

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 as follows:

6 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

7 Sec. 26. Wagering.

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

22 (b) No other method of betting, pool making, wagering or
23 gambling shall be used or permitted by the licensee. Each

1 licensee may retain, subject to the payment of all applicable
2 taxes and purses, an amount not to exceed 17% of all money
3 wagered under subsection (a) of this Section, except as may
4 otherwise be permitted under this Act.

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

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

22 (c-5) Beginning January 1, 2000, the sum held by any
23 licensee for payment of outstanding pari-mutuel tickets, if
24 unclaimed prior to December 31 of the next year, shall be
25 retained by the licensee for payment of such tickets until that
26 date. Within 10 days thereafter, the balance of such sum

1 remaining unclaimed, less any uncashed supplements contributed
2 by such licensee for the purpose of guaranteeing minimum
3 distributions of any pari-mutuel pool, shall be evenly
4 distributed to the purse account of the organization licensee
5 and the organization licensee.

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

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

20 (f) Notwithstanding the other provisions of this Act, an
21 organization licensee may contract with an entity in another
22 state or country to permit any legal wagering entity in another
23 state or country to accept wagers solely within such other
24 state or country on races conducted by the organization
25 licensee in this State. Beginning January 1, 2000, these wagers
26 shall not be subject to State taxation. Until January 1, 2000,

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

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

21 (g) A host track may accept interstate simulcast wagers on
22 horse races conducted in other states or countries and shall
23 control the number of signals and types of breeds of racing in
24 its simulcast program, subject to the disapproval of the Board.
25 The Board may prohibit a simulcast program only if it finds
26 that the simulcast program is clearly adverse to the integrity

1 of racing. The host track simulcast program shall include the
2 signal of live racing of all organization licensees. All
3 non-host licensees and advance deposit wagering licensees
4 shall carry the signal of and accept wagers on live racing of
5 all organization licensees. Advance deposit wagering licensees
6 shall not be permitted to accept out-of-state wagers on any
7 Illinois signal provided pursuant to this Section without the
8 approval and consent of the organization licensee providing the
9 signal. For one year after August 15, 2014 (the effective date
10 of Public Act 98-968), non-host licensees may carry the host
11 track simulcast program and shall accept wagers on all races
12 included as part of the simulcast program of horse races
13 conducted at race tracks located within North America upon
14 which wagering is permitted. For a period of one year after
15 August 15, 2014 (the effective date of Public Act 98-968), on
16 horse races conducted at race tracks located outside of North
17 America, non-host licensees may accept wagers on all races
18 included as part of the simulcast program upon which wagering
19 is permitted. Beginning August 15, 2015 (one year after the
20 effective date of Public Act 98-968), non-host licensees may
21 carry the host track simulcast program and shall accept wagers
22 on all races included as part of the simulcast program upon
23 which wagering is permitted. All organization licensees shall
24 provide their live signal to all advance deposit wagering
25 licensees for a simulcast commission fee not to exceed 6% of
26 the advance deposit wagering licensee's Illinois handle on the

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

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

13 Notwithstanding any other provision of this Act, through
14 December 31, 2020, an organization licensee, with the consent
15 of the horsemen association representing the largest number of
16 owners, trainers, jockeys, or standardbred drivers who race
17 horses at that organization licensee's racing meeting, may
18 maintain a system whereby advance deposit wagering may take
19 place or an organization licensee, with the consent of the
20 horsemen association representing the largest number of
21 owners, trainers, jockeys, or standardbred drivers who race
22 horses at that organization licensee's racing meeting, may
23 contract with another person to carry out a system of advance
24 deposit wagering. Such consent may not be unreasonably
25 withheld. Only with respect to an appeal to the Board that
26 consent for an organization licensee that maintains its own

1 advance deposit wagering system is being unreasonably
2 withheld, the Board shall issue a final order within 30 days
3 after initiation of the appeal, and the organization licensee's
4 advance deposit wagering system may remain operational during
5 that 30-day period. The actions of any organization licensee
6 who conducts advance deposit wagering or any person who has a
7 contract with an organization licensee to conduct advance
8 deposit wagering who conducts advance deposit wagering on or
9 after January 1, 2013 and prior to June 7, 2013 (the effective
10 date of Public Act 98-18) taken in reliance on the changes made
11 to this subsection (g) by Public Act 98-18 are hereby
12 validated, provided payment of all applicable pari-mutuel
13 taxes are remitted to the Board. All advance deposit wagers
14 placed from within Illinois must be placed through a
15 Board-approved advance deposit wagering licensee; no other
16 entity may accept an advance deposit wager from a person within
17 Illinois. All advance deposit wagering is subject to any rules
18 adopted by the Board. The Board may adopt rules necessary to
19 regulate advance deposit wagering through the use of emergency
20 rulemaking in accordance with Section 5-45 of the Illinois
21 Administrative Procedure Act. The General Assembly finds that
22 the adoption of rules to regulate advance deposit wagering is
23 deemed an emergency and necessary for the public interest,
24 safety, and welfare. An advance deposit wagering licensee may
25 retain all moneys as agreed to by contract with an organization
26 licensee. Any moneys retained by the organization licensee from

1 advance deposit wagering, not including moneys retained by the
2 advance deposit wagering licensee, shall be paid 50% to the
3 organization licensee's purse account and 50% to the
4 organization licensee. With the exception of any organization
5 licensee that is owned by a publicly traded company that is
6 incorporated in a state other than Illinois and advance deposit
7 wagering licensees under contract with such organization
8 licensees, organization licensees that maintain advance
9 deposit wagering systems and advance deposit wagering
10 licensees that contract with organization licensees shall
11 provide sufficiently detailed monthly accountings to the
12 horsemen association representing the largest number of
13 owners, trainers, jockeys, or standardbred drivers who race
14 horses at that organization licensee's racing meeting so that
15 the horsemen association, as an interested party, can confirm
16 the accuracy of the amounts paid to the purse account at the
17 horsemen association's affiliated organization licensee from
18 advance deposit wagering. If more than one breed races at the
19 same race track facility, then the 50% of the moneys to be paid
20 to an organization licensee's purse account shall be allocated
21 among all organization licensees' purse accounts operating at
22 that race track facility proportionately based on the actual
23 number of host days that the Board grants to that breed at that
24 race track facility in the current calendar year. To the extent
25 any fees from advance deposit wagering conducted in Illinois
26 for wagers in Illinois or other states have been placed in

1 escrow or otherwise withheld from wagers pending a
2 determination of the legality of advance deposit wagering, no
3 action shall be brought to declare such wagers or the
4 disbursement of any fees previously escrowed illegal.

