
10 deemed an emergency and necessary for the public interest,
11 safety, and welfare. An advance deposit wagering licensee may
12 retain all moneys as agreed to by contract with an organization
13 licensee. Any moneys retained by the organization licensee from
14 advance deposit wagering, not including moneys retained by the
15 advance deposit wagering licensee, shall be paid 50% to the
16 organization licensee's purse account and 50% to the
17 organization licensee. With the exception of any organization
18 licensee that is owned by a publicly traded company that is
19 incorporated in a state other than Illinois and advance deposit
20 wagering licensees under contract with such organization
21 licensees, organization licensees that maintain advance
22 deposit wagering systems and advance deposit wagering
23 licensees that contract with organization licensees shall
24 provide sufficiently detailed monthly accountings to 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 so that
2 the horsemen association, as an interested party, can confirm
3 the accuracy of the amounts paid to the purse account at the
4 horsemen association's affiliated organization licensee from
5 advance deposit wagering. If more than one breed races at the
6 same race track facility, then the 50% of the moneys to be paid
7 to an organization licensee's purse account shall be allocated
8 among all organization licensees' purse accounts operating at
9 that race track facility proportionately based on the actual
10 number of host days that the Board grants to that breed at that
11 race track facility in the current calendar year. To the extent
12 any fees from advance deposit wagering conducted in Illinois
13 for wagers in Illinois or other states have been placed in
14 escrow or otherwise withheld from wagers pending a
15 determination of the legality of advance deposit wagering, no
16 action shall be brought to declare such wagers or the
17 disbursement of any fees previously escrowed illegal.

18 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
19 inter-track wagering licensee other than the host track may
20 supplement the host track simulcast program with
21 additional simulcast races or race programs, provided that
22 between January 1 and the third Friday in February of any
23 year, inclusive, if no live thoroughbred racing is
24 occurring in Illinois during this period, only
25 thoroughbred races may be used for supplemental interstate
26 simulcast purposes. The Board shall withhold approval for a

1 supplemental interstate simulcast only if it finds that the
2 simulcast is clearly adverse to the integrity of racing. A
3 supplemental interstate simulcast may be transmitted from
4 an inter-track wagering licensee to its affiliated
5 non-host licensees. The interstate commission fee for a
6 supplemental interstate simulcast shall be paid by the
7 non-host licensee and its affiliated non-host licensees
8 receiving the simulcast.

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

19 (3) Each licensee conducting interstate simulcast
20 wagering may retain, subject to the payment of all
21 applicable taxes and the purses, an amount not to exceed
22 17% of all money wagered. If any licensee conducts the
23 pari-mutuel system wagering on races conducted at
24 racetracks in another state or country, each such race or
25 race program shall be considered a separate racing day for
26 the purpose of determining the daily handle and computing

1 the privilege tax of that daily handle as provided in
2 subsection (a) of Section 27. Until January 1, 2000, from
3 the sums permitted to be retained pursuant to this
4 subsection, each inter-track wagering location licensee
5 shall pay 1% of the pari-mutuel handle wagered on simulcast
6 wagering to the Horse Racing Tax Allocation Fund, subject
7 to the provisions of subparagraph (B) of paragraph (11) of
8 subsection (h) of Section 26 of this Act.

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

20 (5) After the payment of the interstate commission fee
21 (except for the interstate commission fee on a supplemental
22 interstate simulcast, which shall be paid by the host track
23 and by each non-host licensee through the host track
24 ~~host-track~~) and all applicable State and local taxes,
25 except as provided in subsection (g) of Section 27 of this
26 Act, the remainder of moneys retained from simulcast

1 waging pursuant to this subsection (g), and Section 26.2
2 shall be divided as follows:

3 (A) For interstate simulcast wagers made at a host
4 track, 50% to the host track and 50% to purses at the
5 host track.

6 (B) For wagers placed on interstate simulcast
7 races, supplemental simulcasts as defined in
8 subparagraphs (1) and (2), and separately pooled races
9 conducted outside of the State of Illinois made at a
10 non-host licensee, 25% to the host track, 25% to the
11 non-host licensee, and 50% to the purses at the host
12 track.

