

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by changing Sections 26, 27, and 28.1 and by adding Sections
6 26.8 and 26.9 as follows:

7 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

8 Sec. 26. Wagering.

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

23 (b) No other method of betting, pool making, wagering or

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

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

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

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

1 date. Within 10 days thereafter, the balance of such sum
2 remaining unclaimed, less any uncashed supplements contributed
3 by such licensee for the purpose of guaranteeing minimum
4 distributions of any pari-mutuel pool, shall be evenly
5 distributed to the purse account of the organization licensee
6 and the organization licensee.

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

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

21 (f) Notwithstanding the other provisions of this Act, an
22 organization licensee may contract with an entity in another
23 state or country to permit any legal wagering entity in another
24 state or country to accept wagers solely within such other
25 state or country on races conducted by the organization
26 licensee in this State. Beginning January 1, 2000, these wagers

1 shall not be subject to State taxation. Until January 1, 2000,
2 when the out-of-State entity conducts a pari-mutuel pool
3 separate from the organization licensee, a privilege tax equal
4 to 7 1/2% of all monies received by the organization licensee
5 from entities in other states or countries pursuant to such
6 contracts is imposed on the organization licensee, and such
7 privilege tax shall be remitted to the Department of Revenue
8 within 48 hours of receipt of the moneys from the simulcast.
9 When the out-of-State entity conducts a combined pari-mutuel
10 pool with the organization licensee, the tax shall be 10% of
11 all monies received by the organization licensee with 25% of
12 the receipts from this 10% tax to be distributed to the county
13 in which the race was conducted.

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

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

1 that the simulcast program is clearly adverse to the integrity
2 of racing. The host track simulcast program shall include the
3 signal of live racing of all organization licensees. All
4 non-host licensees and advance deposit wagering licensees
5 shall carry the signal of and accept wagers on live racing of
6 all organization licensees. Advance deposit wagering licensees
7 shall not be permitted to accept out-of-state wagers on any
8 Illinois signal provided pursuant to this Section without the
9 approval and consent of the organization licensee providing the
10 signal. Non-host licensees may carry the host track simulcast
11 program and shall accept wagers on all races included as part
12 of the simulcast program upon which wagering is permitted. All
13 organization licensees shall provide their live signal to all
14 advance deposit wagering licensees for a simulcast commission
15 fee not to exceed 6% of the advance deposit wagering licensee's
16 Illinois handle on the organization licensee's signal without
17 prior approval by the Board. The Board may adopt rules under
18 which it may permit simulcast commission fees in excess of 6%.
19 The Board shall adopt rules limiting the interstate commission
20 fees charged to an advance deposit wagering licensee. The Board
21 shall adopt rules regarding advance deposit wagering on
22 interstate simulcast races that shall reflect, among other
23 things, the General Assembly's desire to maximize revenues to
24 the State, horsemen purses, and organizational licensees.
25 However, organization licensees providing live signals
26 pursuant to the requirements of this subsection (g) may

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

1 fees, shall be uniformly applied to the host track and all
2 non-host licensees.

3 Notwithstanding any other provision of this Act, until
4 February 1, 2017 ~~January 31, 2014~~, an organization licensee,
5 with the consent of the horsemen association representing the
6 largest number of owners, trainers, jockeys, or standardbred
7 drivers who race horses at that organization licensee's racing
8 meeting, may maintain a system whereby advance deposit wagering
9 may take place or an organization licensee, with the consent of
10 the horsemen association representing the largest number of
11 owners, trainers, jockeys, or standardbred drivers who race
12 horses at that organization licensee's racing meeting, may
13 contract with another person to carry out a system of advance
14 deposit wagering. Such consent may not be unreasonably
15 withheld. Only with respect to an appeal to the Board that
16 consent for an organization licensee that maintains its own
17 advance deposit wagering system is being unreasonably
18 withheld, the Board shall issue a final order within 30 days
19 after initiation of the appeal, and the organization licensee's
20 advance deposit wagering system may remain operational during
21 that 30-day period. The actions of any organization licensee
22 who conducts advance deposit wagering or any person who has a
23 contract with an organization licensee to conduct advance
24 deposit wagering who conducts advance deposit wagering on or
25 after January 1, 2013 and prior to the effective date of this
26 amendatory Act of the 98th General Assembly taken in reliance