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

22 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
23 inter-track wagering licensee other than the host track may
24 receive supplemental interstate simulcasts only with the
25 consent of the host track, except when the Board finds that
26 the simulcast is clearly adverse to the integrity of

1 racing. Consent granted under this paragraph (2) to any
2 inter-track wagering licensee shall be deemed consent to
3 all non-host licensees. The interstate commission fee for
4 the supplemental interstate simulcast shall be paid by all
5 participating non-host licensees.

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

22 (4) A licensee who receives an interstate simulcast may
23 combine its gross or net pools with pools at the sending
24 racetracks pursuant to rules established by the Board. All
25 licensees combining their gross pools at a sending
26 racetrack shall adopt the takeout ~~take-out~~ percentages of

1 the sending racetrack. A licensee may also establish a
2 separate pool and takeout structure for wagering purposes
3 on races conducted at race tracks outside of the State of
4 Illinois. The licensee may permit pari-mutuel wagers
5 placed in other states or countries to be combined with its
6 gross or net wagering pools or other wagering pools.

7 (5) After the payment of the interstate commission fee
8 (except for the interstate commission fee on a supplemental
9 interstate simulcast, which shall be paid by the host track
10 and by each non-host licensee through the host track
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 (6) Notwithstanding any provision in this Act to the

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

8 (7) Effective January 1, 2017, notwithstanding any
9 provision of this Act to the contrary, after payment of all
10 applicable State and local taxes and interstate commission
11 fees, non-host licensees who derive their licenses from a
12 track located in a county with a population in excess of
13 230,000 and that borders the Mississippi River shall retain
14 50% of the retention from interstate simulcast wagers and
15 shall pay 50% to purses at the track from which the
16 non-host licensee derives its license.

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

25 (A) If the licensee that conducts horse racing at
26 that racetrack requests from the Board at least as many

1 racing dates as were conducted in calendar year 2000,
2 80% shall be paid to its thoroughbred purse account;
3 and

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

19 (7.2) Notwithstanding any other provision of this Act
20 to the contrary, if no thoroughbred racing is conducted at
21 a racetrack located in Madison County during any calendar
22 year beginning on or after January 1, 2002, all moneys
23 derived by that racetrack from simulcast wagering and
24 inter-track wagering that (1) are to be used for purses and
25 (2) are generated between the hours of 6:30 a.m. and 6:30
26 p.m. during that calendar year shall be deposited as

1 follows:

2 (A) If the licensee that conducts horse racing at
3 that racetrack requests from the Board at least as many
4 racing dates as were conducted in calendar year 2000,
5 80% shall be deposited into its standardbred purse
6 account; and

7 (B) Twenty percent shall be deposited into the
8 Illinois Colt Stakes Purse Distribution Fund. Moneys
9 deposited into the Illinois Colt Stakes Purse
10 Distribution Fund pursuant to this subparagraph (B)
11 shall be paid to Illinois conceived and foaled
12 thoroughbred breeders' programs and to thoroughbred
13 purses for races conducted at any county fairgrounds
14 for Illinois conceived and foaled horses at the
15 discretion of the Department of Agriculture, with the
16 advice and assistance of the Illinois Thoroughbred
17 Breeders Fund Advisory Board. The moneys deposited
18 into the Illinois Colt Stakes Purse Distribution 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 thoroughbred purses under this Act, and shall
23 not be commingled with other moneys deposited into that
24 Fund.

25 (7.3) (Blank).

26 (7.4) (Blank).

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

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

23 (9) (Blank).

24 (10) (Blank).

25 (11) (Blank).

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

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

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

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

25 (h) The Board may approve and license the conduct of
26 inter-track wagering and simulcast wagering by inter-track

1 wagering licensees and inter-track wagering location licensees
2 subject to the following terms and conditions:

3 (1) Any person licensed to conduct a race meeting (i)
4 at a track where 60 or more days of racing were conducted
5 during the immediately preceding calendar year or where
6 over the 5 immediately preceding calendar years an average
7 of 30 or more days of racing were conducted annually may be
8 issued an inter-track wagering license; (ii) at a track
9 located in a county that is bounded by the Mississippi
10 River, which has a population of less than 150,000
11 according to the 1990 decennial census, and an average of
12 at least 60 days of racing per year between 1985 and 1993
13 may be issued an inter-track wagering license; or (iii) at
14 a track located in Madison County that conducted at least
15 100 days of live racing during the immediately preceding
16 calendar year may be issued an inter-track wagering
17 license, unless a lesser schedule of live racing is the
18 result of (A) weather, unsafe track conditions, or other
19 acts of God; (B) an agreement between the organization
20 licensee and the associations representing the largest
21 number of owners, trainers, jockeys, or standardbred
22 drivers who race horses at that organization licensee's
23 racing meeting; or (C) a finding by the Board of
24 extraordinary circumstances and that it was in the best
25 interest of the public and the sport to conduct fewer than
26 100 days of live racing. Any such person having operating

1 control of the racing facility may receive inter-track
2 wagering location licenses. An eligible race track located
3 in a county that has a population of more than 230,000 and
4 that is bounded by the Mississippi River may establish up
5 to 9 inter-track wagering locations, an eligible race track
6 located in Stickney Township in Cook County may establish
7 up to 16 inter-track wagering locations, and an eligible
8 race track located in Palatine Township in Cook County may
9 establish up to 18 inter-track wagering locations. An
10 application for said license shall be filed with the Board
11 prior to such dates as may be fixed by the Board. With an
12 application for an inter-track wagering location license
13 there shall be delivered to the Board a certified check or
14 bank draft payable to the order of the Board for an amount
15 equal to \$500. The application shall be on forms prescribed
16 and furnished by the Board. The application shall comply
17 with all other rules, regulations and conditions imposed by
18 the Board in connection therewith.

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

1 by the Board.

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

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

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

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

26 (7) An inter-track wagering licensee or inter-track

1 wagering location licensee may accept wagers at the track
2 or location where it is licensed, or as otherwise provided
3 under this Act.