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

21 (7) Effective January 1, 2017, notwithstanding any
22 provision of this Act to the contrary, after payment of all
23 applicable State and local taxes and interstate commission
24 fees, non-host licensees who derive their licenses from a
25 track located in a county with a population in excess of
26 230,000 and that borders the Mississippi River shall retain

1 50% of the retention from interstate simulcast wagers and
2 shall pay 50% to purses at the track from which the
3 non-host licensee derives its license.

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

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

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

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

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

20 (B) Twenty percent shall be deposited into the
21 Illinois Colt Stakes Purse Distribution Fund. Moneys
22 deposited into the Illinois Colt Stakes Purse
23 Distribution Fund pursuant to this subparagraph (B)
24 shall be paid to Illinois conceived and foaled
25 thoroughbred breeders' programs and to thoroughbred
26 purses for races conducted at any county fairgrounds

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

12 (7.3) (Blank).

13 (7.4) (Blank).

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

21 (8.1) Notwithstanding any provisions in this Act to the
22 contrary, if 2 organization licensees are conducting
23 standardbred race meetings concurrently between the hours
24 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
25 State and local taxes and interstate commission fees, the
26 remainder of the amount retained from simulcast wagering

1 otherwise attributable to the host track and to host track
2 purses shall be split daily between the 2 organization
3 licensees and the purses at the tracks of the 2
4 organization licensees, respectively, based on each
5 organization licensee's share of the total live handle for
6 that day, provided that this provision shall not apply to
7 any non-host licensee that derives its license from a track
8 located in a county with a population in excess of 230,000
9 and that borders the Mississippi River.

10 (9) (Blank).

11 (10) (Blank).

12 (11) (Blank).

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

18 (13) Notwithstanding any other provision of this Act,
19 in the event that the total Illinois pari-mutuel handle on
20 Illinois horse races at all wagering facilities in any
21 calendar year is less than 75% of the total Illinois
22 pari-mutuel handle on Illinois horse races at all such
23 wagering facilities for calendar year 1994, then each
24 wagering facility that has an annual total Illinois
25 pari-mutuel handle on Illinois horse races that is less
26 than 75% of the total Illinois pari-mutuel handle on

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

1 Illinois handle on Illinois standardbred and thoroughbred
2 racing respectively at the wagering facility during the
3 previous calendar year. Annually, the General Assembly
4 shall appropriate sufficient funds from the General
5 Revenue Fund to the Department of Agriculture for payment
6 into the thoroughbred and standardbred horse racing purse
7 accounts at Illinois pari-mutuel tracks. The amount paid to
8 each purse account shall be the amount certified by the
9 Illinois Racing Board in January to be transferred from
10 each account to each eligible racing facility in accordance
11 with the provisions of this Section.

12 (h) The Board may approve and license the conduct of
13 inter-track wagering and simulcast wagering by inter-track
14 wagering licensees and inter-track wagering location licensees
15 subject to the following terms and conditions:

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

1 a track located in Madison County that conducted at least
2 100 days of live racing during the immediately preceding
3 calendar year may be issued an inter-track wagering
4 license, unless a lesser schedule of live racing is the
5 result of (A) weather, unsafe track conditions, or other
6 acts of God; (B) an agreement between the organization
7 licensee and the associations representing the largest
8 number of owners, trainers, jockeys, or standardbred
9 drivers who race horses at that organization licensee's
10 racing meeting; or (C) a finding by the Board of
11 extraordinary circumstances and that it was in the best
12 interest of the public and the sport to conduct fewer than
13 100 days of live racing. Any such person having operating
14 control of the racing facility may receive inter-track
15 wagering location licenses. An eligible race track located
16 in a county that has a population of more than 230,000 and
17 that is bounded by the Mississippi River may establish up
18 to 9 inter-track wagering locations, an eligible race track
19 located in Stickney Township in Cook County may establish
20 up to 16 inter-track wagering locations, and an eligible
21 race track located in Palatine Township in Cook County may
22 establish up to 18 inter-track wagering locations. An
23 application for said license shall be filed with the Board
24 prior to such dates as may be fixed by the Board. With an
25 application for an inter-track wagering location license
26 there shall be delivered to the Board a certified check or

1 bank draft payable to the order of the Board for an amount
2 equal to \$500. The application shall be on forms prescribed
3 and furnished by the Board. The application shall comply
4 with all other rules, regulations and conditions imposed by
5 the Board in connection therewith.

