



Executive Committee

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LRB096 10399 AMC 25486 a

1 AMENDMENT TO SENATE BILL 1298

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1298 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is  
5 amended by changing Sections 3.071, 3.077, 3.12, 3.20, 3.22,  
6 3.23, 26, and 27 and by adding Sections 3.28, 3.29, and 3.30 as  
7 follows:

8 (230 ILCS 5/3.071) (from Ch. 8, par. 37-3.071)

9 Sec. 3.071. Inter-track wagering. "Inter-track Wagering"  
10 means a legal wager on the outcome of a simultaneously  
11 televised horse race taking place at an Illinois race track  
12 placed or accepted at any location authorized to accept wagers  
13 under this Act, excluding the Illinois race track at which that  
14 horse race is being conducted and excluding advance deposit  
15 wagering through an advance deposit wagering licensee.

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

1 (230 ILCS 5/3.077)

2 Sec. 3.077. Non-host licensee. "Non-host licensee" means a  
3 licensee operating concurrently with a host track, but does not  
4 include an advance deposit wagering licensee.

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

6 (230 ILCS 5/3.12) (from Ch. 8, par. 37-3.12)

7 Sec. 3.12. Pari-mutuel system of wagering. "Pari-mutuel  
8 system of wagering" means a form of wagering on the outcome of  
9 horse races in which wagers are made in various denominations  
10 on a horse or horses and all wagers for each race are pooled  
11 and held by a licensee for distribution in a manner approved by  
12 the Board. Wagers may be placed via any method or at any  
13 location authorized under this Act.

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

15 (230 ILCS 5/3.20)

16 Sec. 3.20. Licensee. "Licensee" means an individual  
17 organization licensee, an inter-track wagering licensee, an ~~or~~  
18 inter-track wagering location licensee, or an advance deposit  
19 wagering licensee, as the context of this Act requires.

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

21 (230 ILCS 5/3.22)

22 Sec. 3.22. Wagering facility. "Wagering facility" means

1 any location at which a licensee, other than an advance deposit  
2 wagering licensee, may accept or receive pari-mutuel wagers  
3 under this Act.

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

5 (230 ILCS 5/3.23)

6 Sec. 3.23. Wagering. "Wagering" means, collectively, the  
7 pari-mutuel system of wagering, inter-track wagering, ~~and~~  
8 simulcast wagering, and advance deposit wagering.

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

10 (230 ILCS 5/3.28 new)

11 Sec. 3.28. Advance deposit wagering licensee. "Advance  
12 deposit wagering licensee" means a person licensed by the Board  
13 to conduct advance deposit wagering. An advance deposit  
14 wagering licensee shall be an organization licensee or a person  
15 or third party who contracts with an organization licensee in  
16 order to conduct advance deposit wagering.

17 (230 ILCS 5/3.29 new)

18 Sec. 3.29. Advance deposit wagering. "Advance deposit  
19 wagering" means a method of pari-mutuel wagering in which an  
20 individual may establish an account, deposit money into the  
21 account, and use the account balance to pay for pari-mutuel  
22 wagering authorized by this Act. An advance deposit wager may  
23 be placed in person at a wagering facility or from any other

1 location via a telephone-type device or any other electronic  
2 means. Any person who accepts an advance deposit wager who is  
3 not licensed by the Board as an advance deposit wagering  
4 licensee shall be considered in violation of this Act and the  
5 Criminal Code of 1961. Any advance deposit wager placed in  
6 person at a wagering facility shall be deemed to have been  
7 placed at that wagering facility.

8 (230 ILCS 5/3.30 new)

9 Sec. 3.30. Advance deposit wagering terminal. "Advance  
10 deposit wagering terminal" means any electronic device placed  
11 by an advanced deposit wagering licensee at a wagering facility  
12 that facilitates the placement of an advance deposit wager and  
13 that can be electronically tracked so the location of the  
14 wagering facility where the advance deposit wagering terminal  
15 is located can be readily identified and so all wagers placed  
16 through the advance deposit wagering terminal are easily  
17 reportable.

