

**HB0335**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**HB0335**

by Rep. Jay Hoffman

**SYNOPSIS AS INTRODUCED:**

230 ILCS 5/26

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Removes language terminating the authorization for advance deposit wagering on February 1, 2017.

LRB099 05811 MLM 25855 b

**A BILL FOR**

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended  
5 by changing Section 26 as follows:

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

7 Sec. 26. Wagering.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 Notwithstanding any other provision of this Act, ~~until~~  
15 ~~February 1, 2017,~~ an organization licensee, with the consent of  
16 the horsemen association representing the largest number of  
17 owners, trainers, jockeys, or standardbred drivers who race  
18 horses at that organization licensee's racing meeting, may  
19 maintain a system whereby advance deposit wagering may take  
20 place or an organization licensee, with the consent of the  
21 horsemen association representing the largest number of  
22 owners, trainers, jockeys, or standardbred drivers who race  
23 horses at that organization licensee's racing meeting, may  
24 contract with another person to carry out a system of advance  
25 deposit wagering. Such consent may not be unreasonably  
26 withheld. Only with respect to an appeal to the Board that



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

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

1 fees from advance deposit wagering conducted in Illinois for  
2 wagers in Illinois or other states have been placed in escrow  
3 or otherwise withheld from wagers pending a determination of  
4 the legality of advance deposit wagering, no action shall be  
5 brought to declare such wagers or the disbursement of any fees  
6 previously escrowed illegal.

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

24 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
25 intertrack wagering licensee other than the host track may  
26 receive supplemental interstate simulcasts only with the

1 consent of the host track, except when the Board finds that  
2 the simulcast is clearly adverse to the integrity of  
3 racing. Consent granted under this paragraph (2) to any  
4 intertrack wagering licensee shall be deemed consent to all  
5 non-host licensees. The interstate commission fee for the  
6 supplemental interstate simulcast shall be paid by all  
7 participating non-host licensees.

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

24 (4) A licensee who receives an interstate simulcast may  
25 combine its gross or net pools with pools at the sending  
26 racetracks pursuant to rules established by the Board. All

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

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

18 (A) For interstate simulcast wagers made at a host  
19 track, 50% to the host track and 50% to purses at the  
20 host track.

21 (B) For wagers placed on interstate simulcast  
22 races, supplemental simulcasts as defined in  
23 subparagraphs (1) and (2), and separately pooled races  
24 conducted outside of the State of Illinois made at a  
25 non-host licensee, 25% to the host track, 25% to the  
26 non-host licensee, and 50% to the purses at the host

1 track.

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

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

19 (A) Between January 1 and the third Friday in  
20 February, inclusive, if no live thoroughbred racing is  
21 occurring in Illinois during this period, when the  
22 interstate simulcast is a standardbred race, the purse  
23 share to its standardbred purse account;

24 (B) Between January 1 and the third Friday in  
25 February, inclusive, if no live thoroughbred racing is  
26 occurring in Illinois during this period, and the

1 interstate simulcast is a thoroughbred race, the purse  
2 share to its interstate simulcast purse pool to be  
3 distributed under paragraph (10) of this subsection  
4 (g);

5 (C) Between January 1 and the third Friday in  
6 February, inclusive, if live thoroughbred racing is  
7 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
8 the purse share from wagers made during this time  
9 period to its thoroughbred purse account and between  
10 6:30 p.m. and 6:30 a.m. the purse share from wagers  
11 made during this time period to its standardbred purse  
12 accounts;

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

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

21 (7.1) Notwithstanding any other provision of this Act  
22 to the contrary, if no standardbred racing is conducted at  
23 a racetrack located in Madison County during any calendar  
24 year beginning on or after January 1, 2002, all moneys  
25 derived by that racetrack from simulcast wagering and  
26 inter-track wagering that (1) are to be used for purses and

1 (2) are generated between the hours of 6:30 p.m. and 6:30  
2 a.m. during that calendar year shall be paid as follows:

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

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

23 (7.2) Notwithstanding any other provision of this Act  
24 to the contrary, if no thoroughbred racing is conducted at  
25 a racetrack located in Madison County during any calendar  
26 year beginning on or after January 1, 2002, all moneys



1 derived by that racetrack from simulcast wagering and  
2 inter-track wagering that (1) are to be used for purses and  
3 (2) are generated between the hours of 6:30 a.m. and 6:30  
4 p.m. during that calendar year shall be deposited as  
5 follows:

6 (A) If the licensee that conducts horse racing at  
7 that racetrack requests from the Board at least as many  
8 racing dates as were conducted in calendar year 2000,  
9 80% shall be deposited into its standardbred purse  
10 account; and

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

1 not be commingled with other moneys deposited into that  
2 Fund.