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

7 (8.1) Inter-track wagering location licensees who
8 derive their licenses from a particular organization
9 licensee shall conduct inter-track wagering and simulcast
10 wagering only at locations that are within 160 miles of
11 that race track where the particular organization licensee
12 is licensed to conduct racing. However, inter-track
13 wagering and simulcast wagering shall not be conducted by
14 those licensees at any location within 5 miles of any race
15 track at which a horse race meeting has been licensed in
16 the current year, unless the person having operating
17 control of such race track has given its written consent to
18 such inter-track wagering location licensees, which
19 consent must be filed with the Board at or prior to the
20 time application is made. In the case of any inter-track
21 wagering location licensee initially licensed after
22 December 31, 2013, inter-track wagering and simulcast
23 wagering shall not be conducted by those inter-track
24 wagering location licensees that are located outside the
25 City of Chicago at any location within 8 miles of any race
26 track at which a horse race meeting has been licensed in

1 the current year, unless the person having operating
2 control of such race track has given its written consent to
3 such inter-track wagering location licensees, which
4 consent must be filed with the Board at or prior to the
5 time application is made.

6 (8.2) Inter-track wagering or simulcast wagering shall
7 not be conducted by an inter-track wagering location
8 licensee at any location within 100 ~~500~~ feet of an existing
9 church or existing school, ~~nor within 500 feet of the~~
10 ~~residences of more than 50 registered voters without~~
11 ~~receiving written permission from a majority of the~~
12 ~~registered voters at such residences. Such written~~
13 ~~permission statements shall be filed with the Board.~~ The
14 distance of 100 ~~500~~ feet shall be measured to the nearest
15 part of any building used for worship services, education
16 programs, ~~residential purposes,~~ or conducting inter-track
17 wagering by an inter-track wagering location licensee, and
18 not to property boundaries. However, inter-track wagering
19 or simulcast wagering may be conducted at a site within 100
20 ~~500~~ feet of a church or ~~or~~ school ~~or residences of 50 or more~~
21 ~~registered voters~~ if such church or ~~or~~ school has ~~or~~
22 ~~residences have~~ been erected or established, ~~or such voters~~
23 ~~have been registered,~~ after the Board issues the original
24 inter-track wagering location license at the site in
25 question. Inter-track wagering location licensees may
26 conduct inter-track wagering and simulcast wagering only

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

14 (9) (Blank).

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

25 (10.1) Except as provided in subsection (g) of Section
26 27 of this Act, inter-track wagering location licensees

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

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

25 (A) That portion of all moneys wagered on
26 standardbred racing that is required under this Act to

1 be paid to purses shall be paid to purses for
2 standardbred races.

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

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

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

1 wagering location licensees, based on each licensee's pro
2 rata ~~pro-rata~~ share of the total handle from inter-track
3 wagering and simulcast wagering for all inter-track
4 wagering location licensees during the calendar year in
5 which this provision is applicable; then (II) the amounts
6 redistributed to each inter-track wagering location
7 licensee as described in subpart (I) shall be further
8 redistributed as provided in subparagraph (B) of paragraph
9 (5) of subsection (g) of this Section 26 provided first,
10 that the shares of those amounts, which are to be
11 redistributed to the host track or to purses at the host
12 track under subparagraph (B) of paragraph (5) of subsection
13 (g) of this Section 26 shall be redistributed based on each
14 host track's pro rata share of the total inter-track
15 wagering and simulcast wagering handle at all host tracks
16 during the calendar year in question, and second, that any
17 amounts redistributed as described in part (I) to an
18 inter-track wagering location licensee that accepts wagers
19 on races conducted by an organization licensee that
20 conducts a race meet in a county with a population in
21 excess of 230,000 and that borders the Mississippi River
22 shall be further redistributed, effective January 1, 2017,
23 as provided in paragraph (7) of subsection (g) of this
24 Section 26, with the portion of that further redistribution
25 allocated to purses at that organization licensee to be
26 divided between standardbred purses and thoroughbred

1 purses based on the amounts otherwise allocated to purses
2 at that organization licensee during the calendar year in
3 question; and (iv) 8% of the pari-mutuel handle on
4 inter-track wagering wagered at such location to satisfy
5 all costs and expenses of conducting its wagering. The
6 remainder of the monies retained by the inter-track
7 wagering location licensee shall be allocated 40% to the
8 location licensee and 60% to the organization licensee
9 which provides the Illinois races to the location, except
10 that an inter-track wagering location licensee that
11 derives its license from a track located in a county with a
12 population in excess of 230,000 and that borders the
13 Mississippi River shall not divide any remaining retention
14 with the organization licensee that provides the race or
15 races and an inter-track wagering location licensee that
16 accepts wagers on races conducted by an organization
17 licensee that conducts a race meet in a county with a
18 population in excess of 230,000 and that borders the
19 Mississippi River shall not divide any remaining retention
20 with the organization licensee. Notwithstanding the
21 provisions of clauses (ii) and (iv) of this paragraph, in
22 the case of the additional inter-track wagering location
23 licenses authorized under paragraph (1) of this subsection
24 (h) by Public Act 87-110, those licensees shall pay the
25 following amounts as purses: during the first 12 months the
26 licensee is in operation, 5.25% of the pari-mutuel handle

1 wagered at the location on races; during the second 12
2 months, 5.25%; during the third 12 months, 5.75%; during
3 the fourth 12 months, 6.25%; and during the fifth 12 months
4 and thereafter, 6.75%. The following amounts shall be
5 retained by the licensee to satisfy all costs and expenses
6 of conducting its wagering: during the first 12 months the
7 licensee is in operation, 8.25% of the pari-mutuel handle
8 wagered at the location; during the second 12 months,
9 8.25%; during the third 12 months, 7.75%; during the fourth
10 12 months, 7.25%; and during the fifth 12 months and
11 thereafter, 6.75%. For additional inter-track wagering
12 location licensees authorized under Public Act 89-16,
13 purses for the first 12 months the licensee is in operation
14 shall be 5.75% of the pari-mutuel wagered at the location,
15 purses for the second 12 months the licensee is in
16 operation shall be 6.25%, and purses thereafter shall be
17 6.75%. For additional inter-track location licensees
18 authorized under Public Act 89-16, the licensee shall be
19 allowed to retain to satisfy all costs and expenses: 7.75%
20 of the pari-mutuel handle wagered at the location during
21 its first 12 months of operation, 7.25% during its second
22 12 months of operation, and 6.75% thereafter.

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

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

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

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

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

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

1 August 9, 1991 (the effective date of Public Act
2 87-110) by an inter-track wagering location licensee
3 located in a municipality that is not included within
4 any park district but is included within a conservation
5 district as provided in this paragraph shall, as soon
6 as practicable after August 9, 1991 (the effective date
7 of Public Act 87-110), be allocated and paid to that
8 conservation district as provided in this paragraph.
9 Any park district or municipality not maintaining a
10 museum may deposit the monies in the corporate fund of
11 the park district or municipality where the
12 inter-track wagering location is located, to be used
13 for general purposes; and

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

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

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

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

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

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

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

24 (D) Except as provided in paragraph (11) of this
25 subsection (h), with respect to purse allocation from
26 inter-track wagering, the monies so retained shall be

1 divided as follows:

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

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

22 (iii) If the inter-track wagering is being
23 conducted by an inter-track wagering location
24 licensee, except an inter-track wagering location
25 licensee that derives its license from an
26 organization licensee located in a county with a

1 population in excess of 230,000 and bounded by the
2 Mississippi River, the entire purse allocation for
3 Illinois races shall be to purses at the track
4 where the race meeting being wagered on is being
5 held.