18 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

19 Sec. 26. Wagering.

20 (a) Any licensee may conduct and supervise the pari-mutuel  
21 system of wagering, as defined in Section 3.12 of this Act, on  
22 horse races conducted by an Illinois organization licensee or  
23 conducted at a racetrack located in another state or country  
24 and televised in Illinois in accordance with subsection (g) of

1 Section 26 of this Act. Subject to the prior consent of the  
2 Board, licensees may supplement any pari-mutuel pool in order  
3 to guarantee a minimum distribution. Such pari-mutuel method of  
4 wagering shall not, under any circumstances if conducted under  
5 the provisions of this Act, be held or construed to be  
6 unlawful, other statutes of this State to the contrary  
7 notwithstanding. Subject to rules for advance wagering  
8 promulgated by the Board, any licensee may accept wagers in  
9 advance of the day of the race wagered upon occurs.

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

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

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

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

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

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

22 (e) No licensee shall knowingly permit any minor, other  
23 than an employee of such licensee or an owner, trainer, jockey,  
24 driver, or employee thereof, to be admitted during a racing  
25 program unless accompanied by a parent or guardian, or any  
26 minor to be a patron of the pari-mutuel system of wagering

1 conducted or supervised by it. The admission of any  
2 unaccompanied minor, other than an employee of the licensee or  
3 an owner, trainer, jockey, driver, or employee thereof at a  
4 race track is a Class C misdemeanor.

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

24 An organization licensee may permit one or more of its  
25 races to be utilized for pari-mutuel wagering at one or more  
26 locations in other states and may transmit audio and visual

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

6 (g) A host track may accept interstate simulcast wagers on  
7 horse races conducted in other states or countries and shall  
8 control the number of signals and types of breeds of racing in  
9 its simulcast program, subject to the disapproval of the Board.  
10 The Board may prohibit a simulcast program only if it finds  
11 that the simulcast program is clearly adverse to the integrity  
12 of racing. The host track simulcast program shall include the  
13 signal of live racing of all organization licensees. All  
14 non-host licensees and advance deposit wagering licensees  
15 shall carry the signal of and accept wagers on live racing of  
16 all organization licensees. Advance deposit wagering licensees  
17 shall not be permitted to accept out-of-state wagers on any  
18 Illinois signal provided pursuant to this Section without the  
19 approval and consent of the organization licensee providing the  
20 signal. Non-host licensees may carry the host track simulcast  
21 program and shall accept wagers on all races included as part  
22 of the simulcast program upon which wagering is permitted. All  
23 organization licensees shall provide their live signal to all  
24 advance deposit wagering licensees for a simulcast commission  
25 fee not to exceed 6% of the advance deposit wagering licensee's  
26 Illinois handle on the organization licensee's signal without



1 prior approval by the Board. The Board may adopt rules under  
2 which it may permit simulcast commission fees in excess of 6%.  
3 The Board shall adopt rules limiting the interstate commission  
4 fees charged to an advance deposit wagering licensee. The Board  
5 shall adopt rules regarding advance deposit wagering on  
6 interstate simulcast races that shall reflect, among other  
7 things, the General Assembly's desire to maximize revenues to  
8 the State, horsemen purses, and organizational licensees.  
9 However, organization licensees providing live signals  
10 pursuant to the requirements of this subsection (g) may  
11 petition the Board to withhold their live signals from an  
12 advance deposit wagering licensee if the organization licensee  
13 discovers and the Board finds reputable or credible information  
14 that the advance deposit wagering licensee is under  
15 investigation by another state or federal governmental agency,  
16 the advance deposit wagering licensee's license has been  
17 suspended in another state, or the advance deposit wagering  
18 licensee's license is in revocation proceedings in another  
19 state. The organization licensee's provision of their live  
20 signal to an advance deposit wagering licensee under this  
21 subsection (g) pertains to wagers placed from within Illinois.  
22 Advance deposit wagering licensees may place advance deposit  
23 wagering terminals at wagering facilities as a convenience to  
24 customers. The advance deposit wagering licensee shall not  
25 charge or collect any fee from purses for the placement of the  
26 advance deposit wagering terminals. The costs and expenses of

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

13 Notwithstanding any other provision of this Act, for a  
14 period of 3 years after the effective date of this amendatory  
15 Act of the 96th General Assembly, an organization licensee may  
16 maintain a system whereby advance deposit wagering may take  
17 place or an organization licensee, with the consent of the  
18 horsemen association representing the largest number of  
19 owners, trainers, jockeys, or standardbred drivers who race  
20 horses at that organization licensee's racing meeting, may  
21 contract with another person to carry out a system of advance  
22 deposit wagering. Such consent may not be unreasonably  
23 withheld. All advance deposit wagers placed from within  
24 Illinois must be placed through a Board-approved advance  
25 deposit wagering licensee; no other entity may accept an  
26 advance deposit wager from a person within Illinois. All

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

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

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

1 participating non-host licensees.