6 (2) The Board shall examine the applications with
7 respect to their conformity with this Act and the rules and
8 regulations imposed by the Board. If found to be in
9 compliance with the Act and rules and regulations of the
10 Board, the Board may then issue a license to conduct
11 inter-track wagering and simulcast wagering to such
12 applicant. All such applications shall be acted upon by the
13 Board at a meeting to be held on such date as may be fixed
14 by the Board.

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

19 (4) Prior to the issuance of a license to conduct
20 inter-track wagering and simulcast wagering, the applicant
21 shall file with the Board a bond payable to the State of
22 Illinois in the sum of \$50,000, executed by the applicant
23 and a surety company or companies authorized to do business
24 in this State, and conditioned upon (i) the payment by the
25 licensee of all taxes due under Section 27 or 27.1 and any
26 other monies due and payable under this Act, and (ii)

1 distribution by the licensee, upon presentation of the
2 winning ticket or tickets, of all sums payable to the
3 patrons of pari-mutuel pools.

4 (5) Each license to conduct inter-track wagering and
5 simulcast wagering shall specify the person to whom it is
6 issued, the dates on which such wagering is permitted, and
7 the track or location where the wagering is to be
8 conducted.

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

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

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

20 (8.1) Inter-track wagering location licensees who
21 derive their licenses from a particular organization
22 licensee shall conduct inter-track wagering and simulcast
23 wagering only at locations that are within 160 miles of
24 that race track where the particular organization licensee
25 is licensed to conduct racing. However, inter-track
26 wagering and simulcast wagering shall not be conducted by

1 those licensees at any location within 5 miles of any race
2 track at which a horse race meeting has been licensed in
3 the current year, unless the person having operating
4 control of such race track has given its written consent to
5 such inter-track wagering location licensees, which
6 consent must be filed with the Board at or prior to the
7 time application is made. In the case of any inter-track
8 wagering location licensee initially licensed after
9 December 31, 2013, inter-track wagering and simulcast
10 wagering shall not be conducted by those inter-track
11 wagering location licensees that are located outside the
12 City of Chicago at any location within 8 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.

19 (8.2) Inter-track wagering or simulcast wagering shall
20 not be conducted by an inter-track wagering location
21 licensee at any location within 500 feet of an existing
22 church or existing school, nor within 500 feet of the
23 residences of more than 50 registered voters without
24 receiving written permission from a majority of the
25 registered voters at such residences. Such written
26 permission statements shall be filed with the Board. The

1 distance of 500 feet shall be measured to the nearest part
2 of any building used for worship services, education
3 programs, residential purposes, or conducting inter-track
4 wagering by an inter-track wagering location licensee, and
5 not to property boundaries. However, inter-track wagering
6 or simulcast wagering may be conducted at a site within 500
7 feet of a church, school or residences of 50 or more
8 registered voters if such church, school or residences have
9 been erected or established, or such voters have been
10 registered, after the Board issues the original
11 inter-track wagering location license at the site in
12 question. Inter-track wagering location licensees may
13 conduct inter-track wagering and simulcast wagering only
14 in areas that are zoned for commercial or manufacturing
15 purposes or in areas for which a special use has been
16 approved by the local zoning authority. However, no license
17 to conduct inter-track wagering and simulcast wagering
18 shall be granted by the Board with respect to any
19 inter-track wagering location within the jurisdiction of
20 any local zoning authority which has, by ordinance or by
21 resolution, prohibited the establishment of an inter-track
22 wagering location within its jurisdiction. However,
23 inter-track wagering and simulcast wagering may be
24 conducted at a site if such ordinance or resolution is
25 enacted after the Board licenses the original inter-track
26 wagering location licensee for the site in question.