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

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

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

26 (C) The Board, and any person or persons to whom it

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

10 (D) (Blank).

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

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

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

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

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

1 meetings conducted by the Department of Agriculture at the
2 Illinois State Fair in Sangamon County or the DuQuoin State
3 Fair in Perry County, or to any wagering conducted on those
4 race meetings.

5 (14) An inter-track wagering location license
6 authorized by the Board in 2016 that is owned and operated
7 by a race track in Rock Island County shall be transferred
8 to a commonly owned race track in Cook County on August 12,
9 2016 (the effective date of Public Act 99-757). The
10 licensee shall retain its status in relation to purse
11 distribution under paragraph (11) of this subsection (h)
12 following the transfer to the new entity. The pari-mutuel
13 tax credit under Section 32.1 shall not be applied toward
14 any pari-mutuel tax obligation of the inter-track wagering
15 location licensee of the license that is transferred under
16 this paragraph (14).

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

21 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
22 100-201, eff. 8-18-17; 100-627, eff. 7-20-18; 100-1152, eff.
23 12-14-18; revised 1-13-19.)

24 Section 10. The Raffles and Poker Runs Act is amended by
25 changing Sections 1, 2, 3, 4, 5, 6, and 8.1 as follows:

1 (230 ILCS 15/1) (from Ch. 85, par. 2301)

2 Sec. 1. Definitions. For the purposes of this Act the terms
3 defined in this Section have the meanings given them.

4 "Key location" means:

5 (1) For a poker run, the location where the poker run
6 concludes and the prizes are awarded.

7 (2) For a raffle, the location where the winning
8 chances in the raffle are determined.

9 "Law enforcement agency" means an agency of this State or a
10 unit of local government in this State that is vested by law or
11 ordinance with the duty to maintain public order and to enforce
12 criminal laws or ordinances.

13 "Net proceeds" means the gross receipts from the conduct of
14 raffles, less reasonable sums expended for prizes, local
15 license fees and other ~~reasonable~~ operating expenses incurred
16 as a result of operating a raffle or poker run.

17 ~~"Key location" means the location where the poker run~~
18 ~~concludes and the prize or prizes are awarded.~~

19 "Poker run" means a prize-awarding event organized by an
20 organization licensed under this Act in which participants
21 travel to multiple predetermined locations, including a key
22 location, to play a randomized game based on an element of
23 chance. "Poker run" includes dice runs, marble runs, or other
24 events where the objective is to build the best hand or highest
25 score by obtaining an item or playing a randomized game at each

1 location.

2 "Raffle" means a form of lottery, as defined in subsection
3 (b) of Section 28-2 ~~28-2(b)~~ of the Criminal Code of 2012,
4 conducted by an organization licensed under this Act, in which:

5 (1) the player pays or agrees to pay something of value
6 for a chance, represented and differentiated by a number or
7 by a combination of numbers or by some other medium, one or
8 more of which chances is to be designated the winning
9 chance; and

10 (2) the winning chance is to be determined through a
11 drawing or by some other method based on an element of
12 chance by an act or set of acts on the part of persons
13 conducting or connected with the lottery, except that the
14 winning chance shall not be determined by the outcome of a
15 publicly exhibited sporting contest.

16 "Raffle" does not include any game designed to simulate:
17 (1) gambling games as defined in the Riverboat Gambling Act,
18 (2) any casino game approved for play by the Illinois Gaming
19 Board, (3) any games provided by a video gaming terminal, as
20 defined in the Video Gaming Act, or (4) a savings promotion
21 raffle authorized under Section 5g of the Illinois Banking Act,
22 Section 7008 of the Savings Bank Act, Section 42.7 of the
23 Illinois Credit Union Act, Section 5136B of the National Bank
24 Act ~~(12 U.S.C. 25a)~~, or Section 4 of the Home Owners' Loan Act
25 ~~(12 U.S.C. 1463)~~.

26 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16;

1 99-405, eff. 8-19-15; 99-642, eff. 7-28-16.)

2 (230 ILCS 15/2) (from Ch. 85, par. 2302)

3 Sec. 2. Licensing.

4 (a) The governing body of any county or municipality within
5 this State may establish a system for the licensing of
6 organizations to operate raffles. The governing bodies of a
7 county and one or more municipalities may, pursuant to a
8 written contract, jointly establish a system for the licensing
9 of organizations to operate raffles within any area of
10 contiguous territory not contained within the corporate limits
11 of a municipality which is not a party to such contract. The
12 governing bodies of two or more adjacent counties or two or
13 more adjacent municipalities located within a county may,
14 pursuant to a written contract, jointly establish a system for
15 the licensing of organizations to operate raffles within the
16 corporate limits of such counties or municipalities. The
17 licensing authority may establish special categories of
18 licenses and promulgate rules relating to the various
19 categories. The licensing system shall provide for limitations
20 upon (1) the aggregate retail value of all prizes or
21 merchandise awarded by a licensee in a single raffle, if any,
22 (2) the maximum retail value of each prize awarded by a
23 licensee in a single raffle, if any, (3) the maximum price
24 which may be charged for each raffle chance issued or sold, if
25 any and (4) the maximum number of days during which chances may

1 be issued or sold, if any. The licensing system may include a
2 fee for each license in an amount to be determined by the local
3 governing body. Licenses issued pursuant to this Act shall be
4 valid for one raffle or for a specified number of raffles to be
5 conducted during a specified period not to exceed one year and
6 may be suspended or revoked for any violation of this Act. A
7 local governing body shall act on a license application within
8 30 days from the date of application. ~~A Nothing in this Act~~
9 ~~shall be construed to prohibit a county or municipality may~~
10 ~~adopt from adopting~~ rules or ordinances for the operation of
11 raffles that are consistent with this Act. Raffles shall be
12 licensed by the governing body of the municipality with
13 jurisdiction over the key location or, if no municipality has
14 jurisdiction over the key location, then by the governing body
15 of the county with jurisdiction over the key location. A
16 license shall authorize the holder of such license to sell
17 raffle chances throughout the State, including beyond the
18 borders of the licensing municipality or county. ~~more~~
19 ~~restrictive than provided for in this Act. Except for raffles~~
20 ~~organized by law enforcement agencies and statewide~~
21 ~~associations that represent law enforcement officials as~~
22 ~~provided in Section 9 of this Act, the governing body of a~~
23 ~~municipality may authorize the sale of raffle chances only~~
24 ~~within the borders of the municipality. Except for raffles~~
25 ~~organized by law enforcement agencies and statewide~~
26 ~~associations that represent law enforcement officials as~~

