



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4766

by Rep. Robert "Bob" Rita

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Horse Racing Act of 1975. Provides that the Illinois Racing Board, in lieu of obtaining a court reporter to make accurate transcriptions at each regular and special meeting and proceeding, shall create a verbatim record of each regular and special meeting in the form of an audio or video recording, unless an emergency situation precludes the creation of a transcript or recording. Allows the Board to refuse an occupation license to any person for any other just cause. Requires an applicant for an employment position as a pari-mutuel clerk, parking attendant, or security guard to include in the application whether the applicant has ever been convicted of any theft, fraud, wagering during the course of employment, touting, bookmaking, or any other act which is detrimental to the best interests of racing. Requires a licensee to forward a copy of the application form to the Board prior to extending an offer of employment to an applicant (rather than upon its decision to hire the applicant) and certify that it has checked the applicant's background. Removes language requiring the Board's review of an applicant to include an inquiry. Provides that no organization license may be granted to conduct a horse race meeting to any person who does not, at the time of application for the organization license, have plans certified by a licensed architect and confirmed financing for construction of a race track suitable for the type of racing intended to be held by the applicant and for the accommodation of the public on property that the applicant owns or has a contract or lease for possession of with completion scheduled before the meet applied for begins. Requires an application to conduct a horse race meeting to be delivered with a certified check or bank draft payable to the order of the Board for \$10,000 (rather than \$1,000). Allows the Board to impose civil penalties of up to \$10,000 (rather than \$5,000) for individuals and up to \$25,000 (rather than \$10,000) against licensees for each violation of the Act. Makes conforming and other changes. Effective immediately.

LRB104 17812 LNS 31245 b

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  
5 amended by changing Sections 6, 9, 10, 12, 13, 14, 15, 15.3,  
6 16, 19, 20, 24, 26, 27.2, 31.1, and 40 as follows:

7 (230 ILCS 5/6) (from Ch. 8, par. 37-6)

8 Sec. 6. Restrictions on Board members.

9 (a) No person shall be appointed a member of the Board or  
10 continue to be a member of the Board if the person or any  
11 member of the person's ~~their~~ immediate family is a member of  
12 the Board of Directors, employee, or financially interested in  
13 any of the following: (i) any licensee or other person who has  
14 applied for racing dates to the Board, or the operations  
15 thereof including, but not limited to, concessions, data  
16 processing, track maintenance, track security, and pari-mutuel  
17 operations, located, scheduled or doing business within the  
18 State of Illinois, (ii) any race horse competing at a meeting  
19 under the Board's jurisdiction, or (iii) any licensee under  
20 the Illinois Gambling Act.

21 (b) No person shall be a member of the Board who is not of  
22 good moral character or who has been convicted of, or is under  
23 indictment for, a felony under the laws of Illinois or any

1 other state, or the United States.

2 (c) No member of the Board or employee shall engage in any  
3 political activity.

4 For the purposes of this subsection (c):

5 "Political" means any activity in support of or in  
6 connection with any campaign for State or local elective  
7 office or any political organization, but does not include  
8 activities (i) relating to the support or opposition of any  
9 executive, legislative, or administrative action (as those  
10 terms are defined in Section 2 of the Lobbyist Registration  
11 Act), (ii) relating to collective bargaining, or (iii) that  
12 are otherwise in furtherance of the person's official State  
13 duties or governmental and public service functions.

14 "Political organization" means a party, committee,  
15 association, fund, or other organization (whether or not  
16 incorporated) that is required to file a statement of  
17 organization with the State Board of Elections or county clerk  
18 under Section 9-3 of the Election Code, but only with regard to  
19 those activities that require filing with the State Board of  
20 Elections or county clerk.

21 (d) Board members and employees may not engage in  
22 communications or any activity that may cause or have the  
23 appearance of causing a conflict of interest. A conflict of  
24 interest exists if a situation influences or creates the  
25 appearance that it may influence judgment or performance of  
26 regulatory duties and responsibilities. This prohibition shall

1 extend to any act identified by Board action that, in the  
2 judgment of the Board, could represent the potential for or  
3 the appearance of a conflict of interest.

4 (e) Board members and employees may not accept any gift,  
5 gratuity, service, compensation, travel, lodging, or thing of  
6 value, with the exception of unsolicited items of an  
7 incidental nature, from any person, corporation, limited  
8 liability company, or entity doing business with the Board.

9 (f) A Board member or employee shall not use or attempt to  
10 use the Board member's or employee's ~~his or her~~ official  
11 position to secure, or attempt to secure, any privilege,  
12 advantage, favor, or influence for the Board member or  
13 employee ~~himself or herself~~ or others. No Board member or  
14 employee, within a period of one year immediately preceding  
15 nomination by the Governor or employment, shall have been  
16 employed or received compensation or fees for services from a  
17 person or entity, or its parent or affiliate, that has engaged  
18 in business with the Board, a licensee or a licensee under the  
19 Illinois Gambling Act. In addition, all Board members and  
20 employees are subject to the restrictions set forth in Section  
21 5-45 of the State Officials and Employees Ethics Act.

22 (Source: P.A. 101-31, eff. 6-28-19.)

23 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

24 Sec. 9. The Board shall have all powers necessary and  
25 proper to fully and effectively execute the provisions of this

1 Act, including, but not limited to, the following:

2 (a) The Board is vested with jurisdiction and supervision  
3 over all race meetings in this State, over all licensees doing  
4 business in this State, over all occupation licensees, and  
5 over all persons on the facilities of any licensee. Such  
6 jurisdiction shall include the power to issue licenses to the  
7 Illinois Department of Agriculture authorizing the pari-mutuel  
8 system of wagering on harness and Quarter Horse races held (1)  
9 at the Illinois State Fair in Sangamon County, and (2) at the  
10 DuQuoin State Fair in Perry County. The jurisdiction of the  
11 Board shall also include the power to issue licenses to county  
12 fairs which are eligible to receive funds pursuant to the  
13 Agricultural Fair Act, as now or hereafter amended, or their  
14 agents, authorizing the pari-mutuel system of wagering on  
15 horse races conducted at the county fairs receiving such  
16 licenses. Such licenses shall be governed by subsection (n) of  
17 this Section.

18 Upon application, the Board shall issue a license to the  
19 Illinois Department of Agriculture to conduct harness and  
20 Quarter Horse races at the Illinois State Fair and at the  
21 DuQuoin State Fairgrounds during the scheduled dates of each  
22 fair. The Board shall not require and the Department of  
23 Agriculture shall be exempt from the requirements of Sections  
24 15.3, 18 and 19, paragraphs (a) (2), (b), (c), (d), (e), (e-5),  
25 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24  
26 and 25. The Board and the Department of Agriculture may extend

1 any or all of these exemptions to any contractor or agent  
2 engaged by the Department of Agriculture to conduct its race  
3 meetings when the Board determines that this would best serve  
4 the public interest and the interest of horse racing.

5 Notwithstanding any provision of law to the contrary, it  
6 shall be lawful for any licensee to operate pari-mutuel  
7 wagering or contract with the Department of Agriculture to  
8 operate pari-mutuel wagering at the DuQuoin State Fairgrounds  
9 or for the Department to enter into contracts with a licensee,  
10 employ its owners, employees or agents and employ such other  
11 occupation licensees as the Department deems necessary in  
12 connection with race meetings and wagerings.

13 (b) The Board is vested with the full power to promulgate  
14 reasonable rules and regulations for the purpose of  
15 administering the provisions of this Act and to prescribe  
16 reasonable rules, regulations and conditions under which all  
17 horse race meetings or wagering in the State shall be  
18 conducted. Such reasonable rules and regulations are to  
19 provide for the prevention of practices detrimental to the  
20 public interest and to promote the best interests of horse  
21 racing and to impose penalties for violations thereof.

22 (c) The Board, and any person or persons to whom it  
23 delegates this power, is vested with the power to enter the  
24 facilities and other places of business of any licensee to  
25 determine whether there has been compliance with the  
26 provisions of this Act and its rules and regulations.

1 (d) The Board, and any person or persons to whom it  
2 delegates this power, is vested with the authority to  
3 investigate alleged violations of the provisions of this Act,  
4 its reasonable rules and regulations, orders and final  
5 decisions; the Board shall take appropriate disciplinary  
6 action against any licensee or occupation licensee for  
7 violation thereof or institute appropriate legal action for  
8 the enforcement thereof.

9 (e) The Board, and any person or persons to whom it  
10 delegates this power, may eject or exclude from any race  
11 meeting or the facilities of any licensee, or any part  
12 thereof, any occupation licensee or any other individual whose  
13 conduct or reputation is such that the individual's ~~his~~  
14 presence on those facilities may, in the opinion of the Board,  
15 call into question the honesty and integrity of horse racing  
16 or wagering or interfere with the orderly conduct of horse  
17 racing or wagering; provided, however, that no person shall be  
18 excluded or ejected from the facilities of any licensee solely  
19 on the grounds of race, color, creed, national origin,  
20 ancestry, or sex. The power to eject or exclude an occupation  
21 licensee or other individual may be exercised for just cause  
22 by the licensee or the Board, subject to subsequent hearing by  
23 the Board as to the propriety of said exclusion.

24 (f) The Board is vested with the power to acquire,  
25 establish, maintain and operate (or provide by contract to  
26 maintain and operate) testing laboratories and related

1 facilities, for the purpose of conducting saliva, blood, urine  
2 and other tests on the horses run or to be run in any horse  
3 race meeting, including races run at county fairs, and to  
4 purchase all equipment and supplies deemed necessary or  
5 desirable in connection with any such testing laboratories and  
6 related facilities and all such tests.

7 (g) The Board may require that the records, including  
8 financial or other statements of any licensee or any person  
9 affiliated with the licensee who is involved directly or  
10 indirectly in the activities of any licensee as regulated  
11 under this Act to the extent that those financial or other  
12 statements relate to such activities be kept in such manner as  
13 prescribed by the Board, and that Board employees shall have  
14 access to those records during reasonable business hours.  
15 Within 120 days of the end of its fiscal year, each licensee  
16 shall transmit to the Board an audit of the financial  
17 transactions and condition of the licensee's total operations.  
18 All audits shall be conducted by certified public accountants.  
19 Each certified public accountant must be registered in the  
20 State of Illinois under the Illinois Public Accounting Act.  
21 The compensation for each certified public accountant shall be  
22 paid directly by the licensee to the certified public  
23 accountant. A licensee shall also submit any other financial  
24 or related information the Board deems necessary to  
25 effectively administer this Act and all rules, regulations,  
26 and final decisions promulgated under this Act.