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

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

22 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
23 intertrack wagering licensee other than the host track may
24 supplement the host track simulcast program with
25 additional simulcast races or race programs, provided that
26 between January 1 and the third Friday in February of any

1 year, inclusive, if no live thoroughbred racing is
2 occurring in Illinois during this period, only
3 thoroughbred races may be used for supplemental interstate
4 simulcast purposes. The Board shall withhold approval for a
5 supplemental interstate simulcast only if it finds that the
6 simulcast is clearly adverse to the integrity of racing. A
7 supplemental interstate simulcast may be transmitted from
8 an intertrack wagering licensee to its affiliated non-host
9 licensees. The interstate commission fee for a
10 supplemental interstate simulcast shall be paid by the
11 non-host licensee and its affiliated non-host licensees
12 receiving the simulcast.

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

23 (3) Each licensee conducting interstate simulcast
24 wagering may retain, subject to the payment of all
25 applicable taxes and the purses, an amount not to exceed
26 17% of all money wagered. If any licensee conducts the

1 pari-mutuel system wagering on races conducted at
2 racetracks in another state or country, each such race or
3 race program shall be considered a separate racing day for
4 the purpose of determining the daily handle and computing
5 the privilege tax of that daily handle as provided in
6 subsection (a) of Section 27. Until January 1, 2000, from
7 the sums permitted to be retained pursuant to this
8 subsection, each intertrack wagering location licensee
9 shall pay 1% of the pari-mutuel handle wagered on simulcast
10 wagering to the Horse Racing Tax Allocation Fund, subject
11 to the provisions of subparagraph (B) of paragraph (11) of
12 subsection (h) of Section 26 of this Act.

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

24 (5) After the payment of the interstate commission fee
25 (except for the interstate commission fee on a supplemental
26 interstate simulcast, which shall be paid by the host track

1 and by each non-host licensee through the host-track) and
2 all applicable State and local taxes, except as provided in
3 subsection (g) of Section 27 of this Act, the remainder of
4 moneys retained from simulcast wagering pursuant to this
5 subsection (g), and Section 26.2 shall be divided as
6 follows:

7 (A) For interstate simulcast wagers made at a host
8 track, 50% to the host track and 50% to purses at the
9 host track.

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

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

25 (7) Notwithstanding any provision of this Act to the
26 contrary, after payment of all applicable State and local

1 taxes and interstate commission fees, non-host licensees
2 who derive their licenses from a track located in a county
3 with a population in excess of 230,000 and that borders the
4 Mississippi River shall retain 50% of the retention from
5 interstate simulcast wagers and shall pay 50% to purses at
6 the track from which the non-host licensee derives its
7 license as follows:

8 (A) Between January 1 and the third Friday in
9 February, inclusive, if no live thoroughbred racing is
10 occurring in Illinois during this period, when the
11 interstate simulcast is a standardbred race, the purse
12 share to its standardbred purse account;

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

20 (C) Between January 1 and the third Friday in
21 February, inclusive, if live thoroughbred racing is
22 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
23 the purse share from wagers made during this time
24 period to its thoroughbred purse account and between
25 6:30 p.m. and 6:30 a.m. the purse share from wagers
26 made during this time period to its standardbred purse

1 accounts;

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

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

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

18 (A) If the licensee that conducts horse racing at
19 that racetrack requests from the Board at least as many
20 racing dates as were conducted in calendar year 2000,
21 80% shall be paid to its thoroughbred purse account;
22 and

23 (B) Twenty percent shall be deposited into the
24 Illinois Colt Stakes Purse Distribution Fund and shall
25 be paid to purses for standardbred races for Illinois
26 conceived and foaled horses conducted at any county

1 fairgrounds. The moneys deposited into the Fund
2 pursuant to this subparagraph (B) shall be deposited
3 within 2 weeks after the day they were generated, shall
4 be in addition to and not in lieu of any other moneys
5 paid to standardbred purses under this Act, and shall
6 not be commingled with other moneys paid into that
7 Fund. The moneys deposited pursuant to this
8 subparagraph (B) shall be allocated as provided by the
9 Department of Agriculture, with the advice and
10 assistance of the Illinois Standardbred Breeders Fund
11 Advisory Board.