1 (9) (Blank).

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

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

22 (10.2) Notwithstanding any other provision of this
23 Act, with respect to inter-track wagering at a race track
24 located in a county that has a population of more than
25 230,000 and that is bounded by the Mississippi River ("the
26 first race track"), or at a facility operated by an

1 inter-track wagering licensee or inter-track wagering
2 location licensee that derives its license from the
3 organization licensee that operates the first race track,
4 on races conducted at the first race track or on races
5 conducted at another Illinois race track and
6 simultaneously televised to the first race track or to a
7 facility operated by an inter-track wagering licensee or
8 inter-track wagering location licensee that derives its
9 license from the organization licensee that operates the
10 first race track, those moneys shall be allocated as
11 follows:

12 (A) That portion of all moneys wagered on
13 standardbred racing that is required under this Act to
14 be paid to purses shall be paid to purses for
15 standardbred races.

16 (B) That portion of all moneys wagered on
17 thoroughbred racing that is required under this Act to
18 be paid to purses shall be paid to purses for
19 thoroughbred races.

20 (11) (A) After payment of the privilege or pari-mutuel
21 tax, any other applicable taxes, and the costs and expenses
22 in connection with the gathering, transmission, and
23 dissemination of all data necessary to the conduct of
24 inter-track wagering, the remainder of the monies retained
25 under either Section 26 or Section 26.2 of this Act by the
26 inter-track wagering licensee on inter-track wagering

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

14 (B) From the sums permitted to be retained pursuant to
15 this Act each inter-track wagering location licensee shall
16 pay (i) the privilege or pari-mutuel tax to the State; (ii)
17 4.75% of the pari-mutuel handle on inter-track wagering at
18 such location on races as purses, except that an
19 inter-track wagering location licensee that derives its
20 license from a track located in a county with a population
21 in excess of 230,000 and that borders the Mississippi River
22 shall retain all purse moneys for its own purse account
23 consistent with distribution set forth in this subsection
24 (h), and inter-track wagering location licensees that
25 accept wagers on races conducted by an organization
26 licensee located in a county with a population in excess of

1 230,000 and that borders the Mississippi River shall
2 distribute all purse moneys to purses at the operating host
3 track; (iii) until January 1, 2000, except as provided in
4 subsection (g) of Section 27 of this Act, 1% of the
5 pari-mutuel handle wagered on inter-track wagering and
6 simulcast wagering at each inter-track wagering location
7 licensee facility to the Horse Racing Tax Allocation Fund,
8 provided that, to the extent the total amount collected and
9 distributed to the Horse Racing Tax Allocation Fund under
10 this subsection (h) during any calendar year exceeds the
11 amount collected and distributed to the Horse Racing Tax
12 Allocation Fund during calendar year 1994, that excess
13 amount shall be redistributed (I) to all inter-track
14 wagering location licensees, based on each licensee's pro
15 rata ~~pro-rata~~ share of the total handle from inter-track
16 wagering and simulcast wagering for all inter-track
17 wagering location licensees during the calendar year in
18 which this provision is applicable; then (II) the amounts
19 redistributed to each inter-track wagering location
20 licensee as described in subpart (I) shall be further
21 redistributed as provided in subparagraph (B) of paragraph
22 (5) of subsection (g) of this Section 26 provided first,
23 that the shares of those amounts, which are to be
24 redistributed to the host track or to purses at the host
25 track under subparagraph (B) of paragraph (5) of subsection
26 (g) of this Section 26 shall be redistributed based on each