1 ~~provided in Section 9, the governing body of the county may~~
2 ~~authorize the sale of raffle chances only in those areas which~~
3 ~~are both within the borders of the county and outside the~~
4 ~~borders of any municipality.~~

5 (a-5) The governing body of Cook County may and any other
6 county within this State shall establish a system for the
7 licensing of organizations to operate poker runs. The governing
8 bodies of 2 or more adjacent counties may, pursuant to a
9 written contract, jointly establish a system for the licensing
10 of organizations to operate poker runs within the corporate
11 limits of such counties. The licensing authority may establish
12 special categories of licenses and adopt rules relating to the
13 various categories. The licensing system may include a fee not
14 to exceed \$25 for each license. Licenses issued pursuant to
15 this Act shall be valid for one poker run or for a specified
16 number of poker runs to be conducted during a specified period
17 not to exceed one year and may be suspended or revoked for any
18 violation of this Act. A local governing body shall act on a
19 license application within 30 days after the date of
20 application.

21 (b) Raffle licenses shall be issued only to bona fide
22 religious, charitable, labor, business, fraternal,
23 educational, ~~or~~ veterans', or other bona fide not-for-profit
24 organizations that operate without profit to their members and
25 which have been in existence continuously for a period of 5
26 years immediately before making application for a raffle

1 license and which have ~~had~~ during that entire 5-year period
2 been ~~a bona fide membership~~ engaged in carrying out their
3 objects, or to a non-profit fundraising organization that the
4 licensing authority determines is organized for the sole
5 purpose of providing financial assistance to an identified
6 individual or group of individuals suffering extreme financial
7 hardship as the result of an illness, disability, accident or
8 disaster, or to any ~~as well as~~ law enforcement agencies and
9 statewide associations that represent law enforcement
10 officials ~~as provided for in Section 9 of this Act~~. Poker run
11 licenses shall be issued only to bona fide religious,
12 charitable, labor, business, fraternal, educational,
13 veterans', or other bona fide not-for-profit organizations
14 that operate without profit to their members and which have
15 been in existence continuously for a period of 5 years
16 immediately before making application for a poker run license
17 and which have ~~had~~ during that entire 5-year period been ~~a bona~~
18 ~~fide membership~~ engaged in carrying out their objects. Licenses
19 for poker runs shall be issued for the following purposes: (i)
20 providing financial assistance to an identified individual or
21 group of individuals suffering extreme financial hardship as
22 the result of an illness, disability, accident, or disaster or
23 (ii) to maintain the financial stability of the organization. A
24 licensing authority may waive the 5-year requirement under this
25 subsection (b) for a bona fide religious, charitable, labor,
26 business, fraternal, educational, or veterans' organization

1 that applies for a license to conduct a raffle or a poker run
2 if the organization is a local organization that is affiliated
3 with and chartered by a national or State organization that
4 meets the 5-year requirement.

5 For purposes of this Act, the following definitions apply.

6 Non-profit: An organization or institution organized and
7 conducted on a not-for-profit basis with no personal profit
8 inuring to any one as a result of the operation. Charitable: An
9 organization or institution organized and operated to benefit
10 an indefinite number of the public. The service rendered to
11 those eligible for benefits must also confer some benefit on
12 the public. Educational: An organization or institution
13 organized and operated to provide systematic instruction in
14 useful branches of learning by methods common to schools and
15 institutions of learning which compare favorably in their scope
16 and intensity with the course of study presented in
17 tax-supported schools. Religious: Any church, congregation,
18 society, or organization founded for the purpose of religious
19 worship. Fraternal: An organization of persons having a common
20 interest, the primary interest of which is to both promote the
21 welfare of its members and to provide assistance to the general
22 public in such a way as to lessen the burdens of government by
23 caring for those that otherwise would be cared for by the
24 government. Veterans: An organization or association comprised
25 of members of which substantially all are individuals who are
26 veterans or spouses, widows, or widowers of veterans, the

1 primary purpose of which is to promote the welfare of its
2 members and to provide assistance to the general public in such
3 a way as to confer a public benefit. Labor: An organization
4 composed of workers organized with the objective of betterment
5 of the conditions of those engaged in such pursuit and the
6 development of a higher degree of efficiency in their
7 respective occupations. Business: A voluntary organization
8 composed of individuals and businesses who have joined together
9 to advance the commercial, financial, industrial and civic
10 interests of a community.

11 ~~(c) Poker runs shall be licensed by the county with~~
12 ~~jurisdiction over the key location. The license granted by the~~
13 ~~key location shall cover the entire poker run, including~~
14 ~~locations other than the key location. Each license issued~~
15 ~~shall include the name and address of each predetermined~~
16 ~~location.~~

17 (Source: P.A. 99-405, eff. 8-19-15; 99-757, eff. 8-12-16;
18 100-201, eff. 8-18-17.)

19 (230 ILCS 15/3) (from Ch. 85, par. 2303)

20 Sec. 3. License; application; issuance; restrictions;
21 persons ineligible ~~Application Issuance Restrictions~~
22 ~~Persons ineligible~~. Licenses issued by the governing body of
23 any county or municipality are subject to the following
24 restrictions:

25 (1) No person, firm or corporation shall conduct

1 raffles or chances or poker runs without having first
2 obtained a license therefor pursuant to this Act.

3 (2) The license and application for license must
4 specify the location or locations at ~~area or areas within~~
5 ~~the licensing authority in~~ which winning ~~raffle~~ chances in
6 the raffle will be determined ~~sold or issued or a poker run~~
7 ~~will be conducted~~, the time period during which raffle
8 chances will be sold or issued or a poker run will be
9 conducted, the time or times of determination of winning
10 chances and the location or locations at which winning
11 chances will be determined.

12 (3) The license application must contain a sworn
13 statement attesting to the not-for-profit character of the
14 prospective licensee organization, signed by the presiding
15 officer and the secretary of that organization.

16 (4) The application for license shall be prepared in
17 accordance with the ordinance of the local governmental
18 unit.