1 (h) The Board shall name and appoint in the manner  
2 provided by the rules and regulations of the Board: an  
3 Executive Director; a State director of mutuels; State  
4 veterinarians and representatives to take saliva, blood, urine  
5 and other tests on horses; licensing personnel; revenue  
6 inspectors; and State seasonal employees (excluding admission  
7 ticket sellers and mutuel clerks). All of those named and  
8 appointed as provided in this subsection shall serve during  
9 the pleasure of the Board; their compensation shall be  
10 determined by the Board and be paid in the same manner as other  
11 employees of the Board under this Act.

12 (i) The Board shall require that there shall be 3 stewards  
13 at each horse race meeting, at least 2 of whom shall be named  
14 and appointed by the Board. Stewards appointed or approved by  
15 the Board, while performing duties required by this Act or by  
16 the Board, shall be entitled to the same rights and immunities  
17 as granted to Board members and Board employees in Section 10  
18 of this Act.

19 (j) The Board may discharge any Board employee who fails  
20 or refuses for any reason to comply with the rules and  
21 regulations of the Board, or who, in the opinion of the Board,  
22 is guilty of fraud, dishonesty or who is proven to be  
23 incompetent. The Board shall have no right or power to  
24 determine who shall be officers, directors or employees of any  
25 licensee, or their salaries except as outlined in Sections  
26 15.2 and 15.3. ~~The~~ Board may, by rule, require that all or

1 any officials or employees in charge of or whose duties relate  
2 to the actual running of races be approved by the Board.

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

7 (l) The Board is vested with the power to impose civil  
8 penalties of up to \$5,000 against an individual and up to  
9 \$10,000 against a licensee for each violation of any provision  
10 of this Act, any rules adopted by the Board, any order of the  
11 Board or any other action which, in the Board's discretion, is  
12 a detriment or impediment to horse racing or wagering.  
13 Beginning on the date when any organization licensee begins  
14 conducting gaming pursuant to an organization gaming license  
15 issued under the Illinois Gambling Act, the power granted to  
16 the Board pursuant to this subsection (l) shall authorize the  
17 Board to impose penalties of up to \$10,000 against an  
18 individual and up to \$25,000 against a licensee. All such  
19 civil penalties shall be deposited into the Horse Racing Fund.

20 (m) The Board is vested with the power to prescribe a form  
21 to be used by licensees as an application for employment for  
22 employees of each licensee.

23 (n) The Board shall have the power to issue a license to  
24 any county fair, or its agent, authorizing the conduct of the  
25 pari-mutuel system of wagering. The Board is vested with the  
26 full power to promulgate reasonable rules, regulations and

1 conditions under which all horse race meetings licensed  
2 pursuant to this subsection shall be held and conducted,  
3 including rules, regulations and conditions for the conduct of  
4 the pari-mutuel system of wagering. The rules, regulations"  
5 and conditions shall provide for the prevention of practices  
6 detrimental to the public interest and for the best interests  
7 of horse racing, and shall prescribe penalties for violations  
8 thereof. Any authority granted the Board under this Act shall  
9 extend to its jurisdiction and supervision over county fairs,  
10 or their agents, licensed pursuant to this subsection.  
11 However, the Board may waive any provision of this Act or its  
12 rules or regulations which would otherwise apply to such  
13 county fairs or their agents.

14 (o) Whenever the Board is authorized or required by law to  
15 consider some aspect of criminal history record information  
16 for the purpose of carrying out its statutory powers and  
17 responsibilities, then, upon request and payment of fees in  
18 conformance with the requirements of Section 2605-400 of the  
19 Illinois State Police Law, the Illinois State Police is  
20 authorized to furnish, pursuant to positive identification,  
21 such information contained in State files as is necessary to  
22 fulfill the request.

23 (p) To insure the convenience, comfort, and wagering  
24 accessibility of race track patrons, to provide for the  
25 maximization of State revenue, and to generate increases in  
26 purse allotments to the horsemen, the Board shall require any

1 licensee to staff the pari-mutuel department with adequate  
2 personnel.

3 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

4 (230 ILCS 5/10) (from Ch. 8, par. 37-10)

5 Sec. 10. Any Board member or Board employee who is subject  
6 to any civil action arising from any act executed by a Board  
7 member or the Board employee ~~him~~ while serving as a Board  
8 member or Board employee shall be represented by the Attorney  
9 General. All costs of defending such law suit and satisfaction  
10 of any judgment rendered against a Board member or Board  
11 employee shall be incurred by the Board. Any Board member or  
12 Board employee is entitled to the benefit of this Section  
13 provided the act was committed in good faith.

14 (Source: P.A. 79-1185.)

15 (230 ILCS 5/12) (from Ch. 8, par. 37-12)

16 Sec. 12. (a) Board members shall employ under the  
17 "Personnel Code", as now or hereafter amended, such  
18 representatives, accountants, clerks, stenographers,  
19 inspectors, and other employees as may be necessary. No person  
20 shall be appointed or hold any office or position under the  
21 Board who, or any member of whose family, is:

22 (1) an official of, or has any financial or ownership  
23 interest in any licensee or occupation licensee engaged in  
24 conducting racing within this State, or ~~7~~

1           (2) an owner, trainer, jockey, or harness driver of a  
2           horse competing at a race meeting under the jurisdiction  
3           of the Board.

4           (b) Any employee violating the prohibitions set forth in  
5           subsection (a) of this Section shall be subject to the  
6           termination of the employee's ~~his or her~~ employment. If the  
7           Board determines that an employee is in violation of  
8           subsection (a) of this Section and should be discharged, it  
9           must observe the procedures outlined in the "Personnel Code",  
10          as now or hereafter amended, as they apply to discharge  
11          proceedings.

12          (c) No person employed by the Board during the 12 months  
13          preceding the effective date of this Act shall be terminated  
14          from employment due to a violation of the prohibitions set  
15          forth in subsection (a) of this Section.

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

17          (230 ILCS 5/13) (from Ch. 8, par. 37-13)

18          Sec. 13. The executive director shall perform any and all  
19          duties that the Board shall assign the executive director ~~him~~.  
20          The salary of the executive director shall be determined by  
21          the Board and, in addition, the executive director ~~he~~ shall be  
22          reimbursed for all actual and necessary expenses incurred by  
23          the executive director ~~him~~ in discharge of the executive  
24          director's ~~his~~ official duties. The executive director shall  
25          keep records of all proceedings of the Board and shall

1 preserve all records, books, documents and other papers  
2 belonging to the Board or entrusted to its care. The executive  
3 director shall devote the executive director's ~~his~~ full time  
4 to the duties of the office and shall not hold any other office  
5 or employment.

6 (Source: P.A. 84-531.)

7 (230 ILCS 5/14) (from Ch. 8, par. 37-14)

8 Sec. 14. (a) The Board shall hold regular and special  
9 meetings at such times and places as may be necessary to  
10 perform properly and effectively all duties required under  
11 this Act. A majority of the members of the Board shall  
12 constitute a quorum for the transaction of any business, for  
13 the performance of any duty, or for the exercise of any power  
14 which this Act requires the Board members to transact, perform  
15 or exercise en banc, except that upon order of the Board one of  
16 the Board members may conduct the hearing provided in Section  
17 16. The Board member conducting such hearing shall have all  
18 powers and rights granted to the Board in this Act. The record  
19 made at the hearing shall be reviewed by the Board, or a  
20 majority thereof, and the findings and decision of the  
21 majority of the Board shall constitute the order of the Board  
22 in such case.

23 (b) The Board shall obtain a court reporter who will be  
24 present at each regular and special meeting and proceeding to  
25 ~~and who shall~~ make accurate transcriptions thereof or the

1 Board shall create a verbatim record of each regular and  
2 special meeting in the form of an audio or video recording,  
3 unless, except that when in the judgment of the Board, an  
4 emergency situation precludes the creation of such transcript  
5 or recording; in which case, requires a meeting by  
6 teleconference, the executive director shall prepare minutes  
7 of the meeting indicating the date and time of the meeting and  
8 which members of the Board were present or absent, summarizing  
9 all matters proposed, deliberated, or decided at the meeting,  
10 and indicating the results of all votes taken. The public  
11 shall be allowed to listen to the proceedings of that meeting  
12 at all Board branch offices.

13 (c) The Board shall provide records which are separate and  
14 distinct from the records of any other State board or  
15 commission. Such records shall be available for public  
16 inspection and shall accurately reflect all Board proceedings.

17 (d) The Board shall file a written annual report with the  
18 Governor on or before March 1 each year and such additional  
19 reports as the Governor may request. The annual report shall  
20 include a statement of receipts and disbursements by the  
21 Board, actions taken by the Board, a report on the industry's  
22 progress toward the policy objectives established in Section  
23 1.2 of this Act, and any additional information and  
24 recommendations which the Board may deem valuable or which the  
25 Governor may request.

26 (e) The Board shall maintain a branch office on the ground

1 of every organization licensee during the organization  
2 licensee's race meeting, which office shall be kept open  
3 throughout the time the race meeting is held. The Board shall  
4 designate one of its members, or an authorized agent of the  
5 Board who shall have the authority to act for the Board, to be  
6 in charge of the branch office during the time it is required  
7 to be kept open.

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

9 (230 ILCS 5/15) (from Ch. 8, par. 37-15)

10 Sec. 15. (a) The Board shall, in its discretion, issue  
11 occupation licenses to horse owners, trainers, harness  
12 drivers, jockeys, agents, apprentices, grooms, stable foremen,  
13 exercise persons, veterinarians, valets, blacksmiths,  
14 concessionaires and others designated by the Board whose work,  
15 in whole or in part, is conducted upon facilities within the  
16 State. Such occupation licenses will be obtained prior to the  
17 persons engaging in their vocation upon such facilities. The  
18 Board shall not license pari-mutuel clerks, parking  
19 attendants, security guards and employees of concessionaires.  
20 No occupation license shall be required of any person who  
21 works at facilities within this State as a pari-mutuel clerk,  
22 parking attendant, security guard or as an employee of a  
23 concessionaire. Concessionaires of the Illinois State Fair and  
24 DuQuoin State Fair and employees of the Illinois Department of  
25 Agriculture shall not be required to obtain an occupation

1 license by the Board.