1 host track's pro rata share of the total inter-track
2 wagering and simulcast wagering handle at all host tracks
3 during the calendar year in question, and second, that any
4 amounts redistributed as described in part (I) to an
5 inter-track wagering location licensee that accepts wagers
6 on races conducted by an organization licensee that
7 conducts a race meet in a county with a population in
8 excess of 230,000 and that borders the Mississippi River
9 shall be further redistributed, effective January 1, 2017,
10 as provided in paragraph (7) of subsection (g) of this
11 Section 26, with the portion of that further redistribution
12 allocated to purses at that organization licensee to be
13 divided between standardbred purses and thoroughbred
14 purses based on the amounts otherwise allocated to purses
15 at that organization licensee during the calendar year in
16 question; and (iv) 8% of the pari-mutuel handle on
17 inter-track wagering wagered at such location to satisfy
18 all costs and expenses of conducting its wagering. The
19 remainder of the monies retained by the inter-track
20 wagering location licensee shall be allocated 40% to the
21 location licensee and 60% to the organization licensee
22 which provides the Illinois races to the location, except
23 that an inter-track wagering location licensee that
24 derives its license from a track located in a county with a
25 population in excess of 230,000 and that borders the
26 Mississippi River shall not divide any remaining retention

1 with the organization licensee that provides the race or
2 races and an inter-track wagering location licensee that
3 accepts wagers on races conducted by an organization
4 licensee that conducts a race meet in a county with a
5 population in excess of 230,000 and that borders the
6 Mississippi River shall not divide any remaining retention
7 with the organization licensee. Notwithstanding the
8 provisions of clauses (ii) and (iv) of this paragraph, in
9 the case of the additional inter-track wagering location
10 licenses authorized under paragraph (1) of this subsection
11 (h) by Public Act 87-110, those licensees shall pay the
12 following amounts as purses: during the first 12 months the
13 licensee is in operation, 5.25% of the pari-mutuel handle
14 wagered at the location on races; during the second 12
15 months, 5.25%; during the third 12 months, 5.75%; during
16 the fourth 12 months, 6.25%; and during the fifth 12 months
17 and thereafter, 6.75%. The following amounts shall be
18 retained by the licensee to satisfy all costs and expenses
19 of conducting its wagering: during the first 12 months the
20 licensee is in operation, 8.25% of the pari-mutuel handle
21 wagered at the location; during the second 12 months,
22 8.25%; during the third 12 months, 7.75%; during the fourth
23 12 months, 7.25%; and during the fifth 12 months and
24 thereafter, 6.75%. For additional inter-track wagering
25 location licensees authorized under Public Act 89-16,
26 purses for the first 12 months the licensee is in operation

1 shall be 5.75% of the pari-mutuel wagered at the location,
2 purses for the second 12 months the licensee is in
3 operation shall be 6.25%, and purses thereafter shall be
4 6.75%. For additional inter-track location licensees
5 authorized under Public Act 89-16, the licensee shall be
6 allowed to retain to satisfy all costs and expenses: 7.75%
7 of the pari-mutuel handle wagered at the location during
8 its first 12 months of operation, 7.25% during its second
9 12 months of operation, and 6.75% thereafter.

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

25 Two-sevenths to the Department of Agriculture.

26 Fifty percent of this two-sevenths shall be used to

1 promote the Illinois horse racing and breeding
2 industry, and shall be distributed by the Department of
3 Agriculture upon the advice of a 9-member committee
4 appointed by the Governor consisting of the following
5 members: the Director of Agriculture, who shall serve
6 as chairman; 2 representatives of organization
7 licensees conducting thoroughbred race meetings in
8 this State, recommended by those licensees; 2
9 representatives of organization licensees conducting
10 standardbred race meetings in this State, recommended
11 by those licensees; a representative of the Illinois
12 Thoroughbred Breeders and Owners Foundation,
13 recommended by that Foundation; a representative of
14 the Illinois Standardbred Owners and Breeders
15 Association, recommended by that Association; a
16 representative of the Horsemen's Benevolent and
17 Protective Association or any successor organization
18 thereto established in Illinois comprised of the
19 largest number of owners and trainers, recommended by
20 that Association or that successor organization; and a
21 representative of the Illinois Harness Horsemen's
22 Association, recommended by that Association.
23 Committee members shall serve for terms of 2 years,
24 commencing January 1 of each even-numbered year. If a
25 representative of any of the above-named entities has
26 not been recommended by January 1 of any even-numbered

