



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB2883

by Rep. Jay Hoffman

#### SYNOPSIS AS INTRODUCED:

230 ILCS 5/3.31 new  
230 ILCS 5/3.32 new  
230 ILCS 5/3.33 new  
230 ILCS 5/3.34 new  
230 ILCS 5/26  
230 ILCS 5/26.10 new

from Ch. 8, par. 37-26

Amends the Illinois Horse Racing Act of 1975. Authorizes organization licensees to offer wagering on standardbred, quarter horse, and thoroughbred historical horse races. Requires the prior written approval of the Illinois Racing Board. Provides guidelines for the conduct of wagering on historical horse races. Defines "historical horse race", "initial seed pool", "seed pool", and "terminal". Effective immediately.

LRB100 10426 MJP 20632 b

FISCAL NOTE ACT  
MAY APPLY

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 and by adding Sections 3.31, 3.32, 3.33,  
6 3.34, and 26.10 as follows:

7 (230 ILCS 5/3.31 new)

8 Sec. 3.31. Historical horse race. "Historical horse race"  
9 means a horse race that: (1) was previously run at a licensed  
10 pari-mutuel facility located in the United States, (2)  
11 concluded with official results, and (3) concluded without  
12 scratches, disqualifications, or dead-heat finishes.

13 (230 ILCS 5/3.32 new)

14 Sec. 3.32. Initial seed pool. "Initial seed pool" means a  
15 nonrefundable pool of money funded by an organization licensee  
16 in an amount sufficient to ensure that a patron will be paid  
17 the minimum amount required on a winning wager on a historical  
18 horse race.

19 (230 ILCS 5/3.33 new)

20 Sec. 3.33. Seed pool. "Seed pool" means a pool of money  
21 funded by patrons wagering on a historical horse race that is

1 used to ensure that all patrons are paid the minimum payout on  
2 winning wagers.

3 (230 ILCS 5/3.34 new)

4 Sec. 3.34. Terminal. "Terminal" means any self-service  
5 totalizator machine or other mechanical equipment used by a  
6 patron to place a pari-mutuel wager on a live or historical  
7 horse race.

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

9 Sec. 26. Wagering.

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

24 Subject to rules adopted by the Board, a licensee may

1 accept wagers on historical horse races as authorized in  
2 Section 26.10 on standardbred horse racing, quarter horse  
3 racing, and thoroughbred horse racing. Within 180 days after  
4 the effective date of this amendatory Act of the 100th General  
5 Assembly, the Board shall adopt rules necessary to regulate  
6 wagering on historical horse races through the use of emergency  
7 rulemaking in accordance with Section 5-45 of the Illinois  
8 Administrative Procedure Act. The General Assembly finds that  
9 the adoption of rules to regulate wagering on historical horse  
10 racers is deemed an emergency and necessary for the public  
11 interest, safety, and welfare.

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

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

25 (c) Until January 1, 2000, the sum held by any licensee for  
26 payment of outstanding pari-mutuel tickets, if unclaimed prior

1 to December 31 of the next year, shall be retained by the  
2 licensee for payment of such tickets until that date. Within 10  
3 days thereafter, the balance of such sum remaining unclaimed,  
4 less any uncashed supplements contributed by such licensee for  
5 the purpose of guaranteeing minimum distributions of any  
6 pari-mutuel pool, shall be paid to the Illinois Veterans'  
7 Rehabilitation Fund of the State treasury, except as provided  
8 in subsection (g) of Section 27 of this Act.

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

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

24 (e) No licensee shall knowingly permit any minor, other  
25 than an employee of such licensee or an owner, trainer, jockey,  
26 driver, or employee thereof, to be admitted during a racing

1 program unless accompanied by a parent or guardian, or any  
2 minor to be a patron of the pari-mutuel system of wagering  
3 conducted or supervised by it. The admission of any  
4 unaccompanied minor, other than an employee of the licensee or  
5 an owner, trainer, jockey, driver, or employee thereof at a  
6 race track is a Class C misdemeanor.