2 (b) Each application for an occupation license shall be on  
3 forms prescribed by the Board. Such license, when issued,  
4 shall be for the period ending December 31 of each year, except  
5 that the Board in its discretion may grant 3-year licenses.  
6 The application shall be accompanied by a fee of not more than  
7 \$25 per year or, in the case of 3-year occupation license  
8 applications, a fee of not more than \$60. Each applicant shall  
9 set forth in the application the applicant's ~~his~~ full name and  
10 address, and if the applicant ~~he~~ had been issued prior  
11 occupation licenses or has been licensed in any other state  
12 under any other name, such name, the applicant's ~~his~~ age,  
13 whether or not a permit or license issued to the applicant ~~him~~  
14 in any other state has been suspended or revoked and if so  
15 whether such suspension or revocation is in effect at the time  
16 of the application, and such other information as the Board  
17 may require. Fees for registration of stable names shall not  
18 exceed \$50.00. Beginning on the date when any organization  
19 licensee begins conducting gaming pursuant to an organization  
20 gaming license issued under the Illinois Gambling Act, the fee  
21 for registration of stable names shall not exceed \$150, and  
22 the application fee for an occupation license shall not exceed  
23 \$75, per year or, in the case of a 3-year occupation license  
24 application, the fee shall not exceed \$180.

25 (c) The Board may in its discretion refuse an occupation  
26 license to any person:

- 1 (1) who has been convicted of a crime;
- 2 (2) who is unqualified to perform the duties required  
3 of such applicant;
- 4 (3) who fails to disclose or states falsely any  
5 information called for in the application;
- 6 (4) who has been found guilty of a violation of this  
7 Act or of the rules and regulations of the Board; ~~or~~
- 8 (5) whose license or permit has been suspended,  
9 revoked or denied for just cause in any other  
10 jurisdiction; or state.
- 11 (6) for any other just cause.

12 (d) The Board may suspend or revoke any occupation  
13 license:

- 14 (1) for violation of any of the provisions of this  
15 Act; ~~or~~
- 16 (2) for violation of any of the rules or regulations  
17 of the Board; ~~or~~
- 18 (3) for any cause which, if known to the Board, would  
19 have justified the Board in refusing to issue such  
20 occupation license; or
- 21 (4) for any other just cause.

22 (e) Each applicant shall submit the applicant's ~~his or~~  
23 ~~her~~ fingerprints to the Illinois State Police in the form and  
24 manner prescribed by the Illinois State Police. These  
25 fingerprints shall be checked against the fingerprint records  
26 now and hereafter filed in the Illinois State Police and

1 Federal Bureau of Investigation criminal history records  
2 databases. The Illinois State Police shall charge a fee for  
3 conducting the criminal history records check, which shall be  
4 deposited in the State Police Services Fund and shall not  
5 exceed the actual cost of the records check. The Illinois  
6 State Police shall furnish, pursuant to positive  
7 identification, records of conviction to the Board. Each  
8 applicant for licensure shall submit with the applicant's ~~his~~  
9 occupation license application, on forms provided by the  
10 Board, 2 sets of the applicant's ~~his~~ fingerprints. All such  
11 applicants shall appear in person at the location designated  
12 by the Board for the purpose of submitting such sets of  
13 fingerprints; however, with the prior approval of a State  
14 steward, an applicant may have such sets of fingerprints taken  
15 by an official law enforcement agency and submitted to the  
16 Board.

17 (f) The Board may, in its discretion, issue an occupation  
18 license without submission of fingerprints if an applicant has  
19 been duly licensed in another recognized racing jurisdiction  
20 after submitting fingerprints that were subjected to a Federal  
21 Bureau of Investigation criminal history background check in  
22 that jurisdiction.

23 (g) Beginning on the date when any organization licensee  
24 begins conducting gaming pursuant to an organization gaming  
25 license issued under the Illinois Gambling Act, the Board may  
26 charge each applicant a reasonable nonrefundable fee to defray

1 the costs associated with the background investigation  
2 conducted by the Board. This fee shall be exclusive of any  
3 other fee or fees charged in connection with an application  
4 for and, if applicable, the issuance of, an organization  
5 gaming license. If the costs of the investigation exceed the  
6 amount of the fee charged, the Board shall immediately notify  
7 the applicant of the additional amount owed, payment of which  
8 must be submitted to the Board within 7 days after such  
9 notification. All information, records, interviews, reports,  
10 statements, memoranda, or other data supplied to or used by  
11 the Board in the course of its review or investigation of an  
12 applicant for a license or renewal under this Act shall be  
13 privileged, strictly confidential, and shall be used only for  
14 the purpose of evaluating an applicant for a license or a  
15 renewal. Such information, records, interviews, reports,  
16 statements, memoranda, or other data shall not be admissible  
17 as evidence, nor discoverable, in any action of any kind in any  
18 court or before any tribunal, board, agency, or person, except  
19 for any action deemed necessary by the Board.

20 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

21 (230 ILCS 5/15.3) (from Ch. 8, par. 37-15.3)

22 Sec. 15.3. Any person who makes application for an  
23 employment position as a pari-mutuel clerk, parking attendant  
24 or security guard with a licensee, where such position would  
25 involve work conducted in whole or in part at a wagering

1 facility within this State shall be required to fill out an  
2 employment application form prescribed by the Illinois Racing  
3 Board. Such application form shall require the applicant to  
4 state the following:

5 (a) whether the applicant has ever been convicted of a  
6 felony offense under the laws of this State, the laws of any  
7 other state, or the laws of the United States;

8 (b) whether the applicant has ever been convicted of a  
9 misdemeanor offense under the laws of this State, the laws of  
10 any other state, or the laws of the United States, which  
11 offense involved dishonesty, fraud, deception, ~~or~~ moral  
12 turpitude, or any of the acts prohibited in Section 15.2;

13 (c) whether the applicant has ever been excluded by the  
14 Board or any other jurisdiction where wagering is conducted;

15 (d) whether the applicant has ever committed an act of  
16 touting, bookmaking, theft, or fraud, as those terms are  
17 defined in Section 15.2 of this Act; and

18 (e) any other information that the Board may deem  
19 necessary to carry out the purposes of Public Act 84-1468.

20 The applicant shall sign the application form and certify  
21 that, under the penalties of perjury of this State, the  
22 statements set forth in the application form are true and  
23 correct.

24 The licensee shall, prior to extending an offer of  
25 employment to the applicant ~~upon its decision to hire the~~  
26 ~~applicant~~, forward a copy of the application form to the Board

1 and certify that it has checked the applicant's background and  
2 it is clear of the acts prohibited in Section 15.2. The Board  
3 shall review the application form and certification within 5  
4 business days of receipt ~~immediately upon receipt.~~

5 ~~If The Board's review of the application form shall~~  
6 ~~include an inquiry as to whether the applicant has been~~  
7 ~~accused of any of the acts prohibited under Section 15.2 of~~  
8 ~~this Act and, if the Board finds ~~does find~~ that the applicant~~  
9 has been ~~so~~ accused of an act prohibited in Section 15.2, it  
10 shall conduct an investigation to determine whether, by a  
11 standard of reasonable certainty, the applicant committed the  
12 act. If the Board determines that the applicant did commit any  
13 of the acts prohibited under that Section, it may exclude the  
14 applicant or declare that the applicant is ineligible for  
15 employment.

16 The Board may declare an applicant ineligible for  
17 employment if it finds that the applicant has been previously  
18 excluded by the Board. In making such a declaration, the Board  
19 shall consider: (a) the reasons the applicant had been  
20 previously excluded; (b) the period of time that has elapsed  
21 since the applicant was excluded; and (c) how the previous  
22 exclusion relates to the applicant's ability to perform the  
23 duties of the employment position for which he or she is  
24 applying.

25 When the Board excludes an applicant or declares an  
26 applicant ineligible for employment, it shall immediately

1 notify such applicant and the licensee of its action. A person  
2 so excluded or declared ineligible for employment may request  
3 a hearing before the Board in accordance with Section 16 of  
4 this Act.

5 No licensee may employ a pari-mutuel clerk, parking  
6 attendant or security guard at a wagering facility after such  
7 licensee has been notified that such person has been declared  
8 ineligible by the Board.

9 Nothing herein shall be construed to limit the Board's  
10 exclusionary authority under Section 16.

11 Sections 15.2 and 15.3 of this Act shall apply to any  
12 person who holds an employment position as a pari-mutuel  
13 clerk, parking attendant, or security guard subsequent to July  
14 1, 1987 with a licensee. All such employees employed prior to  
15 July 1, 1987 shall be required to file employment applications  
16 with the Board, and the information required under  
17 subparagraphs (a) through (e) of this Section pertaining to  
18 conduct or activities prior to July 1, 1987 shall only be used  
19 by the Board in its determination to exclude an applicant or  
20 its declaration that an applicant is ineligible for employment  
21 based on conduct that occurs after July 1, 1987.

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

23 (230 ILCS 5/16) (from Ch. 8, par. 37-16)

24 Sec. 16. (a) The Board shall, in accordance with Section  
25 15, have the power to revoke or suspend an occupation license,

1 and the steward or judges at a race meeting shall have the  
2 power to suspend an occupation license of any horse owner,  
3 trainer, harness driver, jockey, agent, apprentice, groom,  
4 stable foreman, exercise boy, veterinarian, valet, blacksmith  
5 or concessionaire whose work, in whole or in part, is  
6 conducted at facilities within the State, or to determine the  
7 eligibility for employment at a wagering facility of a  
8 pari-mutuel clerk, parking attendant or security guard. The  
9 Illinois Administrative Procedure Act shall not apply to the  
10 actions of the Board or of the stewards or judges at a race  
11 meeting, and those actions shall instead be subject to the  
12 procedures outlined in subsections (b) through (e) of this  
13 Section.

14 The Board may refuse to issue or may suspend the  
15 occupation license of any person who fails to file a return, or  
16 to pay the tax, penalty or interest shown in a filed return, or  
17 to pay any final assessment of tax, penalty or interest, as  
18 required by any tax Act administered by the Illinois  
19 Department of Revenue, until such time as the requirements of  
20 any such tax Act are satisfied.