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

21 (A) If the licensee that conducts horse racing at
22 that racetrack requests from the Board at least as many
23 racing dates as were conducted in calendar year 2000,
24 80% shall be deposited into its standardbred purse
25 account; and

26 (B) Twenty percent shall be deposited into the

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

18 (7.3) If no live standardbred racing is conducted at a
19 racetrack located in Madison County in calendar year 2000
20 or 2001, an organization licensee who is licensed to
21 conduct horse racing at that racetrack shall, before
22 January 1, 2002, pay all moneys derived from simulcast
23 wagering and inter-track wagering in calendar years 2000
24 and 2001 and paid into the licensee's standardbred purse
25 account as follows:

26 (A) Eighty percent to that licensee's thoroughbred

1 purse account to be used for thoroughbred purses; and

2 (B) Twenty percent to the Illinois Colt Stakes
3 Purse Distribution Fund.

4 Failure to make the payment to the Illinois Colt Stakes
5 Purse Distribution Fund before January 1, 2002 shall result
6 in the immediate revocation of the licensee's organization
7 license, inter-track wagering license, and inter-track
8 wagering location license.

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

21 (7.4) If live standardbred racing is conducted at a
22 racetrack located in Madison County at any time in calendar
23 year 2001 before the payment required under paragraph (7.3)
24 has been made, the organization licensee who is licensed to
25 conduct racing at that racetrack shall pay all moneys
26 derived by that racetrack from simulcast wagering and

1 inter-track wagering during calendar years 2000 and 2001
2 that (1) are to be used for purses and (2) are generated
3 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
4 2001 to the standardbred purse account at that racetrack to
5 be used for standardbred purses.

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

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

1 and that borders the Mississippi River.

2 (9) (Blank).

3 (10) (Blank).

4 (11) (Blank).

5 (12) The Board shall have authority to compel all host
6 tracks to receive the simulcast of any or all races
7 conducted at the Springfield or DuQuoin State fairgrounds
8 and include all such races as part of their simulcast
9 programs.

10 (13) Notwithstanding any other provision of this Act,
11 in the event that the total Illinois pari-mutuel handle on
12 Illinois horse races at all wagering facilities in any
13 calendar year is less than 75% of the total Illinois
14 pari-mutuel handle on Illinois horse races at all such
15 wagering facilities for calendar year 1994, then each
16 wagering facility that has an annual total Illinois
17 pari-mutuel handle on Illinois horse races that is less
18 than 75% of the total Illinois pari-mutuel handle on
19 Illinois horse races at such wagering facility for calendar
20 year 1994, shall be permitted to receive, from any amount
21 otherwise payable to the purse account at the race track
22 with which the wagering facility is affiliated in the
23 succeeding calendar year, an amount equal to 2% of the
24 differential in total Illinois pari-mutuel handle on
25 Illinois horse races at the wagering facility between that
26 calendar year in question and 1994 provided, however, that

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

1 Illinois Racing Board in January to be transferred from
2 each account to each eligible racing facility in accordance
3 with the provisions of this Section.

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

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

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

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

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

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

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

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

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

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

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

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

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

15 (8.2) Inter-track wagering or simulcast wagering shall
16 not be conducted by an inter-track wagering location
17 licensee at any location within 500 feet of an existing
18 church or existing school, nor within 500 feet of the
19 residences of more than 50 registered voters without
20 receiving written permission from a majority of the
21 registered voters at such residences. Such written
22 permission statements shall be filed with the Board. The
23 distance of 500 feet shall be measured to the nearest part
24 of any building used for worship services, education
25 programs, residential purposes, or conducting inter-track
26 wagering by an inter-track wagering location licensee, and

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

23 (9) (Blank).