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

26 An organization licensee may permit one or more of its

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

8 (g) A host track may accept interstate simulcast wagers on  
9 horse races conducted in other states or countries and shall  
10 control the number of signals and types of breeds of racing in  
11 its simulcast program, subject to the disapproval of the Board.  
12 The Board may prohibit a simulcast program only if it finds  
13 that the simulcast program is clearly adverse to the integrity  
14 of racing. The host track simulcast program shall include the  
15 signal of live racing of all organization licensees. All  
16 non-host licensees and advance deposit wagering licensees  
17 shall carry the signal of and accept wagers on live racing of  
18 all organization licensees. Advance deposit wagering licensees  
19 shall not be permitted to accept out-of-state wagers on any  
20 Illinois signal provided pursuant to this Section without the  
21 approval and consent of the organization licensee providing the  
22 signal. For one year after August 15, 2014 (the effective date  
23 of Public Act 98-968) ~~this amendatory Act of the 98th General~~  
24 ~~Assembly~~, non-host licensees may carry the host track simulcast  
25 program and shall accept wagers on all races included as part  
26 of the simulcast program of horse races conducted at race

1 tracks located within North America upon which wagering is  
2 permitted. For a period of one year after August 15, 2014 (the  
3 effective date of Public Act 98-968) ~~this amendatory Act of the~~  
4 ~~98th General Assembly~~, on horse races conducted at race tracks  
5 located outside of North America, non-host licensees may accept  
6 wagers on all races included as part of the simulcast program  
7 upon which wagering is permitted. Beginning August 15, 2015  
8 (one year after the effective date of Public Act 98-968) ~~this~~  
9 ~~amendatory Act of the 98th General Assembly~~, non-host licensees  
10 may carry the host track simulcast program and shall accept  
11 wagers on all races included as part of the simulcast program  
12 upon which wagering is permitted. All organization licensees  
13 shall provide their live signal to all advance deposit wagering  
14 licensees for a simulcast commission fee not to exceed 6% of  
15 the advance deposit wagering licensee's Illinois handle on the  
16 organization licensee's signal without prior approval by the  
17 Board. The Board may adopt rules under which it may permit  
18 simulcast commission fees in excess of 6%. The Board shall  
19 adopt rules limiting the interstate commission fees charged to  
20 an advance deposit wagering licensee. The Board shall adopt  
21 rules regarding advance deposit wagering on interstate  
22 simulcast races that shall reflect, among other things, the  
23 General Assembly's desire to maximize revenues to the State,  
24 horsemen purses, and organization ~~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, through  
4 December 31, 2018, an organization licensee, with the consent  
5 of the horsemen association representing the largest number of  
6 owners, trainers, jockeys, or standardbred drivers who race  
7 horses at that organization licensee's racing meeting, may  
8 maintain a system whereby advance deposit wagering may take  
9 place or an organization licensee, with the consent of the  
10 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 June 7, 2013 (the effective  
26 date of Public Act 98-18) ~~this amendatory Act of the 98th~~

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

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

23 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
24 inter-track ~~intertrack~~ wagering licensee other than the  
25 host track may supplement the host track simulcast program  
26 with additional simulcast races or race programs, provided

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

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

24 (3) Each licensee conducting interstate simulcast  
25 wagering may retain, subject to the payment of all  
26 applicable taxes and the purses, an amount not to exceed

1 17% of all money wagered. If any licensee conducts the  
2 pari-mutuel system wagering on races conducted at  
3 racetracks in another state or country, each such race or  
4 race program shall be considered a separate racing day for  
5 the purpose of determining the daily handle and computing  
6 the privilege tax of that daily handle as provided in  
7 subsection (a) of Section 27. Until January 1, 2000, from  
8 the sums permitted to be retained pursuant to this  
9 subsection, each inter-track ~~intertrack~~ wagering location  
10 licensee shall pay 1% of the pari-mutuel handle wagered on  
11 simulcast wagering to the Horse Racing Tax Allocation Fund,  
12 subject to the provisions of subparagraph (B) of paragraph  
13 (11) of subsection (h) of Section 26 of this Act.

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

25 (5) After the payment of the interstate commission fee  
26 (except for the interstate commission fee on a supplemental

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

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

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

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

26 (7) Notwithstanding any provision of this Act to the

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

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

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

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



1 made during this time period to its standardbred purse  
2 accounts;

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

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

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

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

24 (B) Twenty percent shall be deposited into the  
25 Illinois Colt Stakes Purse Distribution Fund and shall  
26 be paid to purses for standardbred races for Illinois

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (9) (Blank).