21 (b) In the event the Board, for violation of the  
22 provisions of this Act or the rules and regulations of the  
23 Board or other just cause, refuses, revokes or suspends an  
24 occupation license, or a steward or the judges at any race  
25 meeting suspend an occupation license of any horse owner,  
26 trainer, harness driver, jockey, agent, apprentice, groom,

1 stable foreman, exercise person, veterinarian, valet,  
2 blacksmith, concessionaire or other occupation licensee whose  
3 work, in whole or in part is conducted at facilities within the  
4 State and owned by a licensee, or declare a person ineligible  
5 for employment, then the occupation license of the person or  
6 his eligibility for employment shall be suspended pending a  
7 hearing of the Board.

8 (c) The person affected by such action at any race meeting  
9 may request a hearing before the Board within 5 regular  
10 business days after receipt of notice of the suspension from  
11 the Board, the steward or the judges at any race meeting. The  
12 hearing shall be held by the Board within 7 regular business  
13 days after such request has been received by the Board. Any  
14 action of a steward or the judges with respect to any  
15 occupation license or eligibility for employment may be heard  
16 by the Board on its own motion by giving the aggrieved party at  
17 least 3 days' notice in writing of the time and place of the  
18 hearing.

19 (d) All hearings by the Board under this Section shall be  
20 held at such place in the State as the Board may designate and  
21 any notice provided for shall be served by mailing it postage  
22 prepaid by certified mail to the parties affected. Any such  
23 notice so mailed is deemed to have been served on the business  
24 day next following the date of such mailing.

25 (e) The Board in conducting such hearings shall not be  
26 bound by technical rules of evidence, but all evidence offered

1 before the Board shall be reduced to writing and shall, with  
2 petition and exhibits, if any, and the findings of the Board,  
3 be permanently preserved and constitute the record of the  
4 Board in such case. The Board may require that appellants bear  
5 reasonable costs of the production of hearing transcripts. Any  
6 of the parties affected in such hearing may be represented by  
7 counsel and introduce evidence. At the request of the Board,  
8 the Attorney General shall assist and participate in the  
9 conduct of such hearing.

10 (f) Every member of the Board has the power to administer  
11 oaths and affirmations, certify all official acts, issue  
12 subpoenas, compel the attendance and testimony of witnesses  
13 and the production of papers, books, accounts, and documents.

14 (g) Any person who is served with a subpoena (issued by the  
15 Board or any member thereof) to appear and testify, or to  
16 produce books, papers, accounts or documents in the course of  
17 an inquiry or hearing conducted under this Act, and who  
18 refuses or neglects to appear or to testify or to produce  
19 books, papers, accounts and documents relative to the hearings  
20 as commanded in such subpoenas, may be punished by the Circuit  
21 Court in the county where the violation is committed in the  
22 same manner as the Circuit Court may punish such refusal or  
23 neglect in a case filed in court.

24 (h) In case of disobedience to a subpoena, the Board may  
25 petition the Circuit Court in the county where the violation  
26 was committed for an order requiring the attendance and

1 testimony of witnesses or the production of documentary  
2 evidence or both. A copy of such petition shall be served by  
3 personal notice or by registered or certified mail upon the  
4 person who has failed to obey that subpoena, and such person  
5 shall be advised in writing that a hearing upon the petition  
6 will be requested in a court room to be designated in that  
7 notice before the judge occupying the courtroom on a specified  
8 date and at a specified time.

9 (i) The court, upon the filing of such a petition, may  
10 order the person refusing to obey the subpoena to appear  
11 before the Board at a designated time, or to there produce  
12 documentary evidence, if so ordered, or to give evidence  
13 relating to the subject matter of the hearing. Any failure to  
14 obey such order of the Circuit Court may be punished by that  
15 court as a civil or criminal contempt upon itself.

16 (j) The Board, any member thereof or any applicant may, in  
17 connection with any hearing before the Board, cause the  
18 deposition of witnesses within or without the State to be  
19 taken on oral or written interrogatories in the manner  
20 prescribed for depositions in the courts of this State.

21 (k) At the conclusion of such hearing, the Board shall  
22 make its findings which shall be the basis of the refusal,  
23 suspension or revocation of the occupation license or other  
24 action taken by the Board. Such findings and the action of the  
25 Board shall be final. However, the action of the Board and the  
26 propriety thereof are subject to review under Section 46.

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

2 (230 ILCS 5/19) (from Ch. 8, par. 37-19)

3 Sec. 19. (a) No organization license may be granted to  
4 conduct a horse race meeting:

5 (1) except as provided in subsection (c) of Section 21  
6 of this Act, to any person at any place within 35 miles of  
7 any other place licensed by the Board to hold a race  
8 meeting on the same date during the same hours, the  
9 mileage measurement used in this subsection (a) shall be  
10 certified to the Board by the Bureau of Systems and  
11 Services in the Illinois Department of Transportation as  
12 the most commonly used public way of vehicular travel;

13 (2) to any person in default in the payment of any  
14 obligation or debt due the State under this Act, provided  
15 no applicant shall be deemed in default in the payment of  
16 any obligation or debt due to the State under this Act as  
17 long as there is pending a hearing of any kind relevant to  
18 such matter;

19 (3) to any person who has been convicted of the  
20 violation of any law of the United States or any State law  
21 which provided as all or part of its penalty imprisonment  
22 in any penal institution; to any person against whom there  
23 is pending a Federal or State criminal charge; to any  
24 person who is or has been connected with or engaged in the  
25 operation of any illegal business; to any person who does

1 not enjoy a general reputation in the person's ~~his~~  
2 community of being an honest, upright, law-abiding person;  
3 provided that none of the matters set forth in this  
4 subparagraph (3) shall make any person ineligible to be  
5 granted an organization license if the Board determines,  
6 based on circumstances of any such case, that the granting  
7 of a license would not be detrimental to the interests of  
8 horse racing and of the public;

9 (4) to any person who does not at the time of  
10 application for the organization license own or have a  
11 contract or lease for the possession of a finished race  
12 track suitable for the type of racing intended to be held  
13 by the applicant and for the accommodation of the public  
14 or have plans certified by a licensed architect and  
15 confirmed financing for construction of a race track  
16 suitable for the type of racing intended to be held by the  
17 applicant and for the accommodation of the public on  
18 property that the applicant owns or has a contract or  
19 lease for possession of with completion scheduled before  
20 the meet applied for begins.

21 (b) (Blank).

22 (c) If any person is ineligible to receive an organization  
23 license because of any of the matters set forth in subsection  
24 (a) (2) or subsection (a) (3) of this Section, any other or  
25 separate person that either (i) controls, directly or  
26 indirectly, such ineligible person or (ii) is controlled,

1 directly or indirectly, by such ineligible person or by a  
2 person which controls, directly or indirectly, such ineligible  
3 person shall also be ineligible.

4 (Source: P.A. 101-31, eff. 6-28-19.)

5 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

6 Sec. 20. (a) Any person desiring to conduct a horse race  
7 meeting may apply to the Board for an organization license.  
8 The application shall be made on a form prescribed and  
9 furnished by the Board. The application shall specify:

10 (1) the dates on which it intends to conduct the horse  
11 race meeting, which dates shall be provided under Section  
12 21;

13 (2) the hours of each racing day between which it  
14 intends to hold or conduct horse racing at such meeting;

15 (3) the location where it proposes to conduct the  
16 meeting; and

17 (4) any other information the Board may reasonably  
18 require.

19 (b) A separate application for an organization license  
20 shall be filed for each horse race meeting which such person  
21 proposes to hold. Any such application, if made by an  
22 individual, or by any individual as trustee, shall be signed  
23 and verified under oath by such individual. If the application  
24 is made by individuals, then it shall be signed and verified  
25 under oath by at least 2 of the individuals; if the application

1 is made by a partnership, an association, a corporation, a  
2 corporate trustee, a limited liability company, or any other  
3 entity, it shall be signed by an authorized officer, a  
4 partner, a member, or a manager, as the case may be, of the  
5 entity.

6 (c) The application shall specify:

7 (1) the name of the persons, association, trust, or  
8 corporation making such application;

9 (2) the principal address of the applicant;

10 (3) if the applicant is a trustee, the names and  
11 addresses of the beneficiaries; if the applicant is a  
12 corporation, the names and addresses of all officers,  
13 stockholders and directors; or if such stockholders hold  
14 stock as a nominee or fiduciary, the names and addresses  
15 of the parties who are the beneficial owners thereof or  
16 who are beneficially interested therein; if the applicant  
17 is a partnership, the names and addresses of all partners,  
18 general or limited; if the applicant is a limited  
19 liability company, the names and addresses of the manager  
20 and members; and if the applicant is any other entity, the  
21 names and addresses of all officers or other authorized  
22 persons of the entity.

23 (d) The applicant shall execute and file with the Board a  
24 good faith affirmative action plan to recruit, train, and  
25 upgrade minorities in all classifications within the  
26 association.

1           (e) With such application there shall be delivered to the  
2 Board a certified check or bank draft payable to the order of  
3 the Board for an amount equal to \$10,000 ~~\$1,000~~. All  
4 applications for the issuance of an organization license shall  
5 be filed with the Board before August 1 of the year prior to  
6 the year for which application is made and shall be acted upon  
7 by the Board at a meeting to be held on such date as shall be  
8 fixed by the Board during the last 15 days of September of such  
9 prior year. At such meeting, the Board shall announce the  
10 award of the racing meets, live racing schedule, and  
11 designation of host track to the applicants and its approval  
12 or disapproval of each application. No announcement shall be  
13 considered binding until a formal order is executed by the  
14 Board, which shall be executed no later than October 15 of that  
15 prior year. Absent the agreement of the affected organization  
16 licensees, the Board shall not grant overlapping race meetings  
17 to 2 or more tracks that are within 100 miles of each other to  
18 conduct the thoroughbred racing.

