



Rep. Dennis M. Reboletti

Filed: 3/21/2014

09800HB5903ham003

LRB098 17275 ZMM 57216 a

1 AMENDMENT TO HOUSE BILL 5903

2 AMENDMENT NO. _____. Amend House Bill 5903 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 Section 30 as follows:

6 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

7 Sec. 30. (a) The General Assembly declares that it is the
8 policy of this State to encourage the breeding of thoroughbred
9 horses in this State and the ownership of such horses by
10 residents of this State in order to provide for: sufficient
11 numbers of high quality thoroughbred horses to participate in
12 thoroughbred racing meetings in this State, and to establish
13 and preserve the agricultural and commercial benefits of such
14 breeding and racing industries to the State of Illinois. It is
15 the intent of the General Assembly to further this policy by
16 the provisions of this Act.

1 (b) Each organization licensee conducting a thoroughbred
2 racing meeting pursuant to this Act shall provide at least two
3 races each day limited to Illinois conceived and foaled horses
4 or Illinois foaled horses or both. A minimum of 6 races shall
5 be conducted each week limited to Illinois conceived and foaled
6 or Illinois foaled horses or both. No horses shall be permitted
7 to start in such races unless duly registered under the rules
8 of the Department of Agriculture.

9 (c) Conditions of races under subsection (b) shall be
10 commensurate with past performance, quality, and class of
11 Illinois conceived and foaled and Illinois foaled horses
12 available. If, however, sufficient competition cannot be had
13 among horses of that class on any day, the races may, with
14 consent of the Board, be eliminated for that day and substitute
15 races provided.

16 (d) There is hereby created a special fund of the State
17 Treasury to be known as the Illinois Thoroughbred Breeders
18 Fund.

19 Except as provided in subsection (g) of Section 27 of this
20 Act, 8.5% of all the monies received by the State as privilege
21 taxes on Thoroughbred racing meetings shall be paid into the
22 Illinois Thoroughbred Breeders Fund.

23 (e) The Illinois Thoroughbred Breeders Fund shall be
24 administered by the Department of Agriculture with the advice
25 and assistance of the Advisory Board created in subsection (f)
26 of this Section.

1 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
2 shall consist of the Director of the Department of Agriculture,
3 who shall serve as Chairman; a member of the Illinois Racing
4 Board, designated by it; 3 ~~2~~ representatives of the
5 organization licensees conducting thoroughbred racing
6 meetings, recommended by them; 2 representatives of the
7 breeders foundation representing the majority of thoroughbred
8 breeders in Illinois ~~Illinois Thoroughbred Breeders and Owners~~
9 ~~Foundation~~, recommended by it; one representative ~~and 2~~
10 ~~representatives~~ of the horsemen's association representing the
11 largest number of thoroughbred owners and trainers who race at
12 race meetings in Madison County, ~~Horsemen's Benevolent~~
13 ~~Protective Association or any successor organization~~
14 ~~established in Illinois comprised of the largest number of~~
15 ~~owners and trainers,~~ recommended by it; and one representative
16 of the horsemen's association representing the largest number
17 of thoroughbred owners and trainers who race at race meetings
18 in Cook County, recommended by it ~~, with one representative of~~
19 ~~the Horsemen's Benevolent and Protective Association to come~~
20 ~~from its Illinois Division, and one from its Chicago Division.~~
21 Advisory Board members shall serve for 2 years commencing
22 January 1 of each odd numbered year. If representatives of the
23 organization licensees conducting thoroughbred racing
24 meetings, the breeders foundation representing the majority of
25 thoroughbred breeders in Illinois ~~the Illinois Thoroughbred~~
26 ~~Breeders and Owners Foundation,~~ the horsemen's association

1 representing the largest number of thoroughbred owners and
2 trainers who race at race meetings in Madison County, and the
3 horsemen's association representing the largest number of
4 thoroughbred owners and trainers who race at race meetings in
5 Cook County ~~the Horsemen's Benevolent Protection Association~~
6 have not been recommended by January 1, of each odd numbered
7 year, the Director of the Department of Agriculture shall make
8 an appointment for the organization failing to so recommend a
9 member of the Advisory Board. Advisory Board members shall
10 receive no compensation for their services as members but shall
11 be reimbursed for all actual and necessary expenses and
12 disbursements incurred in the execution of their official
13 duties.