24 (10) An inter-track wagering licensee or an
25 inter-track wagering location licensee may retain, subject
26 to the payment of the privilege taxes and the purses, an

1 amount not to exceed 17% of all money wagered. Each program
2 of racing conducted by each inter-track wagering licensee
3 or inter-track wagering location licensee shall be
4 considered a separate racing day for the purpose of
5 determining the daily handle and computing the privilege
6 tax or pari-mutuel tax on such daily handle as provided in
7 Section 27.

8 (10.1) Except as provided in subsection (g) of Section
9 27 of this Act, inter-track wagering location licensees
10 shall pay 1% of the pari-mutuel handle at each location to
11 the municipality in which such location is situated and 1%
12 of the pari-mutuel handle at each location to the county in
13 which such location is situated. In the event that an
14 inter-track wagering location licensee is situated in an
15 unincorporated area of a county, such licensee shall pay 2%
16 of the pari-mutuel handle from such location to such
17 county.

18 (10.2) Notwithstanding any other provision of this
19 Act, with respect to intertrack wagering at a race track
20 located in a county that has a population of more than
21 230,000 and that is bounded by the Mississippi River ("the
22 first race track"), or at a facility operated by an
23 inter-track wagering licensee or inter-track wagering
24 location licensee that derives its license from the
25 organization licensee that operates the first race track,
26 on races conducted at the first race track or on races

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

8 (A) That portion of all moneys wagered on
9 standardbred racing that is required under this Act to
10 be paid to purses shall be paid to purses for
11 standardbred races.

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

16 (11) (A) After payment of the privilege or pari-mutuel
17 tax, any other applicable taxes, and the costs and expenses
18 in connection with the gathering, transmission, and
19 dissemination of all data necessary to the conduct of
20 inter-track wagering, the remainder of the monies retained
21 under either Section 26 or Section 26.2 of this Act by the
22 inter-track wagering licensee on inter-track wagering
23 shall be allocated with 50% to be split between the 2
24 participating licensees and 50% to purses, except that an
25 intertrack wagering licensee that derives its license from
26 a track located in a county with a population in excess of

1 230,000 and that borders the Mississippi River shall not
2 divide any remaining retention with the Illinois
3 organization licensee that provides the race or races, and
4 an intertrack wagering licensee that accepts wagers on
5 races conducted by an organization licensee that conducts a
6 race meet in a county with a population in excess of
7 230,000 and that borders the Mississippi River shall not
8 divide any remaining retention with that organization
9 licensee.

10 (B) From the sums permitted to be retained pursuant to
11 this Act each inter-track wagering location licensee shall
12 pay (i) the privilege or pari-mutuel tax to the State; (ii)
13 4.75% of the pari-mutuel handle on intertrack wagering at
14 such location on races as purses, except that an intertrack
15 wagering location licensee that derives its license from a
16 track located in a county with a population in excess of
17 230,000 and that borders the Mississippi River shall retain
18 all purse moneys for its own purse account consistent with
19 distribution set forth in this subsection (h), and
20 intertrack wagering location licensees that accept wagers
21 on races conducted by an organization licensee located in a
22 county with a population in excess of 230,000 and that
23 borders the Mississippi River shall distribute all purse
24 moneys to purses at the operating host track; (iii) until
25 January 1, 2000, except as provided in subsection (g) of
26 Section 27 of this Act, 1% of the pari-mutuel handle