1 year, the Governor shall appoint a committee member to
2 fill that position. Committee members shall receive no
3 compensation for their services as members but shall be
4 reimbursed for all actual and necessary expenses and
5 disbursements incurred in the performance of their
6 official duties. The remaining 50% of this
7 two-sevenths shall be distributed to county fairs for
8 premiums and rehabilitation as set forth in the
9 Agricultural Fair Act;

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

1 an inter-track wagering location licensee is located
2 in a municipality that is not included within any park
3 district and park maintenance is the function of the
4 municipal recreation board and the municipality has a
5 1990 population of 9,302 according to the United States
6 Bureau of the Census); provided that the monies are
7 distributed to each park district or conservation
8 district or municipality that does not have a park
9 district in an amount equal to four-sevenths of the
10 amount collected by each inter-track wagering location
11 licensee within the park district or conservation
12 district or municipality for the Fund. Monies that were
13 paid into the Horse Racing Tax Allocation Fund before
14 August 9, 1991 (the effective date of Public Act
15 87-110) by an inter-track wagering location licensee
16 located in a municipality that is not included within
17 any park district but is included within a conservation
18 district as provided in this paragraph shall, as soon
19 as practicable after August 9, 1991 (the effective date
20 of Public Act 87-110), be allocated and paid to that
21 conservation district as provided in this paragraph.
22 Any park district or municipality not maintaining a
23 museum may deposit the monies in the corporate fund of
24 the park district or municipality where the
25 inter-track wagering location is located, to be used
26 for general purposes; and

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

8 Until January 1, 2000, all other monies paid into the
9 Horse Racing Tax Allocation Fund pursuant to this paragraph
10 (11) shall be allocated by 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 museums and aquariums located in
23 park districts of over 500,000 population; provided
24 that the monies are distributed in accordance with the
25 previous year's distribution of the maintenance tax
26 for such museums and aquariums as provided in Section 2

1 of the Park District Aquarium and Museum Act; and

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

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

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

24 (ii) If the inter-track wagering licensee,
25 except an inter-track wagering licensee that
26 derives its license from an organization licensee

1 located in a county with a population in excess of
2 230,000 and bounded by the Mississippi River, is
3 also conducting its own race meeting during the
4 same dates, then the purse allocation shall be as
5 follows: 50% to purses at the track where the races
6 wagered on are being conducted; 50% to purses at
7 the track where the inter-track wagering licensee
8 is accepting such wagers.

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

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

24 (A) The Board is vested with power to promulgate
25 reasonable rules and regulations for the purpose of
26 administering the conduct of this wagering and to

1 prescribe reasonable rules, regulations and conditions
2 under which such wagering shall be held and conducted.
3 Such rules and regulations are to provide for the
4 prevention of practices detrimental to the public
5 interest and for the best interests of said wagering
6 and to impose penalties for violations thereof.

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

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

23 (D) (Blank).

24 (E) The Board is vested with the power to appoint
25 delegates to execute any of the powers granted to it
26 under this Section for the purpose of administering

1 this wagering and any rules and regulations
2 promulgated in accordance with this Act.

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

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

19 (13) The Department of Agriculture may enter into
20 agreements with licensees authorizing such licensees to
21 conduct inter-track wagering on races to be held at the
22 licensed race meetings conducted by the Department of
23 Agriculture. Such agreement shall specify the races of the
24 Department of Agriculture's licensed race meeting upon
25 which the licensees will conduct wagering. In the event
26 that a licensee conducts inter-track pari-mutuel wagering

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

18 (14) An inter-track wagering location license
19 authorized by the Board in 2016 that is owned and operated
20 by a race track in Rock Island County shall be transferred
21 to a commonly owned race track in Cook County on August 12,
22 2016 (the effective date of Public Act 99-757). The
23 licensee shall retain its status in relation to purse
24 distribution under paragraph (11) of this subsection (h)
25 following the transfer to the new entity. The pari-mutuel
26 tax credit under Section 32.1 shall not be applied toward

1 any pari-mutuel tax obligation of the inter-track wagering
2 location licensee of the license that is transferred under
3 this paragraph (14).