19           (e-1) The Board shall award standardbred racing dates to  
20 organization licensees with an organization gaming license  
21 pursuant to the following schedule:

22           (1) For the first calendar year of operation of  
23 gambling games by an organization gaming licensee under  
24 this amendatory Act of the 101st General Assembly, when a  
25 single entity requests standardbred racing dates, the  
26 Board shall award no fewer than 100 days of racing. The

1           100-day requirement may be reduced to no fewer than 80  
2           days if no dates are requested for the first 3 months of a  
3           calendar year. If more than one entity requests  
4           standardbred racing dates, the Board shall award no fewer  
5           than 140 days of racing between the applicants.

6           (2) For the second calendar year of operation of  
7           gambling games by an organization gaming licensee under  
8           this amendatory Act of the 101st General Assembly, when a  
9           single entity requests standardbred racing dates, the  
10          Board shall award no fewer than 100 days of racing. The  
11          100-day requirement may be reduced to no fewer than 80  
12          days if no dates are requested for the first 3 months of a  
13          calendar year. If more than one entity requests  
14          standardbred racing dates, the Board shall award no fewer  
15          than 160 days of racing between the applicants.

16          (3) For the third calendar year of operation of  
17          gambling games by an organization gaming licensee under  
18          this amendatory Act of the 101st General Assembly, and  
19          each calendar year thereafter, when a single entity  
20          requests standardbred racing dates, the Board shall award  
21          no fewer than 120 days of racing. The 120-day requirement  
22          may be reduced to no fewer than 100 days if no dates are  
23          requested for the first 3 months of a calendar year. If  
24          more than one entity requests standardbred racing dates,  
25          the Board shall award no fewer than 200 days of racing  
26          between the applicants.

1           An organization licensee shall apply for racing dates  
2 pursuant to this subsection (e-1). In awarding racing dates  
3 under this subsection (e-1), the Board shall have the  
4 discretion to allocate those standardbred racing dates among  
5 these organization licensees.

6           (e-2) The Board shall award thoroughbred racing days to  
7 Cook County organization licensees pursuant to the following  
8 schedule:

9           (1) During the first year in which only one  
10 organization licensee is awarded an organization gaming  
11 license, the Board shall award no fewer than 110 days of  
12 racing.

13           During the second year in which only one organization  
14 licensee is awarded an organization gaming license, the  
15 Board shall award no fewer than 115 racing days.

16           During the third year and every year thereafter, in  
17 which only one organization licensee is awarded an  
18 organization gaming license, the Board shall award no  
19 fewer than 120 racing days.

20           (2) During the first year in which 2 organization  
21 licensees are awarded an organization gaming license, the  
22 Board shall award no fewer than 139 total racing days.

23           During the second year in which 2 organization  
24 licensees are awarded an organization gaming license, the  
25 Board shall award no fewer than 160 total racing days.

26           During the third year and every year thereafter in

1           which 2 organization licensees are awarded an organization  
2           gaming license, the Board shall award no fewer than 174  
3           total racing days.

4           A Cook County organization licensee shall apply for racing  
5           dates pursuant to this subsection (e-2). In awarding racing  
6           dates under this subsection (e-2), the Board shall have the  
7           discretion to allocate those thoroughbred racing dates among  
8           these Cook County organization licensees.

9           (e-3) In awarding racing dates for calendar year 2020 and  
10          thereafter in connection with a racetrack in Madison County,  
11          the Board shall award racing dates and such organization  
12          licensee shall run at least 700 thoroughbred races at the  
13          racetrack in Madison County each year.

14          Notwithstanding Section 7.7 of the Illinois Gambling Act  
15          or any provision of this Act other than subsection (e-4.5),  
16          for each calendar year for which an organization gaming  
17          licensee located in Madison County requests racing dates  
18          resulting in less than 700 live thoroughbred races at its  
19          racetrack facility, the organization gaming licensee may not  
20          conduct gaming pursuant to an organization gaming license  
21          issued under the Illinois Gambling Act for the calendar year  
22          of such requested live races.

23          (e-4) Notwithstanding the provisions of Section 7.7 of the  
24          Illinois Gambling Act or any provision of this Act other than  
25          subsections (e-3) and (e-4.5), for each calendar year for  
26          which an organization gaming licensee requests thoroughbred

1 racing dates which results in a number of live races under its  
2 organization license that is less than the total number of  
3 live races which it conducted in 2017 at its racetrack  
4 facility, the organization gaming licensee may not conduct  
5 gaming pursuant to its organization gaming license for the  
6 calendar year of such requested live races.

7 (e-4.1) Notwithstanding the provisions of Section 7.7 of  
8 the Illinois Gambling Act or any provision of this Act other  
9 than subsections (e-3) and (e-4.5), for each calendar year for  
10 which an organization licensee requests racing dates for  
11 standardbred racing which results in a number of live races  
12 that is less than the total number of live races required in  
13 subsection (e-1), the organization gaming licensee may not  
14 conduct gaming pursuant to its organization gaming license for  
15 the calendar year of such requested live races.

16 (e-4.5) The Board shall award the minimum live racing  
17 guarantees contained in subsections (e-1), (e-2), and (e-3) to  
18 ensure that each organization licensee shall individually run  
19 a sufficient number of races per year to qualify for an  
20 organization gaming license under this Act. The General  
21 Assembly finds that the minimum live racing guarantees  
22 contained in subsections (e-1), (e-2), and (e-3) are in the  
23 best interest of the sport of horse racing, and that such  
24 guarantees may only be reduced in the calendar year in which  
25 they will be conducted in the limited circumstances described  
26 in this subsection. The Board may decrease the number of

1 racing days without affecting an organization licensee's  
2 ability to conduct gaming pursuant to an organization gaming  
3 license issued under the Illinois Gambling Act only if the  
4 Board determines, after notice and hearing, that:

5 (i) a decrease is necessary to maintain a sufficient  
6 number of betting interests per race to ensure the  
7 integrity of racing;

8 (ii) there are unsafe track conditions due to weather  
9 or acts of God;

10 (iii) there is an agreement between an organization  
11 licensee and the breed association that is applicable to  
12 the involved live racing guarantee, such association  
13 representing either the largest number of thoroughbred  
14 owners and trainers or the largest number of standardbred  
15 owners, trainers and drivers who race horses at the  
16 involved organization licensee's racing meeting, so long  
17 as the agreement does not compromise the integrity of the  
18 sport of horse racing; or

19 (iv) the horse population or purse levels are  
20 insufficient to provide the number of racing opportunities  
21 otherwise required in this Act.

22 In decreasing the number of racing dates in accordance  
23 with this subsection, the Board shall hold a hearing and shall  
24 provide the public and all interested parties notice and an  
25 opportunity to be heard. The Board shall accept testimony from  
26 all interested parties, including any association representing

1 owners, trainers, jockeys, or drivers who will be affected by  
2 the decrease in racing dates. The Board shall provide a  
3 written explanation of the reasons for the decrease and the  
4 Board's findings. The written explanation shall include a  
5 listing and content of all communication between any party and  
6 any Illinois Racing Board member or staff that does not take  
7 place at a public meeting of the Board.

8 (e-5) In reviewing an application for the purpose of  
9 granting an organization license consistent with the best  
10 interests of the public and the sport of horse racing, the  
11 Board shall consider:

12 (1) the character, reputation, experience, and  
13 financial integrity of the applicant and of any other  
14 separate person that either:

15 (i) controls the applicant, directly or  
16 indirectly, or

17 (ii) is controlled, directly or indirectly, by  
18 that applicant or by a person who controls, directly  
19 or indirectly, that applicant;

20 (2) the applicant's facilities or proposed facilities  
21 for conducting horse racing;

22 (3) the total revenue without regard to Section 32.1  
23 to be derived by the State and horsemen from the  
24 applicant's conducting a race meeting;

25 (4) the applicant's good faith affirmative action plan  
26 to recruit, train, and upgrade minorities in all

1 employment classifications;

2 (5) the applicant's financial ability to purchase and  
3 maintain adequate liability and casualty insurance;

4 (6) the applicant's proposed and prior year's  
5 promotional and marketing activities and expenditures of  
6 the applicant associated with those activities;

7 (7) an agreement, if any, among organization licensees  
8 as provided in subsection (b) of Section 21 of this Act;  
9 and

10 (8) the extent to which the applicant exceeds or meets  
11 other standards for the issuance of an organization  
12 license that the Board shall adopt by rule.

13 In granting organization licenses and allocating dates for  
14 horse race meetings, the Board shall have discretion to  
15 determine an overall schedule, including required simulcasts  
16 of Illinois races by host tracks that will, in its judgment, be  
17 conducive to the best interests of the public and the sport of  
18 horse racing.

19 (e-10) The Illinois Administrative Procedure Act shall  
20 apply to administrative procedures of the Board under this Act  
21 for the granting of an organization license, except that (1)  
22 notwithstanding the provisions of subsection (b) of Section  
23 10-40 of the Illinois Administrative Procedure Act regarding  
24 cross-examination, the Board may prescribe rules limiting the  
25 right of an applicant or participant in any proceeding to  
26 award an organization license to conduct cross-examination of

1 witnesses at that proceeding where that cross-examination  
2 would unduly obstruct the timely award of an organization  
3 license under subsection (e) of Section 20 of this Act; (2) the  
4 provisions of Section 10-45 of the Illinois Administrative  
5 Procedure Act regarding proposals for decision are excluded  
6 under this Act; (3) notwithstanding the provisions of  
7 subsection (a) of Section 10-60 of the Illinois Administrative  
8 Procedure Act regarding ex parte communications, the Board may  
9 prescribe rules allowing ex parte communications with  
10 applicants or participants in a proceeding to award an  
11 organization license where conducting those communications  
12 would be in the best interest of racing, provided all those  
13 communications are made part of the record of that proceeding  
14 pursuant to subsection (c) of Section 10-60 of the Illinois  
15 Administrative Procedure Act; (4) the provisions of Section  
16 14a of this Act and the rules of the Board promulgated under  
17 that Section shall apply instead of the provisions of Article  
18 10 of the Illinois Administrative Procedure Act regarding  
19 administrative law judges; and (5) the provisions of  
20 subsection (d) of Section 10-65 of the Illinois Administrative  
21 Procedure Act that prevent summary suspension of a license  
22 pending revocation or other action shall not apply.