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

18 (4) A licensee who receives an interstate simulcast may  
19 combine its gross or net pools with pools at the sending  
20 racetracks pursuant to rules established by the Board. All  
21 licensees combining their gross pools at a sending  
22 racetrack shall adopt the take-out percentages of the  
23 sending racetrack. A licensee may also establish a separate  
24 pool and takeout structure for wagering purposes on races  
25 conducted at race tracks outside of the State of Illinois.  
26 The licensee may permit pari-mutuel wagers placed in other

1 states or countries to be combined with its gross or net  
2 wagering pools or other wagering pools.

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

12 (A) For interstate simulcast wagers made at a host  
13 track, 50% to the host track and 50% to purses at the  
14 host track.

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

22 (6) Notwithstanding any provision in this Act to the  
23 contrary, non-host licensees who derive their licenses  
24 from a track located in a county with a population in  
25 excess of 230,000 and that borders the Mississippi River  
26 may receive supplemental interstate simulcast races at all

1 times subject to Board approval, which shall be withheld  
2 only upon a finding that a supplemental interstate  
3 simulcast is clearly adverse to the integrity of racing.

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

13 (A) Between January 1 and the third Friday in  
14 February, inclusive, if no live thoroughbred racing is  
15 occurring in Illinois during this period, when the  
16 interstate simulcast is a standardbred race, the purse  
17 share to its standardbred purse account;

18 (B) Between January 1 and the third Friday in  
19 February, inclusive, if no live thoroughbred racing is  
20 occurring in Illinois during this period, and the  
21 interstate simulcast is a thoroughbred race, the purse  
22 share to its interstate simulcast purse pool to be  
23 distributed under paragraph (10) of this subsection  
24 (g);

25 (C) Between January 1 and the third Friday in  
26 February, inclusive, if live thoroughbred racing is

1 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
2 the purse share from wagers made during this time  
3 period to its thoroughbred purse account and between  
4 6:30 p.m. and 6:30 a.m. the purse share from wagers  
5 made during this time period to its standardbred purse  
6 accounts;

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

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

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

23 (A) If the licensee that conducts horse racing at  
24 that racetrack requests from the Board at least as many  
25 racing dates as were conducted in calendar year 2000,  
26 80% shall be paid to its thoroughbred purse account;



1           and

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

17           (7.2) Notwithstanding any other provision of this Act  
18          to the contrary, if no thoroughbred 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 a.m. and 6:30  
24          p.m. during that calendar year shall be deposited as  
25          follows:

26                   (A) If the licensee that conducts horse racing at

1           that racetrack requests from the Board at least as many  
2           racing dates as were conducted in calendar year 2000,  
3           80% shall be deposited into its standardbred purse  
4           account; and

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

23          (7.3) If no live standardbred racing is conducted at a  
24          racetrack located in Madison County in calendar year 2000  
25          or 2001, an organization licensee who is licensed to  
26          conduct horse racing at that racetrack shall, before

1           January 1, 2002, pay all moneys derived from simulcast  
2           wagering and inter-track wagering in calendar years 2000  
3           and 2001 and paid into the licensee's standardbred purse  
4           account as follows:

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

7                   (B) Twenty percent to the Illinois Colt Stakes  
8                   Purse Distribution Fund.

9           Failure to make the payment to the Illinois Colt Stakes  
10           Purse Distribution Fund before January 1, 2002 shall result  
11           in the immediate revocation of the licensee's organization  
12           license, inter-track wagering license, and inter-track  
13           wagering location license.

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

26           (7.4) If live standardbred racing is conducted at a

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

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

18 (8.1) Notwithstanding any provisions in this Act to the  
19 contrary, if 2 organization licensees are conducting  
20 standardbred race meetings concurrently between the hours  
21 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
22 State and local taxes and interstate commission fees, the  
23 remainder of the amount retained from simulcast wagering  
24 otherwise attributable to the host track and to host track  
25 purses shall be split daily between the 2 organization  
26 licensees and the purses at the tracks of the 2

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

7 (9) (Blank).