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

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

1 borders the Mississippi River shall not divide any
2 remaining retention with the organization licensee.
3 Notwithstanding the provisions of clauses (ii) and (iv) of
4 this paragraph, in the case of the additional inter-track
5 wagering location licenses authorized under paragraph (1)
6 of this subsection (h) by this amendatory Act of 1991,
7 those licensees shall pay the following amounts as purses:
8 during the first 12 months the licensee is in operation,
9 5.25% of the pari-mutuel handle wagered at the location on
10 races; during the second 12 months, 5.25%; during the third
11 12 months, 5.75%; during the fourth 12 months, 6.25%; and
12 during the fifth 12 months and thereafter, 6.75%. The
13 following amounts shall be retained by the licensee to
14 satisfy all costs and expenses of conducting its wagering:
15 during the first 12 months the licensee is in operation,
16 8.25% of the pari-mutuel handle wagered at the location;
17 during the second 12 months, 8.25%; during the third 12
18 months, 7.75%; during the fourth 12 months, 7.25%; and
19 during the fifth 12 months and thereafter, 6.75%. For
20 additional intertrack wagering location licensees
21 authorized under this amendatory Act of 1995, purses for
22 the first 12 months the licensee is in operation shall be
23 5.75% of the pari-mutuel wagered at the location, purses
24 for the second 12 months the licensee is in operation shall
25 be 6.25%, and purses thereafter shall be 6.75%. For
26 additional intertrack location licensees authorized under

1 this amendatory Act of 1995, the licensee shall be allowed
2 to retain to satisfy all costs and expenses: 7.75% of the
3 pari-mutuel handle wagered at the location during its first
4 12 months of operation, 7.25% during its second 12 months
5 of operation, and 6.75% thereafter.

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

21 Two-sevenths to the Department of Agriculture.
22 Fifty percent of this two-sevenths shall be used to
23 promote the Illinois horse racing and breeding
24 industry, and shall be distributed by the Department of
25 Agriculture upon the advice of a 9-member committee
26 appointed by the Governor consisting of the following

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

1 disbursements incurred in the performance of their
2 official duties. The remaining 50% of this
3 two-sevenths shall be distributed to county fairs for
4 premiums and rehabilitation as set forth in the
5 Agricultural Fair Act;

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

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

23 One-seventh to the Agricultural Premium Fund to be
24 used for distribution to agricultural home economics
25 extension councils in accordance with "An Act in
26 relation to additional support and finances for the

1 Agricultural and Home Economic Extension Councils in
2 the several counties of this State and making an
3 appropriation therefor", approved July 24, 1967.

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

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

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

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

24 One-seventh to the Agricultural Premium Fund to be
25 used for distribution to agricultural home economics
26 extension councils in accordance with "An Act in

1 relation to additional support and finances for the
2 Agricultural and Home Economic Extension Councils in
3 the several counties of this State and making an
4 appropriation therefor", approved July 24, 1967. This
5 subparagraph (C) shall be inoperative and of no force
6 and effect on and after January 1, 2000.

7 (D) Except as provided in paragraph (11) of this
8 subsection (h), with respect to purse allocation from
9 intertrack wagering, the monies so retained shall be
10 divided as follows:

11 (i) If the inter-track wagering licensee,
12 except an intertrack 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 not conducting its own race meeting during the same
17 dates, then the entire purse allocation shall be to
18 purses at the track where the races wagered on are
19 being conducted.

20 (ii) If the inter-track wagering licensee,
21 except an intertrack wagering licensee that
22 derives its license from an organization licensee
23 located in a county with a population in excess of
24 230,000 and bounded by the Mississippi River, is
25 also conducting its own race meeting during the
26 same dates, then the purse allocation shall be as

1 follows: 50% to purses at the track where the races
2 wagered on are being conducted; 50% to purses at
3 the track where the inter-track wagering licensee
4 is accepting such wagers.

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

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

20 (A) The Board is vested with power to promulgate
21 reasonable rules and regulations for the purpose of
22 administering the conduct of this wagering and to
23 prescribe reasonable rules, regulations and conditions
24 under which such wagering shall be held and conducted.
25 Such rules and regulations are to provide for the
26 prevention of practices detrimental to the public

1 interest and for the best interests of said wagering
2 and to impose penalties for violations thereof.

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

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

19 (D) (Blank).

20 (E) The Board is vested with the power to appoint
21 delegates to execute any of the powers granted to it
22 under this Section for the purpose of administering
23 this wagering and any rules and regulations
24 promulgated in accordance with this Act.