14 (g) No monies shall be expended from the Illinois
15 Thoroughbred Breeders Fund except as appropriated by the
16 General Assembly. Monies appropriated from the Illinois
17 Thoroughbred Breeders Fund shall be expended by the Department
18 of Agriculture, with the advice and assistance of the Illinois
19 Thoroughbred Breeders Fund Advisory Board, for the following
20 purposes only:

21 (1) To provide purse supplements to owners of horses
22 participating in races limited to Illinois conceived and
23 foaled and Illinois foaled horses. Any such purse
24 supplements shall not be included in and shall be paid in
25 addition to any purses, stakes, or breeders' awards offered
26 by each organization licensee as determined by agreement

1 between such organization licensee and an organization
2 representing the horsemen. No monies from the Illinois
3 Thoroughbred Breeders Fund shall be used to provide purse
4 supplements for claiming races in which the minimum
5 claiming price is less than \$7,500.

6 (2) To provide stakes and awards to be paid to the
7 owners of the winning horses in certain races limited to
8 Illinois conceived and foaled and Illinois foaled horses
9 designated as stakes races.

10 (2.5) To provide an award to the owner or owners of an
11 Illinois conceived and foaled or Illinois foaled horse that
12 wins a maiden special weight, an allowance, overnight
13 handicap race, or claiming race with claiming price of
14 \$10,000 or more providing the race is not restricted to
15 Illinois conceived and foaled or Illinois foaled horses.
16 Awards shall also be provided to the owner or owners of
17 Illinois conceived and foaled and Illinois foaled horses
18 that place second or third in those races. To the extent
19 that additional moneys are required to pay the minimum
20 additional awards of 40% of the purse the horse earns for
21 placing first, second or third in those races for Illinois
22 foaled horses and of 60% of the purse the horse earns for
23 placing first, second or third in those races for Illinois
24 conceived and foaled horses, those moneys shall be provided
25 from the purse account at the track where earned.

26 (3) To provide stallion awards to the owner or owners

1 of any stallion that is duly registered with the Illinois
2 Thoroughbred Breeders Fund Program prior to the effective
3 date of this amendatory Act of 1995 whose duly registered
4 Illinois conceived and foaled offspring wins a race
5 conducted at an Illinois thoroughbred racing meeting other
6 than a claiming race. Such award shall not be paid to the
7 owner or owners of an Illinois stallion that served outside
8 this State at any time during the calendar year in which
9 such race was conducted.

10 (4) To provide \$75,000 annually for purses to be
11 distributed to county fairs that provide for the running of
12 races during each county fair exclusively for the
13 thoroughbreds conceived and foaled in Illinois. The
14 conditions of the races shall be developed by the county
15 fair association and reviewed by the Department with the
16 advice and assistance of the Illinois Thoroughbred
17 Breeders Fund Advisory Board. There shall be no wagering of
18 any kind on the running of Illinois conceived and foaled
19 races at county fairs.

20 (4.1) To provide purse money for an Illinois stallion
21 stakes program.

22 (5) No less than 80% of all monies appropriated from
23 the Illinois Thoroughbred Breeders Fund shall be expended
24 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
25 (5) as shown above.

26 (6) To provide for educational programs regarding the

1 thoroughbred breeding industry.

2 (7) To provide for research programs concerning the
3 health, development and care of the thoroughbred horse.

4 (8) To provide for a scholarship and training program
5 for students of equine veterinary medicine.

6 (9) To provide for dissemination of public information
7 designed to promote the breeding of thoroughbred horses in
8 Illinois.

9 (10) To provide for all expenses incurred in the
10 administration of the Illinois Thoroughbred Breeders Fund.

11 (h) Whenever the Governor finds that the amount in the
12 Illinois Thoroughbred Breeders Fund is more than the total of
13 the outstanding appropriations from such fund, the Governor
14 shall notify the State Comptroller and the State Treasurer of
15 such fact. The Comptroller and the State Treasurer, upon
16 receipt of such notification, shall transfer such excess amount
17 from the Illinois Thoroughbred Breeders Fund to the General
18 Revenue Fund.