8 (10) (Blank).

9 (11) (Blank).

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

15 (13) Notwithstanding any other provision of this Act,  
16 in the event that the total Illinois pari-mutuel handle on  
17 Illinois horse races at all wagering facilities in any  
18 calendar year is less than 75% of the total Illinois  
19 pari-mutuel handle on Illinois horse races at all such  
20 wagering facilities for calendar year 1994, then each  
21 wagering facility that has an annual total Illinois  
22 pari-mutuel handle on Illinois horse races that is less  
23 than 75% of the total Illinois pari-mutuel handle on  
24 Illinois horse races at such wagering facility for calendar  
25 year 1994, shall be permitted to receive, from any amount  
26 otherwise payable to the purse account at the race track

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

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

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

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

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



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

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

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

25          (5) Each license to conduct inter-track wagering and  
26          simulcast wagering shall specify the person to whom it is

1 issued, the dates on which such wagering is permitted, and  
2 the track or location where the wagering is to be  
3 conducted.

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

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

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

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

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

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

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

15           (9) (Blank).

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

26           (10.1) Except as provided in subsection (g) of Section

1           27 of this Act, inter-track wagering location licensees  
2 shall pay 1% of the pari-mutuel handle at each location to  
3 the municipality in which such location is situated and 1%  
4 of the pari-mutuel handle at each location to the county in  
5 which such location is situated. In the event that an  
6 inter-track wagering location licensee is situated in an  
7 unincorporated area of a county, such licensee shall pay 2%  
8 of the pari-mutuel handle from such location to such  
9 county.

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

26           (A) That portion of all moneys wagered on

1           standardbred racing that is required under this Act to  
2           be paid to purses shall be paid to purses for  
3           standardbred races.

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

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

1 licensee.

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

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



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

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

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

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

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

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

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

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

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

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

25                 Two-sevenths to the Department of Agriculture.  
26                 Fifty percent of this two-sevenths shall be used to

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

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

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

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

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



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

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

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

23 (iii) If the inter-track wagering is being  
24 conducted by an inter-track wagering location  
25 licensee, except an intertrack wagering location  
26 licensee that derives its license from an

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

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

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

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

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

11           (D) (Blank).

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

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

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

1 up to \$10,000 against licensees for each violation of  
2 any provision of this Act relating to the conduct of  
3 this wagering, any rules adopted by the Board, any  
4 order of the Board or any other action which in the  
5 Board's discretion, is a detriment or impediment to  
6 such wagering.

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

1           this paragraph (13) shall not apply to licensed race  
2           meetings conducted by the Department of Agriculture at the  
3           Illinois State Fair in Sangamon County or the DuQuoin State  
4           Fair in Perry County, or to any wagering conducted on those  
5           race meetings.

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

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

11           (230 ILCS 5/27) (from Ch. 8, par. 37-27)

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

1 hereby imposed, until January 1, 2000, shall be a flat tax at  
2 the rate of 2% of the daily pari-mutuel handle except as  
3 provided in Section 27.1.

4 In addition, every organization licensee, except as  
5 provided in Section 27.1 of this Act, which conducts multiple  
6 wagering shall pay, until January 1, 2000, as a privilege tax  
7 on multiple wagers an amount equal to 1.25% of all moneys  
8 wagered each day on such multiple wagers, plus an additional  
9 amount equal to 3.5% of the amount wagered each day on any  
10 other multiple wager which involves a single betting interest  
11 on 3 or more horses. The licensee shall remit the amount of  
12 such taxes to the Department of Revenue within 48 hours after  
13 the close of the racing day on which it is assessed or within  
14 such other time as the Board prescribes.