23 (f) The Board may allot racing dates to an organization  
24 licensee for more than one calendar year but for no more than 3  
25 successive calendar years in advance, provided that the Board  
26 shall review such allotment for more than one calendar year

1 prior to each year for which such allotment has been made. The  
2 granting of an organization license to a person constitutes a  
3 privilege to conduct a horse race meeting under the provisions  
4 of this Act, and no person granted an organization license  
5 shall be deemed to have a vested interest, property right, or  
6 future expectation to receive an organization license in any  
7 subsequent year as a result of the granting of an organization  
8 license. Organization licenses shall be subject to revocation  
9 if the organization licensee has violated any provision of  
10 this Act or the rules and regulations promulgated under this  
11 Act or has been convicted of a crime or has failed to disclose  
12 or has stated falsely any information called for in the  
13 application for an organization license. Any organization  
14 license revocation proceeding shall be in accordance with  
15 Section 16 regarding suspension and revocation of occupation  
16 licenses.

17 (f-5) If, (i) an applicant does not file an acceptance of  
18 the racing dates awarded by the Board as required under part  
19 (1) of subsection (h) of this Section 20, ~~or~~ (ii) an  
20 organization licensee has its license suspended or revoked  
21 under this Act, or (iii) an organization licensee surrenders  
22 its license, the Board, upon conducting an emergency hearing  
23 as provided for in this Act, may reaward on an emergency basis  
24 pursuant to rules established by the Board, racing dates not  
25 accepted, ~~or~~ the racing dates associated with any suspension  
26 or revocation period, or the racing dates following the

1 surrender of an organization license to one or more  
2 organization licensees, new applicants, or any combination  
3 thereof, upon terms and conditions that the Board determines  
4 are in the best interest of racing, provided, the organization  
5 licensees or new applicants receiving the awarded racing dates  
6 file an acceptance of those reawarded racing dates as required  
7 under paragraph (1) of subsection (h) of this Section 20 and  
8 comply with the other provisions of this Act. The Illinois  
9 Administrative Procedure Act shall not apply to the  
10 administrative procedures of the Board in conducting the  
11 emergency hearing and the reallocation of racing dates on an  
12 emergency basis.

13 (g) (Blank).

14 (h) The Board shall send the applicant a copy of its  
15 formally executed order by certified mail addressed to the  
16 applicant at the address stated in the applicant's ~~his~~  
17 application, which notice shall be mailed within 5 days of the  
18 date the formal order is executed.

19 Each applicant notified shall, within 10 days after  
20 receipt of the final executed order of the Board awarding  
21 racing dates:

22 (1) file with the Board an acceptance of such award in  
23 the form prescribed by the Board;

24 (2) pay to the Board an additional amount equal to  
25 \$110 for each racing date awarded; and

26 (3) file with the Board the bonds required in Sections

1           21 and 25 at least 20 days prior to the first day of each  
2           race meeting.

3           Upon compliance with the provisions of paragraphs (1), (2),  
4           and (3) of this subsection (h), the applicant shall be issued  
5           an organization license.

6           If any applicant fails to comply with this Section or  
7           fails to pay the organization license fees herein provided, no  
8           organization license shall be issued to such applicant.

9           (Source: P.A. 101-31, eff. 6-28-19.)

10           (230 ILCS 5/24) (from Ch. 8, par. 37-24)

11           Sec. 24. (a) No license shall be issued to or held by an  
12           organization licensee unless all of its officers, directors,  
13           and holders of ownership interests of at least 5% are first  
14           approved by the Board. The Board shall not give approval of an  
15           organization license application to any person who has been  
16           convicted of or is under an indictment for a crime of moral  
17           turpitude or has violated any provision of the racing law of  
18           this State or any rules of the Board.

19           (b) An organization licensee must notify the Board within  
20           10 days of any change in the holders of a direct or indirect  
21           interest in the ownership of the organization licensee. The  
22           Board may, after hearing, revoke the organization license of  
23           any person who registers on its books or knowingly permits a  
24           direct or indirect interest in the ownership of that person  
25           without notifying the Board of the name of the holder in

1 interest within this period.

2 (c) In addition to the provisions of subsection (a) of  
3 this Section, no person shall be granted an organization  
4 license if any public official of the State or member of the  
5 public official's ~~his or her~~ family holds any ownership or  
6 financial interest, directly or indirectly, in the person.

7 (d) No person which has been granted an organization  
8 license to hold a race meeting shall give to any public  
9 official or member of the public official's ~~his~~ family,  
10 directly or indirectly, for or without consideration, any  
11 interest in the person. The Board shall, after hearing, revoke  
12 the organization license granted to a person which has  
13 violated this subsection.

14 (e) (Blank).

15 (f) No organization licensee or concessionaire or officer,  
16 director or holder or controller of 5% or more legal or  
17 beneficial interest in any organization licensee or concession  
18 shall make any sort of gift or contribution that is prohibited  
19 under Article 10 of the State Officials and Employees Ethics  
20 Act or pay or give any money or other thing of value to any  
21 person who is a public official, or a candidate or nominee for  
22 public office if that payment or gift is prohibited under  
23 Article 10 of the State Officials and Employees Ethics Act.

24 (Source: P.A. 101-31, eff. 6-28-19.)

25 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

1           Sec. 26. Wagering.

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

16           (b) Except for those gaming activities for which a license  
17 is obtained and authorized under the Illinois Lottery Law, the  
18 Charitable Games Act, the Raffles and Poker Runs Act, or the  
19 Illinois Gambling Act, no other method of betting, pool  
20 making, wagering or gambling shall be used or permitted by the  
21 licensee. Each licensee may retain, subject to the payment of  
22 all applicable taxes and purses, an amount not to exceed 17% of  
23 all money wagered under subsection (a) of this Section, except  
24 as may otherwise be permitted under this Act.

25           (b-5) An individual may place a wager under the  
26 pari-mutuel system from any licensed location authorized under

1 this Act provided that wager is electronically recorded in the  
2 manner described in Section 3.12 of this Act. Any wager made  
3 electronically by an individual while physically on the  
4 premises of a licensee shall be deemed to have been made at the  
5 premises of that licensee.

6 (c) (Blank).

7 (c-5) The sum held by any licensee for payment of  
8 outstanding pari-mutuel tickets, if unclaimed prior to  
9 December 31 of the next year, shall be retained by the licensee  
10 for payment of such tickets until that date. Within 10 days  
11 thereafter, the balance of such sum remaining unclaimed, less  
12 any uncashed supplements contributed by such licensee for the  
13 purpose of guaranteeing minimum distributions of any  
14 pari-mutuel pool, shall be evenly distributed to the purse  
15 account of the organization licensee and the organization  
16 licensee, except that the balance of the sum of all  
17 outstanding pari-mutuel tickets generated from simulcast  
18 wagering and inter-track wagering by an organization licensee  
19 located in a county with a population in excess of 230,000 and  
20 borders the Mississippi River or any licensee that derives its  
21 license from that organization licensee shall be evenly  
22 distributed to the purse account of the organization licensee  
23 and the organization licensee.

24 (d) A pari-mutuel ticket shall be honored until December  
25 31 of the next calendar year, and the licensee shall pay the  
26 same and may charge the amount thereof against unpaid money

1 similarly accumulated on account of pari-mutuel tickets not  
2 presented for payment.

3 (e) No licensee shall knowingly permit any minor, other  
4 than an employee of such licensee or an owner, trainer,  
5 jockey, driver, or employee thereof, to be admitted during a  
6 racing program unless accompanied by a parent or guardian, or  
7 any minor to be a patron of the pari-mutuel system of wagering  
8 conducted or supervised by it. The admission of any  
9 unaccompanied minor, other than an employee of the licensee or  
10 an owner, trainer, jockey, driver, or employee thereof at a  
11 race track is a Class C misdemeanor.

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

1 pari-mutuel pool with the organization licensee, the tax shall  
2 be 10% of all monies received by the organization licensee  
3 with 25% of the receipts from this 10% tax to be distributed to  
4 the county in which the race was conducted.

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

13 (g) A host track may accept interstate simulcast wagers on  
14 horse races conducted in other states or countries and shall  
15 control the number of signals and types of breeds of racing in  
16 its simulcast program, subject to the disapproval of the  
17 Board. The Board may prohibit a simulcast program only if it  
18 finds that the simulcast program is clearly adverse to the  
19 integrity of racing. The host track simulcast program shall  
20 include the signal of live racing of all organization  
21 licensees. All non-host licensees and advance deposit wagering  
22 licensees shall carry the signal of and accept wagers on live  
23 racing of all organization licensees. Advance deposit wagering  
24 licensees shall not be permitted to accept out-of-state wagers  
25 on any Illinois signal provided pursuant to this Section  
26 without the approval and consent of the organization licensee

1 providing the signal. For one year after August 15, 2014 (the  
2 effective date of Public Act 98-968), non-host licensees may  
3 carry the host track simulcast program and shall accept wagers  
4 on all races included as part of the simulcast program of horse  
5 races conducted at race tracks located within North America  
6 upon which wagering is permitted. For a period of one year  
7 after August 15, 2014 (the effective date of Public Act  
8 98-968), on horse races conducted at race tracks located  
9 outside of North America, non-host licensees may accept wagers  
10 on all races included as part of the simulcast program upon  
11 which wagering is permitted. Beginning August 15, 2015 (one  
12 year after the effective date of Public Act 98-968), non-host  
13 licensees may carry the host track simulcast program and shall  
14 accept wagers on all races included as part of the simulcast  
15 program upon which wagering is permitted. All organization  
16 licensees shall provide their live signal to all advance  
17 deposit wagering licensees for a simulcast commission fee not  
18 to exceed 6% of the advance deposit wagering licensee's  
19 Illinois handle on the organization licensee's signal without  
20 prior approval by the Board. The Board may adopt rules under  
21 which it may permit simulcast commission fees in excess of 6%.  
22 The Board shall adopt rules limiting the interstate commission  
23 fees charged to an advance deposit wagering licensee. The  
24 Board shall adopt rules regarding advance deposit wagering on  
25 interstate simulcast races that shall reflect, among other  
26 things, the General Assembly's desire to maximize revenues to

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

1 permit interstate commission fees in excess of 5%. The  
2 interstate commission fee and other fees charged by the  
3 sending racetrack, including, but not limited to, satellite  
4 decoder fees, shall be uniformly applied to the host track and  
5 all non-host licensees.