25 (F) The Board shall name and appoint a State
26 director of this wagering who shall be a representative

1 of the Board and whose duty it shall be to supervise
2 the conduct of inter-track wagering as may be provided
3 for by the rules and regulations of the Board; such
4 rules and regulation shall specify the method of
5 appointment and the Director's powers, authority and
6 duties.

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

15 (13) The Department of Agriculture may enter into
16 agreements with licensees authorizing such licensees to
17 conduct inter-track wagering on races to be held at the
18 licensed race meetings conducted by the Department of
19 Agriculture. Such agreement shall specify the races of the
20 Department of Agriculture's licensed race meeting upon
21 which the licensees will conduct wagering. In the event
22 that a licensee conducts inter-track pari-mutuel wagering
23 on races from the Illinois State Fair or DuQuoin State Fair
24 which are in addition to the licensee's previously approved
25 racing program, those races shall be considered a separate
26 racing day for the purpose of determining the daily handle

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

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

18 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

19 (230 ILCS 5/26.8 new)

20 Sec. 26.8. Beginning on February 1, 2014 and until January
21 31, 2017, each wagering licensee may impose a surcharge of up
22 to 0.5% on winning wagers and winnings from wagers. The
23 surcharge shall be deducted from winnings prior to payout. All
24 amounts collected from the imposition of this surcharge shall
25 be evenly distributed to the organization licensee and the

1 purse account of the organization licensee with which the
2 licensee is affiliated. The amounts distributed under this
3 Section shall be in addition to the amounts paid pursuant to
4 paragraph (10) of subsection (h) of Section 26, Section 26.3,
5 Section 26.4, Section 26.5, and Section 26.7.

6 (230 ILCS 5/26.9 new)

7 Sec. 26.9. Beginning on February 1, 2014 until January 31,
8 2017, in addition to the surcharge imposed in Sections 26.3,
9 26.4, 26.5, 26.7, and 26.8 of this Act, each licensee shall
10 impose a surcharge of 0.2% on winning wagers and winnings from
11 wagers. The surcharge shall be deducted from winnings prior to
12 payout. All amounts collected from the surcharges imposed under
13 this Section shall be remitted to the Board. From amounts
14 collected under this Section, the Board shall deposit an amount
15 not to exceed \$100,000 annually into the Quarter Horse Purse
16 Fund and all remaining amounts into the Horse Racing Fund.

17 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

18 Sec. 27. (a) In addition to the organization license fee
19 provided by this Act, until January 1, 2000, a graduated
20 privilege tax is hereby imposed for conducting the pari-mutuel
21 system of wagering permitted under this Act. Until January 1,
22 2000, except as provided in subsection (g) of Section 27 of
23 this Act, all of the breakage of each racing day held by any
24 licensee in the State shall be paid to the State. Until January

1 1, 2000, such daily graduated privilege tax shall be paid by
2 the licensee from the amount permitted to be retained under
3 this Act. Until January 1, 2000, each day's graduated privilege
4 tax, breakage, and Horse Racing Tax Allocation funds shall be
5 remitted to the Department of Revenue within 48 hours after the
6 close of the racing day upon which it is assessed or within
7 such other time as the Board prescribes. The privilege tax
8 hereby imposed, until January 1, 2000, shall be a flat tax at
9 the rate of 2% of the daily pari-mutuel handle except as
10 provided in Section 27.1.

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

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

24 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
25 at the rate of 1.5% of the daily pari-mutuel handle is imposed
26 at all pari-mutuel wagering facilities and on advance deposit