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

17 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
18 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
19 at all pari-mutuel wagering facilities and on advance deposit  
20 wagering from a location other than a wagering facility, except  
21 as otherwise provided for in this subsection (a-5). In addition  
22 to the pari-mutuel tax imposed on advance deposit wagering  
23 pursuant to this subsection (a-5), an additional pari-mutuel  
24 tax at the rate of 0.25% shall be imposed on advance deposit  
25 wagering, the amount of which shall not exceed \$250,000 in each  
26 calendar year. The additional 0.25% pari-mutuel tax imposed on

1 advance deposit wagering by this amendatory Act of the 96th  
2 General Assembly shall be deposited into the Quarter Horse  
3 Purse Fund, which shall be created as a non-appropriated trust  
4 fund administered by the Board for grants to thoroughbred  
5 organization licensees for payment of purses for quarter horse  
6 racers conducted by the organization licensee. Thoroughbred  
7 organization licensees may petition the Board to conduct  
8 quarter horse racing and receive purse grants from the Quarter  
9 Horse Purse Fund. The Board shall have complete discretion in  
10 distributing the Quarter Horse Purse Fund to the petitioning  
11 organization licensees. Beginning on the effective date of this  
12 amendatory Act of the 94th General Assembly and until moneys  
13 deposited pursuant to Section 54 are distributed and received,  
14 a pari-mutuel tax at the rate of 0.25% of the daily pari-mutuel  
15 handle is imposed at a pari-mutuel facility whose license is  
16 derived from a track located in a county that borders the  
17 Mississippi River and conducted live racing in the previous  
18 year. After moneys deposited pursuant to Section 54 are  
19 distributed and received, a pari-mutuel tax at the rate of 1.5%  
20 of the daily pari-mutuel handle is imposed at a pari-mutuel  
21 facility whose license is derived from a track located in a  
22 county that borders the Mississippi River and conducted live  
23 racing in the previous year. The pari-mutuel tax imposed by  
24 this subsection (a-5) shall be remitted to the Department of  
25 Revenue within 48 hours after the close of the racing day upon  
26 which it is assessed or within such other time as the Board

1 prescribes.

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

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

20 (d) Any licensee failing or refusing to pay the amount of  
21 any tax due under this Section shall be guilty of a business  
22 offense and upon conviction shall be fined not more than \$5,000  
23 in addition to the amount found due as tax under this Section.  
24 Each day's violation shall constitute a separate offense. All  
25 fines paid into Court by a licensee hereunder shall be  
26 transmitted and paid over by the Clerk of the Court to the



1 Board.

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

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

26 (g) Notwithstanding any provision in this Act to the

1 contrary, if in any calendar year the total taxes and fees  
2 required to be collected from licensees and distributed under  
3 this Act to all State and local governmental authorities  
4 exceeds the amount of such taxes and fees distributed to each  
5 State and local governmental authority to which each State and  
6 local governmental authority was entitled under this Act for  
7 calendar year 1994, then the first \$11 million of that excess  
8 amount shall be allocated at the earliest possible date for  
9 distribution as purse money for the succeeding calendar year.  
10 Upon reaching the 1994 level, and until the excess amount of  
11 taxes and fees exceeds \$11 million, the Board shall direct all  
12 licensees to cease paying the subject taxes and fees and the  
13 Board shall direct all licensees to allocate any such excess  
14 amount for purses as follows:

15 (i) the excess amount shall be initially divided  
16 between thoroughbred and standardbred purses based on the  
17 thoroughbred's and standardbred's respective percentages  
18 of total Illinois live wagering in calendar year 1994;

19 (ii) each thoroughbred and standardbred organization  
20 licensee issued an organization licensee in that  
21 succeeding allocation year shall be allocated an amount  
22 equal to the product of its percentage of total Illinois  
23 live thoroughbred or standardbred wagering in calendar  
24 year 1994 (the total to be determined based on the sum of  
25 1994 on-track wagering for all organization licensees  
26 issued organization licenses in both the allocation year

1 and the preceding year) multiplied by the total amount  
2 allocated for standardbred or thoroughbred purses,  
3 provided that the first \$1,500,000 of the amount allocated  
4 to standardbred purses under item (i) shall be allocated to  
5 the Department of Agriculture to be expended with the  
6 assistance and advice of the Illinois Standardbred  
7 Breeders Funds Advisory Board for the purposes listed in  
8 subsection (g) of Section 31 of this Act, before the amount  
9 allocated to standardbred purses under item (i) is  
10 allocated to standardbred organization licensees in the  
11 succeeding allocation year.

12 To the extent the excess amount of taxes and fees to be  
13 collected and distributed to State and local governmental  
14 authorities exceeds \$11 million, that excess amount shall be  
15 collected and distributed to State and local authorities as  
16 provided for under this Act.

17 (Source: P.A. 94-805, eff. 5-26-06.)

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