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

1 who conducts advance deposit wagering on or after January 1,  
2 2013 and prior to June 7, 2013 (the effective date of Public  
3 Act 98-18) taken in reliance on the changes made to this  
4 subsection (g) by Public Act 98-18 are hereby validated,  
5 provided payment of all applicable pari-mutuel taxes are  
6 remitted to the Board. All advance deposit wagers placed from  
7 within Illinois must be placed through a Board-approved  
8 advance deposit wagering licensee; no other entity may accept  
9 an advance deposit wager from a person within Illinois. All  
10 advance deposit wagering is subject to any rules adopted by  
11 the Board. The Board may adopt rules necessary to regulate  
12 advance deposit wagering through the use of emergency  
13 rulemaking in accordance with Section 5-45 of the Illinois  
14 Administrative Procedure Act. The General Assembly finds that  
15 the adoption of rules to regulate advance deposit wagering is  
16 deemed an emergency and necessary for the public interest,  
17 safety, and welfare. An advance deposit wagering licensee may  
18 retain all moneys as agreed to by contract with an  
19 organization licensee. Any moneys retained by the organization  
20 licensee from advance deposit wagering, not including moneys  
21 retained by the advance deposit wagering licensee, shall be  
22 paid 50% to the organization licensee's purse account and 50%  
23 to the organization licensee. With the exception of any  
24 organization licensee that is owned by a publicly traded  
25 company that is incorporated in a state other than Illinois  
26 and advance deposit wagering licensees under contract with

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

24 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
25 inter-track wagering licensee other than the host track  
26 may supplement the host track simulcast program with

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

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

25 (3) Each licensee conducting interstate simulcast  
26 wagering may retain, subject to the payment of all

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

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

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

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

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

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

1 simulcast is clearly adverse to the integrity of racing.

2 (7) Effective January 1, 2017, notwithstanding any  
3 provision of this Act to the contrary, after payment of  
4 all applicable State and local taxes and interstate  
5 commission fees, non-host licensees who derive their  
6 licenses from a track located in a county with a  
7 population in excess of 230,000 and that borders the  
8 Mississippi River shall retain 50% of the retention from  
9 interstate simulcast wagers and shall pay 50% to purses at  
10 the track from which the non-host licensee derives its  
11 license.

12 (7.1) Notwithstanding any other provision of this Act  
13 to the contrary, if no standardbred racing is conducted at  
14 a racetrack located in Madison County during any calendar  
15 year beginning on or after January 1, 2002, and the  
16 licensee that conducts horse racing at that racetrack  
17 requests from the Board at least as many racing dates as  
18 were conducted in calendar year 2000, all moneys derived  
19 by that racetrack from simulcast wagering and inter-track  
20 wagering that (1) are to be used for purses and (2) are  
21 generated between the hours of 6:30 p.m. and 6:30 a.m.  
22 during that calendar year shall be paid as follows:

23 (A) Eighty percent shall be paid to its  
24 thoroughbred purse account; and

25 (B) Twenty percent shall be deposited into the  
26 Illinois Colt Stakes Purse Distribution Fund and shall

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

14 (7.2) Notwithstanding any other provision of this Act  
15 to the contrary, if no thoroughbred racing is conducted at  
16 a racetrack located in Madison County during any calendar  
17 year beginning on or after January 1, 2002, and the  
18 licensee that conducts horse racing at that racetrack  
19 requests from the Board at least as many racing dates as  
20 were conducted in calendar year 2000, all moneys derived  
21 by that racetrack from simulcast wagering and inter-track  
22 wagering that (1) are to be used for purses and (2) are  
23 generated between the hours of 6:30 a.m. and 6:30 p.m.  
24 during that calendar year shall be deposited as follows:

25 (A) Eighty percent shall be deposited into its  
26 standardbred purse 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,  
15          shall be in addition to and not in lieu of any other  
16          moneys paid to thoroughbred purses under this Act, and  
17          shall not be commingled with other moneys deposited  
18          into that Fund.

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

26          (8.1) Notwithstanding any provisions in this Act to

1 the contrary, if 2 organization licensees are conducting  
2 standardbred race meetings concurrently between the hours  
3 of 6:30 p.m. and 6:30 a.m., after payment of all  
4 applicable State and local taxes and interstate commission  
5 fees, the remainder of the amount retained from simulcast  
6 wagering otherwise attributable to the host track and to  
7 host track purses shall be split daily between the 2  
8 organization licensees and the purses at the tracks of the  
9 2 organization licensees, respectively, based on each  
10 organization licensee's share of the total live handle for  
11 that day, provided that this provision shall not apply to  
12 any non-host licensee that derives its license from a  
13 track located in a county with a population in excess of  
14 230,000 and that borders the Mississippi River.

15 (9) (Blank).

16 (10) (Blank).

17 (11) (Blank).

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

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

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

1 In the event a wagering facility entitled to a payment  
2 under this paragraph (13) is affiliated with a race track  
3 that maintains purse accounts for both standardbred and  
4 thoroughbred racing, the amount to be paid to the wagering  
5 facility shall be divided between each purse account pro  
6 rata, based on the amount of Illinois handle on Illinois  
7 standardbred and thoroughbred racing respectively at the  
8 wagering facility during the previous calendar year.  
9 Annually, the General Assembly shall appropriate  
10 sufficient funds from the General Revenue Fund to the  
11 Department of Agriculture for payment into the  
12 thoroughbred and standardbred horse racing purse accounts  
13 at Illinois pari-mutuel tracks. The amount paid to each  
14 purse account shall be the amount certified by the  
15 Illinois Racing Board in January to be transferred from  
16 each account to each eligible racing facility in  
17 accordance with the provisions of this Section. Beginning  
18 in the calendar year in which an organization licensee  
19 that is eligible to receive payment under this paragraph  
20 (13) begins to receive funds from gaming pursuant to an  
21 organization gaming license issued under the Illinois  
22 Gambling Act, the amount of the payment due to all  
23 wagering facilities licensed under that organization  
24 licensee under this paragraph (13) shall be the amount  
25 certified by the Board in January of that year. An  
26 organization licensee and its related wagering facilities

1 shall no longer be able to receive payments under this  
2 paragraph (13) beginning in the year subsequent to the  
3 first year in which the organization licensee begins to  
4 receive funds from gaming pursuant to an organization  
5 gaming license issued under the Illinois Gambling Act.

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

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

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

1 shall comply with all other rules, regulations and  
2 conditions imposed by the Board in connection therewith.

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

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

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

1           (5) Each license to conduct inter-track wagering and  
2 simulcast wagering shall specify the person to whom it is  
3 issued, the dates on which such wagering is permitted, and  
4 the track or location where the wagering is to be  
5 conducted.

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

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

14          (8) Inter-track wagering or simulcast wagering shall  
15 not be conducted at any track less than 4 miles from a  
16 track at which a racing meeting is in progress.

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

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

16 (8.2) Inter-track wagering or simulcast wagering shall  
17 not be conducted by an inter-track wagering location  
18 licensee at any location within 100 feet of an existing  
19 church, an existing elementary or secondary public school,  
20 or an existing elementary or secondary private school  
21 registered with or recognized by the State Board of  
22 Education. The distance of 100 feet shall be measured to  
23 the nearest part of any building used for worship  
24 services, education programs, or conducting inter-track  
25 wagering by an inter-track wagering location licensee, and  
26 not to property boundaries. However, inter-track wagering

1 or simulcast wagering may be conducted at a site within  
2 100 feet of a church or school if such church or school has  
3 been erected or established after the Board issues the  
4 original inter-track wagering location license at the site  
5 in question. Inter-track wagering location licensees may  
6 conduct inter-track wagering and simulcast wagering only  
7 in areas that are zoned for commercial or manufacturing  
8 purposes or in areas for which a special use has been  
9 approved by the local zoning authority. However, no  
10 license to conduct inter-track wagering and simulcast  
11 wagering shall be granted by the Board with respect to any  
12 inter-track wagering location within the jurisdiction of  
13 any local zoning authority which has, by ordinance or by  
14 resolution, prohibited the establishment of an inter-track  
15 wagering location within its jurisdiction. However,  
16 inter-track wagering and simulcast wagering may be  
17 conducted at a site if such ordinance or resolution is  
18 enacted after the Board licenses the original inter-track  
19 wagering location licensee for the site in question.

20 (9) (Blank).

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

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

5 (10.1) Except as provided in subsection (g) of Section  
6 27 of this Act, inter-track wagering location licensees  
7 shall pay 1% of the pari-mutuel handle at each location to  
8 the municipality in which such location is situated and 1%  
9 of the pari-mutuel handle at each location to the county  
10 in which such location is situated. In the event that an  
11 inter-track wagering location licensee is situated in an  
12 unincorporated area of a county, such licensee shall pay  
13 2% of the pari-mutuel handle from such location to such  
14 county. Inter-track wagering location licensees must pay  
15 the handle percentage required under this paragraph to the  
16 municipality and county no later than the 20th of the  
17 month following the month such handle was generated.