1 wagering from a location other than a wagering facility, except
2 as otherwise provided for in this subsection (a-5). In addition
3 to the pari-mutuel tax imposed on advance deposit wagering
4 pursuant to this subsection (a-5), beginning on August 24, 2012
5 (the effective date of Public Act 97-1060) ~~this amendatory Act~~
6 ~~of the 97th General Assembly~~ until February 1, 2017 ~~January 31,~~
7 ~~2014~~, an additional pari-mutuel tax at the rate of 0.25% shall
8 be imposed on advance deposit wagering. Until August 25, 2012,
9 the additional 0.25% pari-mutuel tax imposed on advance deposit
10 wagering by Public Act 96-972 shall be deposited into the
11 Quarter Horse Purse Fund, which shall be created as a
12 non-appropriated trust fund administered by the Board for
13 grants to thoroughbred organization licensees for payment of
14 purses for quarter horse races conducted by the organization
15 licensee. Beginning on August 26, 2012, the additional 0.25%
16 pari-mutuel tax imposed on advance deposit wagering shall be
17 deposited into the Standardbred Purse Fund, which shall be
18 created as a non-appropriated trust fund administered by the
19 Board, for grants to the standardbred organization licensees
20 for payment of purses for standardbred horse races conducted by
21 the organization licensee. Thoroughbred organization licensees
22 may petition the Board to conduct quarter horse racing and
23 receive purse grants from the Quarter Horse Purse Fund. The
24 Board shall have complete discretion in distributing the
25 Quarter Horse Purse Fund to the petitioning organization
26 licensees. Beginning on July 26, 2010 (the effective date of

1 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of
2 the daily pari-mutuel handle is imposed at a pari-mutuel
3 facility whose license is derived from a track located in a
4 county that borders the Mississippi River and conducted live
5 racing in the previous year. The pari-mutuel tax imposed by
6 this subsection (a-5) shall be remitted to the Department of
7 Revenue within 48 hours after the close of the racing day upon
8 which it is assessed or within such other time as the Board
9 prescribes.

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

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

1 reports and statement shall be made.

2 (d) Any licensee failing or refusing to pay the amount of
3 any tax due under this Section shall be guilty of a business
4 offense and upon conviction shall be fined not more than \$5,000
5 in addition to the amount found due as tax under this Section.
6 Each day's violation shall constitute a separate offense. All
7 fines paid into Court by a licensee hereunder shall be
8 transmitted and paid over by the Clerk of the Court to the
9 Board.

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

13 (f) No other license fee, privilege tax, excise tax or
14 racing fee shall be assessed or collected from any such
15 licensee by units of local government except as provided in
16 paragraph 10.1 of subsection (h) and subsection (f) of Section
17 26 of this Act. However, any municipality that has a Board
18 licensed horse race meeting at a race track wholly within its
19 corporate boundaries or a township that has a Board licensed
20 horse race meeting at a race track wholly within the
21 unincorporated area of the township may charge a local
22 amusement tax not to exceed 10¢ per admission to such horse
23 race meeting by the enactment of an ordinance. However, any
24 municipality or county that has a Board licensed inter-track
25 wagering location facility wholly within its corporate
26 boundaries may each impose an admission fee not to exceed \$1.00

1 per admission to such inter-track wagering location facility,
2 so that a total of not more than \$2.00 per admission may be
3 imposed. Except as provided in subparagraph (g) of Section 27
4 of this Act, the inter-track wagering location licensee shall
5 collect any and all such fees and within 48 hours remit the
6 fees to the Board, which shall, pursuant to rule, cause the
7 fees to be distributed to the county or municipality.

8 (g) Notwithstanding any provision in this Act to the
9 contrary, if in any calendar year the total taxes and fees
10 required to be collected from licensees and distributed under
11 this Act to all State and local governmental authorities
12 exceeds the amount of such taxes and fees distributed to each
13 State and local governmental authority to which each State and
14 local governmental authority was entitled under this Act for
15 calendar year 1994, then the first \$11 million of that excess
16 amount shall be allocated at the earliest possible date for
17 distribution as purse money for the succeeding calendar year.
18 Upon reaching the 1994 level, and until the excess amount of
19 taxes and fees exceeds \$11 million, the Board shall direct all
20 licensees to cease paying the subject taxes and fees and the
21 Board shall direct all licensees to allocate any such excess
22 amount for purses as follows:

23 (i) the excess amount shall be initially divided
24 between thoroughbred and standardbred purses based on the
25 thoroughbred's and standardbred's respective percentages
26 of total Illinois live wagering in calendar year 1994;