4 (10) (Blank).

5 (11) (Blank).

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

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

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

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

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

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



1 number of owners, trainers, jockeys, or standardbred  
2 drivers who race horses at that organization licensee's  
3 racing meeting; or (C) a finding by the Board of  
4 extraordinary circumstances and that it was in the best  
5 interest of the public and the sport to conduct fewer than  
6 100 days of live racing. Any such person having operating  
7 control of the racing facility may receive inter-track  
8 wagering location licenses. An eligible race track located  
9 in a county that has a population of more than 230,000 and  
10 that is bounded by the Mississippi River may establish up  
11 to 9 inter-track wagering locations, ~~and~~ an eligible race  
12 track located in Stickney Township in Cook County may  
13 establish up to 16 inter-track wagering locations, and an  
14 eligible race track located in Palatine Township in Cook  
15 County may establish up to 18 inter-track wagering  
16 locations. An application for said license shall be filed  
17 with the Board prior to such dates as may be fixed by the  
18 Board. With an application for an inter-track wagering  
19 location license there shall be delivered to the Board a  
20 certified check or bank draft payable to the order of the  
21 Board for an amount equal to \$500. The application shall be  
22 on forms prescribed and furnished by the Board. The  
23 application shall comply with all other rules, regulations  
24 and conditions imposed by the Board in connection  
25 therewith.

26 (2) The Board shall examine the applications with

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

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

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

24          (5) Each license to conduct inter-track wagering and  
25          simulcast wagering shall specify the person to whom it is  
26          issued, the dates on which such wagering is permitted, and

1 the track or location where the wagering is to be  
2 conducted.

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

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

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

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

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

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

1 feet of a church, school or residences of 50 or more  
2 registered voters if such church, school or residences have  
3 been erected or established, or such voters have been  
4 registered, after the Board issues the original  
5 inter-track wagering location license at the site in  
6 question. Inter-track wagering location licensees may  
7 conduct inter-track wagering and simulcast wagering only  
8 in areas that are zoned for commercial or manufacturing  
9 purposes or in areas for which a special use has been  
10 approved by the local zoning authority. However, no license  
11 to conduct inter-track wagering and simulcast wagering  
12 shall be granted by the Board with respect to any  
13 inter-track wagering location within the jurisdiction of  
14 any local zoning authority which has, by ordinance or by  
15 resolution, prohibited the establishment of an inter-track  
16 wagering location within its jurisdiction. However,  
17 inter-track wagering and simulcast wagering may be  
18 conducted at a site if such ordinance or resolution is  
19 enacted after the Board licenses the original inter-track  
20 wagering location licensee for the site in question.

21 (9) (Blank).

22 (10) An inter-track wagering licensee or an  
23 inter-track wagering location licensee may retain, subject  
24 to the payment of the privilege taxes and the purses, an  
25 amount not to exceed 17% of all money wagered. Each program  
26 of racing conducted by each inter-track wagering licensee

1 or inter-track wagering location licensee shall be  
2 considered a separate racing day for the purpose of  
3 determining the daily handle and computing the privilege  
4 tax or pari-mutuel tax on such daily handle as provided in  
5 Section 27.

6 (10.1) Except as provided in subsection (g) of Section  
7 27 of this Act, inter-track wagering location licensees  
8 shall pay 1% of the pari-mutuel handle at each location to  
9 the municipality in which such location is situated and 1%  
10 of the pari-mutuel handle at each location to the county in  
11 which such location is situated. In the event that an  
12 inter-track wagering location licensee is situated in an  
13 unincorporated area of a county, such licensee shall pay 2%  
14 of the pari-mutuel handle from such location to such  
15 county.