3 (7.3) If no live standardbred racing is conducted at a  
4 racetrack located in Madison County in calendar year 2000  
5 or 2001, an organization licensee who is licensed to  
6 conduct horse racing at that racetrack shall, before  
7 January 1, 2002, pay all moneys derived from simulcast  
8 wagering and inter-track wagering in calendar years 2000  
9 and 2001 and paid into the licensee's standardbred purse  
10 account as follows:

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

13 (B) Twenty percent to the Illinois Colt Stakes  
14 Purse Distribution Fund.

15 Failure to make the payment to the Illinois Colt Stakes  
16 Purse Distribution Fund before January 1, 2002 shall result  
17 in the immediate revocation of the licensee's organization  
18 license, inter-track wagering license, and inter-track  
19 wagering location license.

20 Moneys paid into the Illinois Colt Stakes Purse  
21 Distribution Fund pursuant to this paragraph (7.3) shall be  
22 paid to purses for standardbred races for Illinois  
23 conceived and foaled horses conducted at any county  
24 fairgrounds. Moneys paid into the Illinois Colt Stakes  
25 Purse Distribution Fund pursuant to this paragraph (7.3)  
26 shall be used as determined by the Department of

1 Agriculture, with the advice and assistance of the Illinois  
2 Standardbred Breeders Fund Advisory Board, shall be in  
3 addition to and not in lieu of any other moneys paid to  
4 standardbred purses under this Act, and shall not be  
5 commingled with any other moneys paid into that Fund.

6 (7.4) If live standardbred racing is conducted at a  
7 racetrack located in Madison County at any time in calendar  
8 year 2001 before the payment required under paragraph (7.3)  
9 has been made, the organization licensee who is licensed to  
10 conduct racing at that racetrack shall pay all moneys  
11 derived by that racetrack from simulcast wagering and  
12 inter-track wagering during calendar years 2000 and 2001  
13 that (1) are to be used for purses and (2) are generated  
14 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
15 2001 to the standardbred purse account at that racetrack to  
16 be used for standardbred purses.

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

24 (8.1) Notwithstanding any provisions in this Act to the  
25 contrary, if 2 organization licensees are conducting  
26 standardbred race meetings concurrently between the hours

1 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
2 State and local taxes and interstate commission fees, the  
3 remainder of the amount retained from simulcast wagering  
4 otherwise attributable to the host track and to host track  
5 purses shall be split daily between the 2 organization  
6 licensees and the purses at the tracks of the 2  
7 organization licensees, respectively, based on each  
8 organization licensee's share of the total live handle for  
9 that day, provided that this provision shall not apply to  
10 any non-host licensee that derives its license from a track  
11 located in a county with a population in excess of 230,000  
12 and that borders the Mississippi River.

13 (9) (Blank).

14 (10) (Blank).

15 (11) (Blank).

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

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

1 waging facility that has an annual total Illinois  
2 pari-mutuel handle on Illinois horse races that is less  
3 than 75% of the total Illinois pari-mutuel handle on  
4 Illinois horse races at such waging facility for calendar  
5 year 1994, shall be permitted to receive, from any amount  
6 otherwise payable to the purse account at the race track  
7 with which the waging facility is affiliated in the  
8 succeeding calendar year, an amount equal to 2% of the  
9 differential in total Illinois pari-mutuel handle on  
10 Illinois horse races at the waging facility between that  
11 calendar year in question and 1994 provided, however, that  
12 a waging facility shall not be entitled to any such  
13 payment until the Board certifies in writing to the  
14 waging facility the amount to which the waging facility  
15 is entitled and a schedule for payment of the amount to the  
16 waging facility, based on: (i) the racing dates awarded  
17 to the race track affiliated with the waging facility  
18 during the succeeding year; (ii) the sums available or  
19 anticipated to be available in the purse account of the  
20 race track affiliated with the waging facility for purses  
21 during the succeeding year; and (iii) the need to ensure  
22 reasonable purse levels during the payment period. The  
23 Board's certification shall be provided no later than  
24 January 31 of the succeeding year. In the event a waging  
25 facility entitled to a payment under this paragraph (13) is  
26 affiliated with a race track that maintains purse accounts