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. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
9 100-201, eff. 8-18-17; 100-627, eff. 7-20-18; 100-1152, eff.
10 12-14-18; revised 1-13-19.)

11 (230 ILCS 5/26.10 new)

12 Sec. 26.10. Wagering on historical horse races authorized.

13 (a) Wagering on historical horse races is authorized and
14 may be conducted in accordance with this Act.

15 Wagering on a historical horse race shall only be conducted
16 by an organization licensee licensed to conduct a live horse
17 race meet and licensed to conduct inter-track and simulcast
18 wagering in the year 2016.

19 Wagering on a historical horse race shall only be permitted
20 in a designated area at any licensed premise of an organization
21 licensee licensed to conduct a live horse race meeting.

22 An organization licensee may conduct wagering on
23 standardbred, quarter horse, and thoroughbred historical horse
24 races regardless of the type of breed that primarily races in
25 live meets conducted by the organization licensee. An

1 organization licensee may conduct wagering on historical races
2 on any days and hours during which pari-mutuel wagering on live
3 or simulcast races is being conducted and is approved by the
4 Board, and wagering shall not be limited to times during which
5 the organization licensee is conducting a live horse race
6 meeting.

7 Any wager placed on a historical horse race shall be
8 through the pari-mutuel system of wagering.

9 Before offering wagering on a historical horse race, an
10 organization licensee shall first obtain the Board's written
11 approval of all wagers offered as set forth in rules adopted by
12 the Board.

13 (b) All wagering on a historical horse race shall
14 incorporate all of the following elements:

15 (1) A patron may only wager on a historical horse race
16 on a terminal approved by the Board.

17 (2) Once a patron wagers an amount in the terminal
18 offering wagering on a historical horse race, a historical
19 horse race shall be chosen at random.

20 (3) Prior to the patron making his or her wager
21 selections, the terminal shall not display any information
22 that would allow the patron to identify the historical race
23 on which he or she is wagering, including the location of
24 the race, the date on which the race was run, the names of
25 the horses in the race, or the names of the jockeys or
26 drivers that rode the horses in the race.

1 (4) The terminal shall make available true and accurate
2 past performance information on the historical horse race
3 to the patron prior to making his or her wager selections.
4 The information shall be current as of the day the
5 historical horse race was actually run. The information
6 provided to the patron shall be displayed on the terminal
7 in data or graphical form.

8 (5) After a patron finalizes his or her wager
9 selections, the terminal shall display a video replay of
10 the race, or a portion thereof, or an animated depiction of
11 the race's finish and the official results of the race. The
12 identity of the race shall be revealed to the patron after
13 the patron has placed his or her wager.

14 (c) A wager on a historical horse race, less deductions
15 permitted by this Act shall be placed in pari-mutuels pools
16 approved by the Board.

17 A payout to a winning patron shall be paid from money
18 wagered by patrons or the initial seed pool and shall not
19 constitute a wager against the organization licensee.

20 An organization licensee conducting wagering on a
21 historical horse race shall not conduct wagering in such a
22 manner that patrons are wagering against the organization
23 licensee or in such a manner that the amount retained by the
24 organization licensee is dependent upon the outcome of any
25 particular race or the success of any particular wager.

26 An organization licensee shall only pay a winning wager on

1 a historical horse race out of the applicable pari-mutuel pool
2 and shall not pay a winning wager out of the organization
3 licensee's funds. Payment of a winning wager shall not exceed
4 the amount available in the applicable pari-mutuel pool.

5 An organization licensee offering wagering on a historical
6 horse race shall operate seed pools in a manner and method
7 approved by the Board as set forth in this Act. For each wager
8 made, an organization licensee may assign a percentage of the
9 wager to seed pools. The seed pools shall be maintained and
10 funded so that the amount available at any given time is
11 sufficient to ensure that a patron will be paid the minimum
12 amount required on a winning wager.