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

1 facility operated by an inter-track wagering licensee or  
2 inter-track wagering location licensee that derives its  
3 license from the organization licensee that operates the  
4 first race track, those moneys shall be allocated as  
5 follows:

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

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

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

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

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



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

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

1 Mississippi River shall not divide any remaining retention  
2 with the organization licensee. Notwithstanding the  
3 provisions of clauses (ii) and (iv) of this paragraph, in  
4 the case of the additional inter-track wagering location  
5 licenses authorized under paragraph (1) of this subsection  
6 (h) by Public Act 87-110 ~~this amendatory Act of 1991~~, those  
7 licensees shall pay the following amounts as purses: during  
8 the first 12 months the licensee is in operation, 5.25% of  
9 the pari-mutuel handle wagered at the location on races;  
10 during the second 12 months, 5.25%; during the third 12  
11 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 inter-track ~~intertrack~~ wagering location  
21 licensees authorized under Public Act 89-16 ~~this~~  
22 ~~amendatory Act of 1995~~, purses for the first 12 months the  
23 licensee is in operation shall be 5.75% of the pari-mutuel  
24 wagered at the location, purses for the second 12 months  
25 the licensee is in operation shall be 6.25%, and purses  
26 thereafter shall be 6.75%. For additional inter-track

1 ~~intertrack~~ location licensees authorized under Public Act  
2 89-16 ~~this amendatory Act of 1995~~, the licensee shall be  
3 allowed to retain to satisfy all costs and expenses: 7.75%  
4 of the pari-mutuel handle wagered at the location during  
5 its first 12 months of operation, 7.25% during its second  
6 12 months of operation, and 6.75% thereafter.

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

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

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

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

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

1 municipal recreation board and the municipality has a  
2 1990 population of 9,302 according to the United States  
3 Bureau of the Census); provided that the monies are  
4 distributed to each park district or conservation  
5 district or municipality that does not have a park  
6 district in an amount equal to four-sevenths of the  
7 amount collected by each inter-track wagering location  
8 licensee within the park district or conservation  
9 district or municipality for the Fund. Monies that were  
10 paid into the Horse Racing Tax Allocation Fund before  
11 August 9, 1991 (the effective date of Public Act  
12 87-110) ~~this amendatory Act of 1991~~ by an inter-track  
13 wagering location licensee located in a municipality  
14 that is not included within any park district but is  
15 included within a conservation district as provided in  
16 this paragraph shall, as soon as practicable after  
17 August 9, 1991 (the effective date of Public Act  
18 87-110) ~~this amendatory Act of 1991~~, be allocated and  
19 paid to that conservation district as provided in this  
20 paragraph. Any park district or municipality not  
21 maintaining a museum may deposit the monies in the  
22 corporate fund of the park district or municipality  
23 where the inter-track wagering location is located, to  
24 be used for general purposes; and

25 One-seventh to the Agricultural Premium Fund to be  
26 used for distribution to agricultural home economics

1 extension councils in accordance with "An Act in  
2 relation to additional support and finances for the  
3 Agricultural and Home Economic Extension Councils in  
4 the several counties of this State and making an  
5 appropriation therefor", approved July 24, 1967.

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

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



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

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

26 One-seventh to the Agricultural Premium Fund to be

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

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

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

22 (ii) If the inter-track wagering licensee,  
23 except an inter-track ~~intertrack~~ wagering licensee  
24 that derives its license from an organization  
25 licensee located in a county with a population in  
26 excess of 230,000 and bounded by the Mississippi

1 River, is also conducting its own race meeting  
2 during the same dates, then the purse allocation  
3 shall be as follows: 50% to purses at the track  
4 where the races wagered on are being conducted; 50%  
5 to purses at the track where the inter-track  
6 wagering licensee is accepting such wagers.

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

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

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

1           Such rules and regulations are to provide for the  
2           prevention of practices detrimental to the public  
3           interest and for the best interests of said wagering  
4           and to impose penalties for violations thereof.

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

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

21          (D) (Blank).

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

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

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

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

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

16 (14) An inter-track wagering location license  
17 authorized by the Board in 2016 that is owned and operated  
18 by a race track in Rock Island County shall be transferred  
19 to a commonly owned race track in Cook County on August 12,  
20 2016 (the effective date of Public Act 99-757) ~~this~~  
21 ~~amendatory Act of the 99th General Assembly~~. The licensee  
22 shall retain its status in relation to purse distribution  
23 under paragraph (11) of this subsection (h) following the  
24 transfer to the new entity. The pari-mutuel tax credit  
25 under Section 32.1 shall not be applied toward any  
26 pari-mutuel tax obligation of the inter-track wagering

1 location licensee of the license that is transferred under  
2 this paragraph (14).