19 (5) A license authorizes the licensee to conduct
20 raffles or poker runs as defined in this Act.

21 The following are ineligible for any license under this
22 Act:

23 (a) any person whose felony conviction will impair the
24 person's ability to engage in the licensed position;

25 (b) any person who is or has been a professional
26 gambler or professional gambling promoter;

1 (c) any person who is not of good moral character;

2 (d) any organization ~~firm or corporation~~ in which a
3 person defined in (a), (b) or (c) has a proprietary,
4 equitable or credit interest, or in which such a person is
5 active or employed;

6 (e) any organization in which a person defined in (a),
7 (b) or (c) is an officer, director, or employee, whether
8 compensated or not; and

9 (f) any organization in which a person defined in (a),
10 (b) or (c) is to participate in the management or operation
11 of a raffle as defined in this Act.

12 (Source: P.A. 100-286, eff. 1-1-18.)

13 (230 ILCS 15/4) (from Ch. 85, par. 2304)

14 Sec. 4. Conduct of raffles and poker runs.

15 (a) The conducting of raffles and poker runs is subject to
16 the following restrictions:

17 (1) The entire net proceeds of any raffle or poker run
18 must be exclusively devoted to the lawful purposes of the
19 organization permitted to conduct that game.

20 (2) No person except a bona fide director, officer,
21 employee, or member of the sponsoring organization may
22 manage or participate in the management ~~or operation~~ of the
23 raffle or poker run. ~~(3)~~ No person may receive any
24 remuneration or profit for managing or participating in the
25 management ~~or operation~~ of the raffle or poker run.

1 Sponsoring organizations may contract with third parties
2 who, acting at the direction of and under the supervision
3 of the sponsoring organization, provide bona fide services
4 to the sponsoring organization in connection with the
5 operation of a raffle and may pay reasonable compensation
6 for such services. Such services include the following: (a)
7 advertising, marketing and promotion, (b) legal, (c)
8 procurement of goods, prizes, wares and merchandise for the
9 purpose of operating the raffle, (d) rent, if the premises
10 upon which the raffle will be held is rented, (e)
11 accounting, auditing and bookkeeping, (f) website hosting,
12 (g) mailing and delivery, (h) banking and payment
13 processing, and (i) other services relating to the
14 operation of the raffle.

15 (3) ~~(4)~~ A licensee may rent a premises on which to
16 determine the winning chance or chances in a raffle
17 provided that the rent is not determined as a percentage of
18 receipts or profits from the raffle. ~~only from an~~
19 organization which is also licensed under this Act. A
20 premises where a poker run is held is not required to
21 obtain a license if the name and location of the premises
22 is listed as a predetermined location on the license issued
23 for the poker run and the premises does not charge for use
24 of the premises.

25 (4) ~~(5)~~ Raffle chances may be sold throughout the
26 State, including beyond the borders of the licensing

1 municipality or county. ~~or issued only within the area~~
2 ~~specified on the license and winning~~ Winning chances may be
3 determined only at those locations specified on the license
4 for a raffle.

5 (5) ~~(6)~~ A person under the age of 18 years may
6 participate in the conducting of raffles or chances or
7 poker runs only with the permission of a parent or
8 guardian. A person under the age of 18 years may be within
9 the area where winning chances in a raffle or winning hands
10 or scores in a poker run are being determined only when
11 accompanied by his parent or guardian.

12 (b) If a lessor rents a premises where a winning chance or
13 chances on a raffle or a winning hand or score in a poker run is
14 determined, the lessor shall not be criminally liable if the
15 person who uses the premises for the determining of winning
16 chances does not hold a license issued by the governing body of
17 any county or municipality under the provisions of this Act.

18 (Source: P.A. 98-644, eff. 6-10-14.)

19 (230 ILCS 15/5) (from Ch. 85, par. 2305)

20 Sec. 5. Manager; bond. All management, operation, ~~of~~ and
21 ~~the~~ conduct of raffles shall be under the supervision of a
22 single manager designated by the organization. The manager
23 shall give a fidelity bond in an amount determined by the
24 licensing authority in favor of the organization conditioned
25 upon his honesty in the performance of his duties. Terms of the

1 bond shall provide that notice shall be given in writing to the
2 licensing authority not less than 30 days prior to its
3 cancellation. The governing body of a local unit of government
4 may waive this bond requirement by including a waiver provision
5 in the license issued to an organization under this Act,
6 provided that a license containing such waiver provision shall
7 be granted only by the affirmative ~~unanimous~~ vote of the
8 requisite number of members of the licensed organization or, if
9 the licensed organization does not have members, of members of
10 the governing board of the organization, to constitute an
11 affirmative action of the licensed organization. Nothing in
12 this Section shall be deemed to apply to poker runs.

13 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

14 (230 ILCS 15/6) (from Ch. 85, par. 2306)

15 Sec. 6. Records.

16 (a) Each organization licensed to conduct raffles and
17 chances or poker run events shall keep records of its gross
18 receipts, expenses and net proceeds for each single gathering
19 or occasion at which winning chances in a raffle or winning
20 hands or scores in a poker run are determined. All deductions
21 from gross receipts for each single gathering or occasion shall
22 be documented with receipts or other records indicating the
23 amount, a description of the purchased item or service or other
24 reason for the deduction, and the recipient. The distribution
25 of net proceeds shall be itemized as to payee, purpose, amount

1 and date of payment.

2 (b) Gross receipts from the operation of raffles ~~programs~~
3 or poker runs shall be segregated from other revenues of the
4 organization, including bingo gross receipts, if bingo games
5 are also conducted by the same nonprofit organization pursuant
6 to license therefor issued by the Department of Revenue of the
7 State of Illinois, and placed in a separate account. Each
8 organization shall have separate records of its raffles and
9 poker runs. The person who accounts for gross receipts,
10 expenses and net proceeds from the operation of raffles or
11 poker runs shall not be the same person who accounts for other
12 revenues of the organization.

13 (c) Each organization licensed to conduct raffles or poker
14 runs shall report promptly after the conclusion of each raffle
15 or poker run ~~runs~~ to its membership or, if the organization
16 does not have members, to its governing board. Each
17 organization licensed to conduct raffles shall report promptly
18 to the licensing local unit of government its gross receipts,
19 expenses and net proceeds from the raffle, and the distribution
20 of net proceeds itemized as required in this Section.

21 (d) Records required by this Section shall be preserved for
22 3 years, and organizations shall make available their records
23 relating to operation of raffles or poker runs for public
24 inspection at reasonable times and places.