13 An organization licensee shall provide the funding for the
14 initial seed pool for each type of exotic wager. The funding
15 for the initial seed pool shall be nonrefundable and in an
16 amount sufficient to ensure that a patron will be paid the
17 minimum amount required on a winning wager.

18 (d) Terminals offering wagering on historical horse races
19 shall be located within designated areas that have the prior
20 written approval of the Board. Designated areas shall be
21 established in such a way as to control access by the general
22 public and prevent entry by any patron who is under 18 years of
23 age or is otherwise not permitted to place wagers. Each
24 organization licensee shall be limited to operating 300
25 terminals at the same time.

26 An organization licensee shall monitor persons entering

1 and leaving the designated areas and shall prevent access to
2 any patron who is under 18 years of age or is otherwise not
3 permitted to place wagers on historical horse races.

4 An organization licensee shall provide terminals that are
5 accessible to patrons with disabilities.

6 (e) An organization licensee shall not offer a wager on any
7 historical horse race without the prior written approval of the
8 Board.

9 An organization licensee making a request to offer a
10 pari-mutuel wager on a historical horse race may make an oral
11 presentation to the Board regarding the wager prior to the
12 Board deciding on the request. The presentation shall be made
13 by the organization licensee during a meeting of the Board and
14 shall be limited to the information contained in the written
15 request and any supplemental information relevant to the
16 Board's determination of the suitability of the wager. The
17 Board may require an organization licensee to clarify or
18 otherwise respond to questions concerning the written request
19 as a condition to approval of the wager.

20 The Board may request additional information from an
21 organization licensee regarding the wager if the additional
22 information would assist the Board in deciding whether to
23 approve it.

24 (f) An organization licensee shall submit a written request
25 to the Board for permission to offer a wager on a historical
26 horse race, which shall include:

1 (1) the types, numbers, and denominations of
2 pari-mutuel wagers to be offered;

3 (2) a detailed description of the rules that apply to
4 the pari-mutuel wager and the method of calculating
5 payouts, including how money will be allocated to the seed
6 pool;

7 (3) the days and hours of operation during which
8 wagering on historical horse races will be offered;

9 (4) a detailed description of the proposed designated
10 area and the terminal or terminals on which the pari-mutuel
11 wagers will be made, including an architect's rendering of
12 the proposed designated area, that describes the size,
13 construction, layout, capacity, and number of terminals
14 and at least one photograph of the designated area when
15 construction is completed;

16 (5) the practices and procedures that will ensure the
17 security, safety, and comfort of patrons in the designated
18 area;

19 (6) the manufacturer, make, and model of the terminal,
20 including a copy of all literature supplied by the
21 manufacturer of the terminal;

22 (7) the maintenance and repair procedures that will
23 ensure the integrity of the terminals; and

24 (8) a complete list of individuals who are authorized
25 to examine and repair the terminals for any reason.

26 (g) Wagering on historical horse races shall be conducted

1 only on terminals approved by the Board as set forth in this
2 Section. The Board shall not require any particular make of
3 terminal.

4 The Board shall require testing of each terminal used for
5 wagering on historical horse races by an independent testing
6 laboratory to ensure its integrity and proper working order.
7 The independent testing laboratory shall be chosen by the
8 Board, and the expense of the testing shall be paid by the
9 organization licensee offering the wagering on historical
10 horse races.

11 Each terminal for wagering for a historical horse race
12 shall display odds or pool amounts that the patron will receive
13 for a winning wager on each pari-mutuel wagering pool.

14 (h) After payment of the pari-mutuel tax and any other
15 applicable taxes, each organization licensee shall allocate
16 15% of the remaining amount retained under this Section to
17 purse accounts.

18 (i) From the amount the Board collects from the pari-mutuel
19 tax imposed on wagers placed on historical racing, the Board
20 shall pay 50% of the tax to the purse accounts of the
21 organization licensee where the tax was generated. Amounts paid
22 under this subsection (i) to purse accounts shall not be
23 subject to appropriation.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.