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

7 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 98-968,  
8 eff. 8-15-14; 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
9 revised 9-14-16.)

10 (230 ILCS 5/26.10 new)

11 Sec. 26.10. Wagering on historical horse races authorized.

12 (a) Wagering on historical horse races is authorized and  
13 may be conducted in accordance with this Act.

14 Wagering on a historical horse race shall only be conducted  
15 by an organization licensee licensed to conduct a live horse  
16 race meet and licensed to conduct inter-track and simulcast  
17 wagering in the year 2016.

18 Wagering on a historical horse race shall only be permitted  
19 in a designated area at any licensed premise of an organization  
20 licensee licensed to conduct a live horse race meeting.

21 An organization licensee may conduct wagering on  
22 standardbred, quarter horse, and thoroughbred historical horse  
23 races regardless of the type of breed that primarily races in  
24 live meets conducted by the organization licensee. An  
25 organization licensee may conduct wagering on historical races

1 on any days and hours during which pari-mutuel wagering on live  
2 or simulcast races is being conducted and is approved by the  
3 Board, and wagering shall not be limited to times during which  
4 the organization licensee is conducting a live horse race  
5 meeting.

6 Any wager placed on a historical horse race shall be  
7 through the pari-mutuel system of wagering.

8 Before offering wagering on a historical horse race, an  
9 organization licensee shall first obtain the Board's written  
10 approval of all wagers offered as set forth in rules adopted by  
11 the Board.

12 (b) All wagering on a historical horse race shall  
13 incorporate all of the following elements:

14 (1) A patron may only wager on a historical horse race  
15 on a terminal approved by the Board.

16 (2) Once a patron wagers an amount in the terminal  
17 offering wagering on a historical horse race, a historical  
18 horse race shall be chosen at random.

19 (3) Prior to the patron making his or her wager  
20 selections, the terminal shall not display any information  
21 that would allow the patron to identify the historical race  
22 on which he or she is wagering, including the location of  
23 the race, the date on which the race was run, the names of  
24 the horses in the race, or the names of the jockeys or  
25 drivers that rode the horses in the race.

26 (4) The terminal shall make available true and accurate



1 past performance information on the historical horse race  
2 to the patron prior to making his or her wager selections.  
3 The information shall be current as of the day the  
4 historical horse race was actually run. The information  
5 provided to the patron shall be displayed on the terminal  
6 in data or graphical form.

7 (5) After a patron finalizes his or her wager  
8 selections, the terminal shall display a video replay of  
9 the race, or a portion thereof, or an animated depiction of  
10 the race's finish and the official results of the race. The  
11 identity of the race shall be revealed to the patron after  
12 the patron has placed his or her wager.

13 (c) A wager on a historical horse race, less deductions  
14 permitted by this Act shall be placed in pari-mutuels pools  
15 approved by the Board.

16 A payout to a winning patron shall be paid from money  
17 wagered by patrons or the initial seed pool and shall not  
18 constitute a wager against the organization licensee.

19 An organization licensee conducting wagering on a  
20 historical horse race shall not conduct wagering in such a  
21 manner that patrons are wagering against the organization  
22 licensee or in such a manner that the amount retained by the  
23 organization licensee is dependent upon the outcome of any  
24 particular race or the success of any particular wager.

25 An organization licensee shall only pay a winning wager on  
26 a historical horse race out of the applicable pari-mutuel pool

1 and shall not pay a winning wager out of the organization  
2 licensee's funds. Payment of a winning wager shall not exceed  
3 the amount available in the applicable pari-mutuel pool.

4 An organization licensee offering wagering on a historical  
5 horse race shall operate seed pools in a manner and method  
6 approved by the Board as set forth in this Act. For each wager  
7 made, an organization licensee may assign a percentage of the  
8 wager to seed pools. The seed pools shall be maintained and  
9 funded so that the amount available at any given time is  
10 sufficient to ensure that a patron will be paid the minimum  
11 amount required on a winning wager.