19 (i) A sum equal to 12 1/2% of the first prize money of
20 every purse won by an Illinois foaled or an Illinois conceived
21 and foaled horse in races not limited to Illinois foaled horses
22 or Illinois conceived and foaled horses, or both, shall be paid
23 by the organization licensee conducting the horse race meeting.
24 Such sum shall be paid from the organization licensee's share
25 of the money wagered as follows: 11 1/2% to the breeder of the
26 winning horse and 1% to the organization representing

1 thoroughbred breeders and owners whose representative serves
2 on the Illinois Thoroughbred Breeders Fund Advisory Board for
3 verifying the amounts of breeders' awards earned, assuring
4 their distribution in accordance with this Act, and servicing
5 and promoting the Illinois thoroughbred horse racing industry.
6 The organization representing thoroughbred breeders and owners
7 shall cause all expenditures of monies received under this
8 subsection (i) to be audited at least annually by a registered
9 public accountant. The organization shall file copies of each
10 annual audit with the Racing Board, the Clerk of the House of
11 Representatives and the Secretary of the Senate, and shall make
12 copies of each annual audit available to the public upon
13 request and upon payment of the reasonable cost of photocopying
14 the requested number of copies. Such payments shall not reduce
15 any award to the owner of the horse or reduce the taxes payable
16 under this Act. Upon completion of its racing meet, each
17 organization licensee shall deliver to the organization
18 representing thoroughbred breeders and owners whose
19 representative serves on the Illinois Thoroughbred Breeders
20 Fund Advisory Board a listing of all the Illinois foaled and
21 the Illinois conceived and foaled horses which won breeders'
22 awards and the amount of such breeders' awards under this
23 subsection to verify accuracy of payments and assure proper
24 distribution of breeders' awards in accordance with the
25 provisions of this Act. Such payments shall be delivered by the
26 organization licensee within 30 days of the end of each race

1 meeting.

2 (j) A sum equal to 12 1/2% of the first prize money won in
3 each race limited to Illinois foaled horses or Illinois
4 conceived and foaled horses, or both, shall be paid in the
5 following manner by the organization licensee conducting the
6 horse race meeting, from the organization licensee's share of
7 the money wagered: 11 1/2% to the breeders of the horses in
8 each such race which are the official first, second, third and
9 fourth finishers and 1% to the organization representing
10 thoroughbred breeders and owners whose representative serves
11 on the Illinois Thoroughbred Breeders Fund Advisory Board for
12 verifying the amounts of breeders' awards earned, assuring
13 their proper distribution in accordance with this Act, and
14 servicing and promoting the Illinois thoroughbred horse racing
15 industry. The organization representing thoroughbred breeders
16 and owners shall cause all expenditures of monies received
17 under this subsection (j) to be audited at least annually by a
18 registered public accountant. The organization shall file
19 copies of each annual audit with the Racing Board, the Clerk of
20 the House of Representatives and the Secretary of the Senate,
21 and shall make copies of each annual audit available to the
22 public upon request and upon payment of the reasonable cost of
23 photocopying the requested number of copies.

24 The 11 1/2% paid to the breeders in accordance with this
25 subsection shall be distributed as follows:

26 (1) 60% of such sum shall be paid to the breeder of the

1 horse which finishes in the official first position;

2 (2) 20% of such sum shall be paid to the breeder of the
3 horse which finishes in the official second position;

4 (3) 15% of such sum shall be paid to the breeder of the
5 horse which finishes in the official third position; and

6 (4) 5% of such sum shall be paid to the breeder of the
7 horse which finishes in the official fourth position.

8 Such payments shall not reduce any award to the owners of a
9 horse or reduce the taxes payable under this Act. Upon
10 completion of its racing meet, each organization licensee shall
11 deliver to the organization representing thoroughbred breeders
12 and owners whose representative serves on the Illinois
13 Thoroughbred Breeders Fund Advisory Board a listing of all the
14 Illinois foaled and the Illinois conceived and foaled horses
15 which won breeders' awards and the amount of such breeders'
16 awards in accordance with the provisions of this Act. Such
17 payments shall be delivered by the organization licensee within
18 30 days of the end of each race meeting.