25 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

1 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

2 Sec. 8.1. Political committees.

3 (a) For the purposes of this Section the terms defined in
4 this subsection have the meanings given them.

5 "Net Proceeds" means the gross receipts from the conduct of
6 raffles, less reasonable sums expended for prizes, license fees
7 and other reasonable operating expenses incurred as a result of
8 operating a raffle.

9 "Raffle" means a form of lottery, as defined in Section
10 28-2 (b) of the Criminal Code of 2012, conducted by a political
11 committee licensed under this Section, in which:

12 (1) the player pays or agrees to pay something of value
13 for a chance, represented and differentiated by a number or
14 by a combination of numbers or by some other medium, one or
15 more of which chances is to be designated the winning
16 chance; and

17 (2) the winning chance is to be determined through a
18 drawing or by some other method based on an element of
19 chance by an act or set of acts on the part of persons
20 conducting or connected with the lottery, except that the
21 winning chance shall not be determined by the outcome of a
22 publicly exhibited sporting contest.

23 "Unresolved claim" means a claim for civil penalty under
24 Sections 9-3, 9-10, and 9-23 of The Election Code which has
25 been begun by the State Board of Elections, has been disputed
26 by the political committee under the applicable rules of the

1 State Board of Elections, and has not been finally decided
2 either by the State Board of Elections, or, where application
3 for review has been made to the Courts of Illinois, remains
4 finally undecided by the Courts.

5 "Owes" means that a political committee has been finally
6 determined under applicable rules of the State Board of
7 Elections to be liable for a civil penalty under Sections 9-3,
8 9-10, and 9-23 of The Election Code.

9 (b) Licenses issued pursuant to this Section shall be valid
10 for one raffle or for a specified number of raffles to be
11 conducted during a specified period not to exceed one year and
12 may be suspended or revoked for any violation of this Section.
13 The State Board of Elections shall act on a license application
14 within 30 days from the date of application.

15 (c) Licenses issued by the State Board of Elections are
16 subject to the following restrictions:

17 (1) No political committee shall conduct raffles or
18 chances without having first obtained a license therefor
19 pursuant to this Section.

20 (2) The application for license shall be prepared in
21 accordance with regulations of the State Board of Elections
22 and must specify the area or areas within the State in
23 which raffle chances will be sold or issued, the time
24 period during which raffle chances will be sold or issued,
25 the time of determination of winning chances and the
26 location or locations at which winning chances will be

1 determined.

2 (3) A license authorizes the licensee to conduct
3 raffles as defined in this Section.

4 The following are ineligible for any license under this
5 Section:

6 (i) any political committee which has an officer
7 who has been convicted of a felony;

8 (ii) any political committee which has an officer
9 who is or has been a professional gambler or gambling
10 promoter;

11 (iii) any political committee which has an officer
12 who is not of good moral character;

13 (iv) any political committee which has an officer
14 who is also an officer of a firm or corporation in
15 which a person defined in (i), (ii) or (iii) has a
16 proprietary, equitable or credit interest, or in which
17 such a person is active or employed;

18 (v) any political committee in which a person
19 defined in (i), (ii) or (iii) is an officer, director,
20 or employee, whether compensated or not;

21 (vi) any political committee in which a person
22 defined in (i), (ii) or (iii) is to participate in the
23 management or operation of a raffle as defined in this
24 Section;

25 (vii) any committee which, at the time of its
26 application for a license to conduct a raffle, owes the

1 State Board of Elections any unpaid civil penalty
2 authorized by Sections 9-3, 9-10, and 9-23 of The
3 Election Code, or is the subject of an unresolved claim
4 for a civil penalty under Sections 9-3, 9-10, and 9-23
5 of The Election Code;

6 (viii) any political committee which, at the time
7 of its application to conduct a raffle, has not
8 submitted any report or document required to be filed
9 by Article 9 of The Election Code and such report or
10 document is more than 10 days overdue.

11 (d) (1) The conducting of raffles is subject to the
12 following restrictions:

13 (i) The entire net proceeds of any raffle must be
14 exclusively devoted to the lawful purposes of the
15 political committee permitted to conduct that game.

16 (ii) No person except a bona fide member of the
17 political committee may participate in the management
18 or operation of the raffle.

19 (iii) No person may receive any remuneration or
20 profit for participating in the management or
21 operation of the raffle.

22 (iv) Raffle chances may be sold or issued only
23 within the area specified on the license and winning
24 chances may be determined only at those locations
25 specified on the license.

26 (v) A person under the age of 18 years may

1 participate in the conducting of raffles or chances
2 only with the permission of a parent or guardian. A
3 person under the age of 18 years may be within the area
4 where winning chances are being determined only when
5 accompanied by his parent or guardian.

6 (2) If a lessor rents a premises where a winning chance
7 or chances on a raffle are determined, the lessor shall not
8 be criminally liable if the person who uses the premises
9 for the determining of winning chances does not hold a
10 license issued under the provisions of this Section.

11 (e) (1) Each political committee licensed to conduct
12 raffles and chances shall keep records of its gross
13 receipts, expenses and net proceeds for each single
14 gathering or occasion at which winning chances are
15 determined. All deductions from gross receipts for each
16 single gathering or occasion shall be documented with
17 receipts or other records indicating the amount, a
18 description of the purchased item or service or other
19 reason for the deduction, and the recipient. The
20 distribution of net proceeds shall be itemized as to payee,
21 purpose, amount and date of payment.

22 (2) Each political committee licensed to conduct
23 raffles shall report on the next report due to be filed
24 under Article 9 of The Election Code its gross receipts,
25 expenses and net proceeds from raffles, and the
26 distribution of net proceeds itemized as required in this

1 subsection.

2 Such reports shall be included in the regular reports
3 required of political committees by Article 9 of The Election
4 Code.

5 (3) Records required by this subsection shall be
6 preserved for 3 years, and political committees shall make
7 available their records relating to operation of raffles
8 for public inspection at reasonable times and places.

9 (f) Violation of any provision of this Section is a Class C
10 misdemeanor.

11 (g) Nothing in this Section shall be construed to authorize
12 the conducting or operating of any gambling scheme, enterprise,
13 activity or device other than raffles as provided for herein.

14 (Source: P.A. 97-1150, eff. 1-25-13; 98-756, eff. 7-16-14.)

15 (230 ILCS 15/9 rep.)