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

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

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

1 according to the 1990 decennial census, and an average of  
2 at least 60 days of racing per year between 1985 and 1993  
3 may be issued an inter-track wagering license; or (iii) at  
4 a track located in Madison County that conducted at least  
5 100 days of live racing during the immediately preceding  
6 calendar year may be issued an inter-track wagering  
7 license, unless a lesser schedule of live racing is the  
8 result of (A) weather, unsafe track conditions, or other  
9 acts of God; (B) an agreement between the organization  
10 licensee and the associations representing the largest  
11 number of owners, trainers, jockeys, or standardbred  
12 drivers who race horses at that organization licensee's  
13 racing meeting; or (C) a finding by the Board of  
14 extraordinary circumstances and that it was in the best  
15 interest of the public and the sport to conduct fewer than  
16 100 days of live racing. Any such person having operating  
17 control of the racing facility may also receive up to 6  
18 inter-track wagering location licenses. In no event shall  
19 more than 6 inter-track wagering locations be established  
20 for each eligible race track, except that an eligible race  
21 track located in a county that has a population of more  
22 than 230,000 and that is bounded by the Mississippi River  
23 may establish up to 7 inter-track wagering locations and an  
24 eligible race track located in Cook County may establish up  
25 to 8 inter-track wagering locations. An application for  
26 said license shall be filed with the Board prior to such

1 dates as may be fixed by the Board. With an application for  
2 an inter-track wagering location license there shall be  
3 delivered to the Board a certified check or bank draft  
4 payable to the order of the Board for an amount equal to  
5 \$500. The application shall be on forms prescribed and  
6 furnished by the Board. The application shall comply with  
7 all other rules, regulations and conditions imposed by the  
8 Board in connection therewith.

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

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

22 (4) Prior to the issuance of a license to conduct  
23 inter-track wagering and simulcast wagering, the applicant  
24 shall file with the Board a bond payable to the State of  
25 Illinois in the sum of \$50,000, executed by the applicant  
26 and a surety company or companies authorized to do business



1 in this State, and conditioned upon (i) the payment by the  
2 licensee of all taxes due under Section 27 or 27.1 and any  
3 other monies due and payable under this Act, and (ii)  
4 distribution by the licensee, upon presentation of the  
5 winning ticket or tickets, of all sums payable to the  
6 patrons of pari-mutuel pools.

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

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

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

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

23 (8.1) Inter-track wagering location licensees who  
24 derive their licenses from a particular organization  
25 licensee shall conduct inter-track wagering and simulcast  
26 wagering only at locations that are within 140 miles of

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

22 (8.2) Inter-track wagering or simulcast wagering shall  
23 not be conducted by an inter-track wagering location  
24 licensee at any location within 500 feet of an existing  
25 church or existing school, nor within 500 feet of the  
26 residences of more than 50 registered voters without

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

1 conducted at a site if such ordinance or resolution is  
2 enacted after the Board licenses the original inter-track  
3 wagering location licensee for the site in question.

4 (9) (Blank).

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

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

25 (10.2) Notwithstanding any other provision of this  
26 Act, with respect to intertrack wagering at a race track

1 located in a county that has a population of more than  
2 230,000 and that is bounded by the Mississippi River ("the  
3 first race track"), or at a facility operated by an  
4 inter-track wagering licensee or inter-track wagering  
5 location licensee that derives its license from the  
6 organization licensee that operates the first race track,  
7 on races conducted at the first race track or on races  
8 conducted at another Illinois race track and  
9 simultaneously televised to the first race track or to a  
10 facility operated by an inter-track wagering licensee or  
11 inter-track wagering location licensee that derives its  
12 license from the organization licensee that operates the  
13 first race track, those moneys shall be allocated as  
14 follows:

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

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

23 (11) (A) After payment of the privilege or pari-mutuel  
24 tax, any other applicable taxes, and the costs and expenses  
25 in connection with the gathering, transmission, and  
26 dissemination of all data necessary to the conduct of

1 inter-track wagering, the remainder of the monies retained  
2 under either Section 26 or Section 26.2 of this Act by the  
3 inter-track wagering licensee on inter-track wagering  
4 shall be allocated with 50% to be split between the 2  
5 participating licensees and 50% to purses, except that an  
6 intertrack wagering licensee that derives its license from  
7 a track located in a county with a population in excess of  
8 230,000 and that borders the Mississippi River shall not  
9 divide any remaining retention with the Illinois  
10 organization licensee that provides the race or races, and  
11 an intertrack wagering licensee that accepts wagers on  
12 races conducted by an organization licensee that conducts a  
13 race meet in a county with a population in excess of  
14 230,000 and that borders the Mississippi River shall not  
15 divide any remaining retention with that organization  
16 licensee.