12 An organization licensee shall provide the funding for the  
13 initial seed pool for each type of exotic wager. The funding  
14 for the initial seed pool shall be nonrefundable and in an  
15 amount sufficient to ensure that a patron will be paid the  
16 minimum amount required on a winning wager.

17 (d) Terminals offering wagering on historical horse races  
18 shall be located within designated areas that have the prior  
19 written approval of the Board. Designated areas shall be  
20 established in such a way as to control access by the general  
21 public and prevent entry by any patron who is under 18 years of  
22 age or is otherwise not permitted to place wagers. Each  
23 organization licensee shall be limited to operating 300  
24 terminals at the same time.

25 An organization licensee shall monitor persons entering  
26 and leaving the designated areas and shall prevent access to

1 any patron who is under 18 years of age or is otherwise not  
2 permitted to place wagers on historical horse races.

3 An organization licensee shall provide terminals that are  
4 accessible to patrons with disabilities.

5 (e) An organization licensee shall not offer a wager on any  
6 historical horse race without the prior written approval of the  
7 Board.

8 An organization licensee making a request to offer a  
9 pari-mutuel wager on a historical horse race may make an oral  
10 presentation to the Board regarding the wager prior to the  
11 Board deciding on the request. The presentation shall be made  
12 by the organization licensee during a meeting of the Board and  
13 shall be limited to the information contained in the written  
14 request and any supplemental information relevant to the  
15 Board's determination of the suitability of the wager. The  
16 Board may require an organization licensee to clarify or  
17 otherwise respond to questions concerning the written request  
18 as a condition to approval of the wager.

19 The Board may request additional information from an  
20 organization licensee regarding the wager if the additional  
21 information would assist the Board in deciding whether to  
22 approve it.

23 (f) An organization licensee shall submit a written request  
24 to the Board for permission to offer a wager on a historical  
25 horse race, which shall include:

26 (1) the types, numbers, and denominations of

1 pari-mutuel wagers to be offered;

2 (2) a detailed description of the rules that apply to  
3 the pari-mutuel wager and the method of calculating  
4 payouts, including how money will be allocated to the seed  
5 pool;

6 (3) the days and hours of operation during which  
7 wagering on historical horse races will be offered;

8 (4) a detailed description of the proposed designated  
9 area and the terminal or terminals on which the pari-mutuel  
10 wagers will be made, including an architect's rendering of  
11 the proposed designated area, that describes the size,  
12 construction, layout, capacity, and number of terminals  
13 and at least one photograph of the designated area when  
14 construction is completed;

15 (5) the practices and procedures that will ensure the  
16 security, safety, and comfort of patrons in the designated  
17 area;

18 (6) the manufacturer, make, and model of the terminal,  
19 including a copy of all literature supplied by the  
20 manufacturer of the terminal;

21 (7) the maintenance and repair procedures that will  
22 ensure the integrity of the terminals; and

23 (8) a complete list of individuals who are authorized  
24 to examine and repair the terminals for any reason.

25 (g) Wagering on historical horse races shall be conducted  
26 only on terminals approved by the Board as set forth in this

1 Section. The Board shall not require any particular make of  
2 terminal.

3 The Board shall require testing of each terminal used for  
4 wagering on historical horse races by an independent testing  
5 laboratory to ensure its integrity and proper working order.  
6 The independent testing laboratory shall be chosen by the  
7 Board, and the expense of the testing shall be paid by the  
8 organization licensee offering the wagering on historical  
9 horse races.

10 Each terminal for wagering for a historical horse race  
11 shall display odds or pool amounts that the patron will receive  
12 for a winning wager on each pari-mutuel wagering pool.

13 (h) After payment of the pari-mutuel tax and any other  
14 applicable taxes, each organization licensee shall allocate  
15 15% of the remaining amount retained under this Section to  
16 purse accounts.

17 (i) From the amount the Board collects from the pari-mutuel  
18 tax imposed on wagers placed on historical racing, the Board  
19 shall pay 50% of the tax to the purse accounts of the  
20 organization licensee where the tax was generated. Amounts paid  
21 under this subsection (i) to purse accounts shall not be  
22 subject to appropriation.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.