1 (ii) each thoroughbred and standardbred organization
2 licensee issued an organization licensee in that
3 succeeding allocation year shall be allocated an amount
4 equal to the product of its percentage of total Illinois
5 live thoroughbred or standardbred wagering in calendar
6 year 1994 (the total to be determined based on the sum of
7 1994 on-track wagering for all organization licensees
8 issued organization licenses in both the allocation year
9 and the preceding year) multiplied by the total amount
10 allocated for standardbred or thoroughbred purses,
11 provided that the first \$1,500,000 of the amount allocated
12 to standardbred purses under item (i) shall be allocated to
13 the Department of Agriculture to be expended with the
14 assistance and advice of the Illinois Standardbred
15 Breeders Funds Advisory Board for the purposes listed in
16 subsection (g) of Section 31 of this Act, before the amount
17 allocated to standardbred purses under item (i) is
18 allocated to standardbred organization licensees in the
19 succeeding allocation year.

20 To the extent the excess amount of taxes and fees to be
21 collected and distributed to State and local governmental
22 authorities exceeds \$11 million, that excess amount shall be
23 collected and distributed to State and local authorities as
24 provided for under this Act.

25 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13.)

1 (230 ILCS 5/28.1)

2 Sec. 28.1. Payments.

3 (a) Beginning on January 1, 2000, moneys collected by the
4 Department of Revenue and the Racing Board pursuant to Section
5 26 or Section 27 of this Act shall be deposited into the Horse
6 Racing Fund, which is hereby created as a special fund in the
7 State Treasury.

8 (b) Appropriations, as approved by the General Assembly,
9 may be made from the Horse Racing Fund to the Board to pay the
10 salaries of the Board members, secretary, stewards, directors
11 of mutuels, veterinarians, representatives, accountants,
12 clerks, stenographers, inspectors and other employees of the
13 Board, and all expenses of the Board incident to the
14 administration of this Act, including, but not limited to, all
15 expenses and salaries incident to the taking of saliva and
16 urine samples in accordance with the rules and regulations of
17 the Board.

18 (c) ~~(Blank) Beginning on January 1, 2000, the Board shall~~
19 ~~transfer the remainder of the funds generated pursuant to~~
20 ~~Sections 26 and 27 from the Horse Racing Fund into the General~~
21 ~~Revenue Fund.~~

22 (d) Beginning January 1, 2000, payments to all programs in
23 existence on the effective date of this amendatory Act of 1999
24 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
25 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
26 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),

1 and (h) of Section 31 shall be made from the General Revenue
2 Fund at the funding levels determined by amounts paid under
3 this Act in calendar year 1998. Beginning on the effective date
4 of this amendatory Act of the 93rd General Assembly, payments
5 to the Peoria Park District shall be made from the General
6 Revenue Fund at the funding level determined by amounts paid to
7 that park district for museum purposes under this Act in
8 calendar year 1994.

9 If an inter-track wagering location licensee's facility
10 changes its location, then the payments associated with that
11 facility under this subsection (d) for museum purposes shall be
12 paid to the park district in the area where the facility
13 relocates, and the payments shall be used for museum purposes.
14 If the facility does not relocate to a park district, then the
15 payments shall be paid to the taxing district that is
16 responsible for park or museum expenditures.

17 (e) Beginning July 1, 2006, the payment authorized under
18 subsection (d) to museums and aquariums located in park
19 districts of over 500,000 population shall be paid to museums,
20 aquariums, and zoos in amounts determined by Museums in the
21 Park, an association of museums, aquariums, and zoos located on
22 Chicago Park District property.

23 (f) Beginning July 1, 2007, the Children's Discovery Museum
24 in Normal, Illinois shall receive payments from the General
25 Revenue Fund at the funding level determined by the amounts
26 paid to the Miller Park Zoo in Bloomington, Illinois under this

1 Section in calendar year 2006.

2 (Source: P.A. 95-222, eff. 8-16-07; 96-562, eff. 8-18-09.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.