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

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

1 to purses at the host track under subparagraph (B) of  
2 paragraph (5) of subsection (g) of this Section 26 shall be  
3 redistributed based on each host track's pro rata share of  
4 the total inter-track wagering and simulcast wagering  
5 handle at all host tracks during the calendar year in  
6 question, and second, that any amounts redistributed as  
7 described in part (I) to an inter-track wagering location  
8 licensee that accepts wagers on races conducted by an  
9 organization licensee that conducts a race meet in a county  
10 with a population in excess of 230,000 and that borders the  
11 Mississippi River shall be further redistributed as  
12 provided in subparagraphs (D) and (E) of paragraph (7) of  
13 subsection (g) of this Section 26, with the portion of that  
14 further redistribution allocated to purses at that  
15 organization licensee to be divided between standardbred  
16 purses and thoroughbred purses based on the amounts  
17 otherwise allocated to purses at that organization  
18 licensee during the calendar year in question; and (iv) 8%  
19 of the pari-mutuel handle on inter-track wagering wagered  
20 at such location to satisfy all costs and expenses of  
21 conducting its wagering. The remainder of the monies  
22 retained by the inter-track wagering location licensee  
23 shall be allocated 40% to the location licensee and 60% to  
24 the organization licensee which provides the Illinois  
25 races to the location, except that an intertrack wagering  
26 location licensee that derives its license from a track



1 located in a county with a population in excess of 230,000  
2 and that borders the Mississippi River shall not divide any  
3 remaining retention with the organization licensee that  
4 provides the race or races and an intertrack wagering  
5 location licensee that accepts wagers on races conducted by  
6 an organization licensee that conducts a race meet in a  
7 county with a population in excess of 230,000 and that  
8 borders the Mississippi River shall not divide any  
9 remaining retention with the organization licensee.  
10 Notwithstanding the provisions of clauses (ii) and (iv) of  
11 this paragraph, in the case of the additional inter-track  
12 wagering location licenses authorized under paragraph (1)  
13 of this subsection (h) by this amendatory Act of 1991,  
14 those licensees shall pay the following amounts as purses:  
15 during the first 12 months the licensee is in operation,  
16 5.25% of the pari-mutuel handle wagered at the location on  
17 races; during the second 12 months, 5.25%; during the third  
18 12 months, 5.75%; during the fourth 12 months, 6.25%; and  
19 during the fifth 12 months and thereafter, 6.75%. The  
20 following amounts shall be retained by the licensee to  
21 satisfy all costs and expenses of conducting its wagering:  
22 during the first 12 months the licensee is in operation,  
23 8.25% of the pari-mutuel handle wagered at the location;  
24 during the second 12 months, 8.25%; during the third 12  
25 months, 7.75%; during the fourth 12 months, 7.25%; and  
26 during the fifth 12 months and thereafter, 6.75%. For

1 additional intertrack wagering location licensees  
2 authorized under this amendatory Act of 1995, purses for  
3 the first 12 months the licensee is in operation shall be  
4 5.75% of the pari-mutuel wagered at the location, purses  
5 for the second 12 months the licensee is in operation shall  
6 be 6.25%, and purses thereafter shall be 6.75%. For  
7 additional intertrack location licensees authorized under  
8 this amendatory Act of 1995, the licensee shall be allowed  
9 to retain to satisfy all costs and expenses: 7.75% of the  
10 pari-mutuel handle wagered at the location during its first  
11 12 months of operation, 7.25% during its second 12 months  
12 of operation, and 6.75% thereafter.

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

1 appropriation as follows:

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

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

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

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

1 the park district or municipality where the  
2 inter-track wagering location is located, to be used  
3 for general purposes; and

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

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

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

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

25 Four-sevenths to museums and aquariums located in  
26 park districts of over 500,000 population; provided

1           that the monies are distributed in accordance with the  
2           previous year's distribution of the maintenance tax  
3           for such museums and aquariums as provided in Section 2  
4           of the Park District Aquarium and Museum Act; and

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

14          (D) Except as provided in paragraph (11) of this  
15          subsection (h), with respect to purse allocation from  
16          intertrack wagering, the monies so retained shall be  
17          divided as follows:

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



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

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

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

1           (A) The Board is vested with power to promulgate  
2 reasonable rules and regulations for the purpose of  
3 administering the conduct of this wagering and to  
4 prescribe reasonable rules, regulations and conditions  
5 under which such wagering shall be held and conducted.  
6 Such rules and regulations are to provide for the  
7 prevention of practices detrimental to the public  
8 interest and for the best interests of said wagering  
9 and to impose penalties for violations thereof.

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

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

26           (D) (Blank).

1           (E) The Board is vested with the power to appoint  
2 delegates to execute any of the powers granted to it  
3 under this Section for the purpose of administering  
4 this wagering and any rules and regulations  
5 promulgated in accordance with this Act.

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

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

22           (13) The Department of Agriculture may enter into  
23 agreements with licensees authorizing such licensees to  
24 conduct inter-track wagering on races to be held at the  
25 licensed race meetings conducted by the Department of  
26 Agriculture. Such agreement shall specify the races of the

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

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

25 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;  
26 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)