19 (k) The term "breeder", as used herein, means the owner of
20 the mare at the time the foal is dropped. An "Illinois foaled
21 horse" is a foal dropped by a mare which enters this State on
22 or before December 1, in the year in which the horse is bred,
23 provided the mare remains continuously in this State until its
24 foal is born. An "Illinois foaled horse" also means a foal born
25 of a mare in the same year as the mare enters this State on or
26 before March 1, and remains in this State at least 30 days

1 after foaling, is bred back during the season of the foaling to
2 an Illinois Registered Stallion (unless a veterinarian
3 certifies that the mare should not be bred for health reasons),
4 and is not bred to a stallion standing in any other state
5 during the season of foaling. An "Illinois foaled horse" also
6 means a foal born in Illinois of a mare purchased at public
7 auction subsequent to the mare entering this State prior to
8 February 1 of the foaling year providing the mare is owned
9 solely by one or more Illinois residents or an Illinois entity
10 that is entirely owned by one or more Illinois residents.

11 (1) The Department of Agriculture shall, by rule, with the
12 advice and assistance of the Illinois Thoroughbred Breeders
13 Fund Advisory Board:

14 (1) Qualify stallions for Illinois breeding; such
15 stallions to stand for service within the State of Illinois
16 at the time of a foal's conception. Such stallion must not
17 stand for service at any place outside the State of
18 Illinois during the calendar year in which the foal is
19 conceived. The Department of Agriculture may assess and
20 collect application fees for the registration of
21 Illinois-eligible stallions. All fees collected are to be
22 paid into the Illinois Thoroughbred Breeders Fund.

23 (2) Provide for the registration of Illinois conceived
24 and foaled horses and Illinois foaled horses. No such horse
25 shall compete in the races limited to Illinois conceived
26 and foaled horses or Illinois foaled horses or both unless

1 registered with the Department of Agriculture. The
2 Department of Agriculture may prescribe such forms as are
3 necessary to determine the eligibility of such horses. The
4 Department of Agriculture may assess and collect
5 application fees for the registration of Illinois-eligible
6 foals. All fees collected are to be paid into the Illinois
7 Thoroughbred Breeders Fund. No person shall knowingly
8 prepare or cause preparation of an application for
9 registration of such foals containing false information.

10 (m) The Department of Agriculture, with the advice and
11 assistance of the Illinois Thoroughbred Breeders Fund Advisory
12 Board, shall provide that certain races limited to Illinois
13 conceived and foaled and Illinois foaled horses be stakes races
14 and determine the total amount of stakes and awards to be paid
15 to the owners of the winning horses in such races.

16 In determining the stakes races and the amount of awards
17 for such races, the Department of Agriculture shall consider
18 factors, including but not limited to, the amount of money
19 appropriated for the Illinois Thoroughbred Breeders Fund
20 program, organization licensees' contributions, availability
21 of stakes caliber horses as demonstrated by past performances,
22 whether the race can be coordinated into the proposed racing
23 dates within organization licensees' racing dates, opportunity
24 for colts and fillies and various age groups to race, public
25 wagering on such races, and the previous racing schedule.

26 (n) The Board and the organizational licensee shall notify

1 the Department of the conditions and minimum purses for races
2 limited to Illinois conceived and foaled and Illinois foaled
3 horses conducted for each organizational licensee conducting a
4 thoroughbred racing meeting. The Department of Agriculture
5 with the advice and assistance of the Illinois Thoroughbred
6 Breeders Fund Advisory Board may allocate monies for purse
7 supplements for such races. In determining whether to allocate
8 money and the amount, the Department of Agriculture shall
9 consider factors, including but not limited to, the amount of
10 money appropriated for the Illinois Thoroughbred Breeders Fund
11 program, the number of races that may occur, and the
12 organizational licensee's purse structure.

13 (o) In order to improve the breeding quality of
14 thoroughbred horses in the State, the General Assembly
15 recognizes that existing provisions of this Section to
16 encourage such quality breeding need to be revised and
17 strengthened. As such, a Thoroughbred Breeder's Program Task
18 Force is to be appointed by the Governor by September 1, 1999
19 to make recommendations to the General Assembly by no later
20 than March 1, 2000. This task force is to be composed of 2
21 representatives from the Illinois Thoroughbred Breeders and
22 Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's
23 Association, 3 from Illinois race tracks operating
24 thoroughbred race meets for an average of at least 30 days in
25 the past 3 years, the Director of Agriculture, the Executive
26 Director of the Racing Board, who shall serve as Chairman.

1 (Source: P.A. 91-40, eff. 6-25-99.)".