16 Section 15. The Raffles and Poker Runs Act is amended by
17 repealing Section 9.

18 Section 20. The Criminal Code of 2012 is amended by
19 changing Section 28-1 as follows:

20 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

21 Sec. 28-1. Gambling.

22 (a) A person commits gambling when he or she:

23 (1) knowingly plays a game of chance or skill for money

1 or other thing of value, unless excepted in subsection (b)
2 of this Section;

3 (2) knowingly makes a wager upon the result of any
4 game, contest, or any political nomination, appointment or
5 election;

6 (3) knowingly operates, keeps, owns, uses, purchases,
7 exhibits, rents, sells, bargains for the sale or lease of,
8 manufactures or distributes any gambling device;

9 (4) contracts to have or give himself or herself or
10 another the option to buy or sell, or contracts to buy or
11 sell, at a future time, any grain or other commodity
12 whatsoever, or any stock or security of any company, where
13 it is at the time of making such contract intended by both
14 parties thereto that the contract to buy or sell, or the
15 option, whenever exercised, or the contract resulting
16 therefrom, shall be settled, not by the receipt or delivery
17 of such property, but by the payment only of differences in
18 prices thereof; however, the issuance, purchase, sale,
19 exercise, endorsement or guarantee, by or through a person
20 registered with the Secretary of State pursuant to Section
21 8 of the Illinois Securities Law of 1953, or by or through
22 a person exempt from such registration under said Section
23 8, of a put, call, or other option to buy or sell
24 securities which have been registered with the Secretary of
25 State or which are exempt from such registration under
26 Section 3 of the Illinois Securities Law of 1953 is not

1 gambling within the meaning of this paragraph (4);

2 (5) knowingly owns or possesses any book, instrument or
3 apparatus by means of which bets or wagers have been, or
4 are, recorded or registered, or knowingly possesses any
5 money which he has received in the course of a bet or
6 wager;

7 (6) knowingly sells pools upon the result of any game
8 or contest of skill or chance, political nomination,
9 appointment or election;

10 (7) knowingly sets up or promotes any lottery or sells,
11 offers to sell or transfers any ticket or share for any
12 lottery;

13 (8) knowingly sets up or promotes any policy game or
14 sells, offers to sell or knowingly possesses or transfers
15 any policy ticket, slip, record, document or other similar
16 device;

17 (9) knowingly drafts, prints or publishes any lottery
18 ticket or share, or any policy ticket, slip, record,
19 document or similar device, except for such activity
20 related to lotteries, bingo games and raffles authorized by
21 and conducted in accordance with the laws of Illinois or
22 any other state or foreign government;

23 (10) knowingly advertises any lottery or policy game,
24 except for such activity related to lotteries, bingo games
25 and raffles authorized by and conducted in accordance with
26 the laws of Illinois or any other state;

1 (11) knowingly transmits information as to wagers,
2 betting odds, or changes in betting odds by telephone,
3 telegraph, radio, semaphore or similar means; or knowingly
4 installs or maintains equipment for the transmission or
5 receipt of such information; except that nothing in this
6 subdivision (11) prohibits transmission or receipt of such
7 information for use in news reporting of sporting events or
8 contests; or

9 (12) knowingly establishes, maintains, or operates an
10 Internet site that permits a person to play a game of
11 chance or skill for money or other thing of value by means
12 of the Internet or to make a wager upon the result of any
13 game, contest, political nomination, appointment, or
14 election by means of the Internet. This item (12) does not
15 apply to activities referenced in items (6), ~~and~~ (6.1),
16 (8), and (8.1) of subsection (b) of this Section.

17 (b) Participants in any of the following activities shall
18 not be convicted of gambling:

19 (1) Agreements to compensate for loss caused by the
20 happening of chance including without limitation contracts
21 of indemnity or guaranty and life or health or accident
22 insurance.

23 (2) Offers of prizes, award or compensation to the
24 actual contestants in any bona fide contest for the
25 determination of skill, speed, strength or endurance or to
26 the owners of animals or vehicles entered in such contest.

1 (3) Pari-mutuel betting as authorized by the law of
2 this State.

3 (4) Manufacture of gambling devices, including the
4 acquisition of essential parts therefor and the assembly
5 thereof, for transportation in interstate or foreign
6 commerce to any place outside this State when such
7 transportation is not prohibited by any applicable Federal
8 law; or the manufacture, distribution, or possession of
9 video gaming terminals, as defined in the Video Gaming Act,
10 by manufacturers, distributors, and terminal operators
11 licensed to do so under the Video Gaming Act.

12 (5) The game commonly known as "bingo", when conducted
13 in accordance with the Bingo License and Tax Act.

14 (6) Lotteries when conducted by the State of Illinois
15 in accordance with the Illinois Lottery Law. This exemption
16 includes any activity conducted by the Department of
17 Revenue to sell lottery tickets pursuant to the provisions
18 of the Illinois Lottery Law and its rules.

19 (6.1) The purchase of lottery tickets through the
20 Internet for a lottery conducted by the State of Illinois
21 under the program established in Section 7.12 of the
22 Illinois Lottery Law.

23 (7) Possession of an antique slot machine that is
24 neither used nor intended to be used in the operation or
25 promotion of any unlawful gambling activity or enterprise.
26 For the purpose of this subparagraph (b) (7), an antique

1 slot machine is one manufactured 25 years ago or earlier.

2 (8) Raffles and poker runs when conducted in accordance
3 with the Raffles and Poker Runs Act.

4 (8.1) The purchase of raffle chances for a raffle
5 conducted in accordance with the Raffles and Poker Runs
6 Act.

7 (9) Charitable games when conducted in accordance with
8 the Charitable Games Act.

9 (10) Pull tabs and jar games when conducted under the
10 Illinois Pull Tabs and Jar Games Act.

11 (11) Gambling games conducted on riverboats when
12 authorized by the Riverboat Gambling Act.

13 (12) Video gaming terminal games at a licensed
14 establishment, licensed truck stop establishment, licensed
15 fraternal establishment, or licensed veterans
16 establishment when conducted in accordance with the Video
17 Gaming Act.

18 (13) Games of skill or chance where money or other
19 things of value can be won but no payment or purchase is
20 required to participate.

21 (14) Savings promotion raffles authorized under
22 Section 5g of the Illinois Banking Act, Section 7008 of the
23 Savings Bank Act, Section 42.7 of the Illinois Credit Union
24 Act, Section 5136B of the National Bank Act (12 U.S.C.
25 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
26 1463).

1 (c) Sentence.

2 Gambling is a Class A misdemeanor. A second or subsequent
3 conviction under subsections (a) (3) through (a) (12), is a Class
4 4 felony.

5 (d) Circumstantial evidence.

6 In prosecutions under this Section circumstantial evidence
7 shall have the same validity and weight as in any criminal
8 prosecution.

9 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

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