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

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

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

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

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

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

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

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

1 described in part (I) to an inter-track wagering location  
2 licensee that accepts wagers on races conducted by an  
3 organization licensee that conducts a race meet in a  
4 county with a population in excess of 230,000 and that  
5 borders the Mississippi River shall be further  
6 redistributed, effective January 1, 2017, as provided in  
7 paragraph (7) of subsection (g) of this Section 26, with  
8 the portion of that further redistribution allocated to  
9 purses at that organization licensee to be divided between  
10 standardbred purses and thoroughbred purses based on the  
11 amounts otherwise allocated to purses at that organization  
12 licensee during the calendar year in question; and (iv) 8%  
13 of the pari-mutuel handle on inter-track wagering wagered  
14 at such location to satisfy all costs and expenses of  
15 conducting its wagering. The remainder of the monies  
16 retained by the inter-track wagering location licensee  
17 shall be allocated 40% to the location licensee and 60% to  
18 the organization licensee which provides the Illinois  
19 races to the location, except that an inter-track wagering  
20 location licensee that derives its license from a track  
21 located in a county with a population in excess of 230,000  
22 and that borders the Mississippi River shall not divide  
23 any remaining retention with the organization licensee  
24 that provides the race or races and an inter-track  
25 wagering location licensee that accepts wagers on races  
26 conducted by an organization licensee that conducts a race

1 meet in a county with a population in excess of 230,000 and  
2 that borders the Mississippi River shall not divide any  
3 remaining retention with the organization licensee.  
4 Notwithstanding the provisions of clauses (ii) and (iv) of  
5 this paragraph, in the case of the additional inter-track  
6 wagering location licenses authorized under paragraph (1)  
7 of this subsection (h) by Public Act 87-110, those  
8 licensees shall pay the following amounts as purses:  
9 during the first 12 months the licensee is in operation,  
10 5.25% of the pari-mutuel handle wagered at the location on  
11 races; during the second 12 months, 5.25%; during the  
12 third 12 months, 5.75%; during the fourth 12 months,  
13 6.25%; and during the fifth 12 months and thereafter,  
14 6.75%. The following amounts shall be retained by the  
15 licensee to satisfy all costs and expenses of conducting  
16 its wagering: during the first 12 months the licensee is  
17 in operation, 8.25% of the pari-mutuel handle wagered at  
18 the location; during the second 12 months, 8.25%; during  
19 the third 12 months, 7.75%; during the fourth 12 months,  
20 7.25%; and during the fifth 12 months and thereafter,  
21 6.75%. For additional inter-track wagering location  
22 licensees authorized under Public Act 89-16, purses for  
23 the first 12 months the licensee is in operation shall be  
24 5.75% of the pari-mutuel wagered at the location, purses  
25 for the second 12 months the licensee is in operation  
26 shall be 6.25%, and purses thereafter shall be 6.75%. For

1 additional inter-track location licensees authorized under  
2 Public Act 89-16, the licensee shall be allowed to retain  
3 to satisfy all costs and expenses: 7.75% of the  
4 pari-mutuel handle wagered at the location during its  
5 first 12 months of operation, 7.25% during its second 12  
6 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  
12 Horse Racing Tax Allocation Fund pursuant to this  
13 paragraph (11) by inter-track wagering location licensees  
14 located in park districts of 500,000 population or less,  
15 or in a municipality that is not included within any park  
16 district but is included within a conservation district  
17 and is the county seat of a county that (i) is contiguous  
18 to the state of Indiana and (ii) has a 1990 population of  
19 88,257 according to the United States Bureau of the  
20 Census, and 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  
26 of 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

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

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

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

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

21 Four-sevenths to museums and aquariums located in  
22 park districts of over 500,000 population; provided  
23 that the monies are distributed in accordance with the  
24 previous year's distribution of the maintenance tax  
25 for such museums and aquariums as provided in Section  
26 2 of the Park District Aquarium and Museum Act; and

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

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

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

23           (ii) If the inter-track wagering licensee,  
24 except an inter-track wagering licensee that  
25 derives its license from an organization licensee  
26 located in a county with a population in excess of

1           230,000 and bounded by the Mississippi River, is  
2           also conducting its own race meeting during the  
3           same dates, then the purse allocation shall be as  
4           follows: 50% to purses at the track where the  
5           races wagered on are being conducted; 50% to  
6           purses at the track where the inter-track wagering  
7           licensee is accepting such wagers.

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

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

23                (A) The Board is vested with power to promulgate  
24                reasonable rules and regulations for the purpose of  
25                administering the conduct of this wagering and to  
26                prescribe reasonable rules, regulations and conditions

1 under which such wagering shall be held and conducted.  
2 Such rules and regulations are to provide for the  
3 prevention of practices detrimental to the public  
4 interest and for the best interests of said wagering  
5 and to impose penalties for violations thereof.

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

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

22 (D) (Blank).

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

1 promulgated in accordance with this Act.

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

12 (G) The Board is vested with the power to impose  
13 civil penalties of up to \$10,000 ~~\$5,000~~ against  
14 individuals and up to \$25,000 ~~\$10,000~~ against  
15 licensees for each violation of any provision of this  
16 Act relating to the conduct of this wagering, any  
17 rules adopted by the Board, any order of the Board or  
18 any other action which in the Board's discretion, is a  
19 detriment or impediment to such wagering.

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

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

19           (14) An inter-track wagering location license  
20           authorized by the Board in 2016 that is owned and operated  
21           by a race track in Rock Island County shall be transferred  
22           to a commonly owned race track in Cook County on August 12,  
23           2016 (the effective date of Public Act 99-757). The  
24           licensee shall retain its status in relation to purse  
25           distribution under paragraph (11) of this subsection (h)  
26           following the transfer to the new entity. The pari-mutuel

1 tax credit under Section 32.1 shall not be applied toward  
2 any pari-mutuel tax obligation of the inter-track wagering  
3 location licensee of the license that is transferred under  
4 this paragraph (14).

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

9 (Source: P.A. 104-185, eff. 8-15-25.)

10 (230 ILCS 5/27.2)

11 Sec. 27.2. Withholding of delinquent child support.

12 (a) From winnings required to be reported to the Internal  
13 Revenue Service and subject to withholding on Form W-2G,  
14 organization licensees and advance deposit wagering licensees  
15 licensed under this Act shall withhold up to the full amount of  
16 winnings necessary to pay the winner's past due child support  
17 amount as certified by the Department of Healthcare and Family  
18 Services under Section 10-17.15 of the Illinois Public Aid  
19 Code. Amounts withheld shall be paid to the Department of  
20 Healthcare and Family Services by the organization licensee or  
21 the advance deposit wagering licensee, as applicable.

22 (b) For withholding of winnings, the organization licensee  
23 or advance deposit wagering licensee shall be entitled to an  
24 administrative fee not to exceed the lesser of 4% of the total  
25 amount of cash winnings paid to the gambling winner or \$150.

1 (c) In no event may the total amount withheld from the cash  
2 payout, including the administrative fee, exceed the total  
3 cash winnings claimed by the obligor. If the cash payout  
4 claimed is greater than the amount sufficient to satisfy the  
5 obligor's delinquent child support payments, the organization  
6 licensee or advance deposit wagering licensee shall pay the  
7 obligor the remaining balance of the payout, less the  
8 administrative fee authorized by subsection (b) of this  
9 Section, at the time it is claimed.

10 (d) An organization licensee or an advance deposit  
11 wagering licensee that in good faith complies with the  
12 requirements of this Section shall not be liable to the gaming  
13 winner or any other individual or entity.

14 (e) For an organization licensee under this Act, an agent  
15 of the Board (such as an employee of the Board) shall be  
16 responsible for notifying the person identified as being  
17 delinquent in child support payments that the organization  
18 licensee is required by law to withhold all or a portion of the  
19 person's ~~his or her~~ winnings. This notification must be  
20 provided at the time the winnings are withheld.

21 (f) The provisions of this Section shall be operative on  
22 and after the date that rules are adopted by the Department of  
23 Healthcare and Family Services pursuant to Section 10-17.15 of  
24 the Illinois Public Aid Code.

25 (g) The delinquent child support required to be withheld  
26 under this Section and the administrative fee under subsection

1 (b) of this Section have priority over any secured or  
2 unsecured claim on cash winnings, except claims for federal or  
3 State taxes that are required to be withheld under federal or  
4 State law.

5 (Source: P.A. 98-318, eff. 8-12-13.)

6 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

7 Sec. 31.1. (a) Unless subsection (a-5) applies,  
8 organization licensees collectively shall contribute annually  
9 to charity the sum of \$750,000 to non-profit organizations  
10 that provide medical and family, counseling, and similar  
11 services to persons who reside or work on the backstretch of  
12 Illinois racetracks. Unless subsection (a-5) applies, these  
13 contributions shall be collected as follows: (i) no later than  
14 July 1st of each year the Board shall assess each organization  
15 licensee, ~~except those tracks located in Madison County, which~~  
16 ~~tracks shall pay \$30,000 annually apiece into the Board~~  
17 ~~charity fund,~~ that amount which equals \$750,000 ~~\$690,000~~  
18 multiplied by the amount of pari-mutuel wagering handled by  
19 the organization licensee in the year preceding assessment and  
20 divided by the total pari-mutuel wagering handled by all  
21 Illinois organization licensees, ~~except those tracks located~~  
22 ~~in Madison and Rock Island counties,~~ in the year preceding  
23 assessment; (ii) notice of the assessed contribution shall be  
24 mailed to each organization licensee; (iii) no later than  
25 September 1st of each year ~~within thirty days of its receipt of~~

1 ~~such notice~~, each organization licensee shall remit the  
2 assessed contribution to the Board. Unless subsection (a-5)  
3 applies, if an organization licensee commences operation of  
4 gaming at its facility pursuant to an organization gaming  
5 license under the Illinois Gambling Act, then the organization  
6 licensee shall contribute an additional \$83,000 per year  
7 beginning in the year subsequent to the first year in which the  
8 organization licensee begins receiving funds from gaming  
9 pursuant to an organization gaming license. If an organization  
10 licensee willfully ~~wilfully~~ fails to so remit the  
11 contribution, the Board may revoke its license to conduct  
12 horse racing.

13 (a-5) If (1) an organization licensee that did not operate  
14 live racing in 2017 is awarded racing dates in 2018 or in any  
15 subsequent year and (2) all organization licensees are  
16 operating gaming pursuant to an organization gaming license  
17 under the Illinois Gambling Act, then subsection (a) does not  
18 apply and organization licensees collectively shall contribute  
19 annually to charity the sum of \$1,000,000 to non-profit  
20 organizations that provide medical and family, counseling, and  
21 similar services to persons who reside or work on the  
22 backstretch of Illinois racetracks. These contributions shall  
23 be collected as follows: (i) no later than July 1st of each  
24 year the Board shall assess each organization licensee an  
25 amount based on the proportionate amount of live racing days  
26 in the calendar year for which the Board has awarded to the

1 organization licensee out of the total aggregate number of  
2 live racing days awarded; (ii) notice of the assessed  
3 contribution shall be mailed to each organization licensee;  
4 (iii) no later than September 1st of each year ~~within 30 days~~  
5 ~~after its receipt of such notice~~, each organization licensee  
6 shall remit the assessed contribution to the Board. If an  
7 organization licensee willfully fails to so remit the  
8 contribution, the Board may revoke its license to conduct  
9 horse racing.

10 (b) No later than October 1st of each year, any qualified  
11 charitable organization seeking an allotment of contributed  
12 funds shall submit to the Board an application for those  
13 funds, using the Board's approved form. The Board shall  
14 distribute all such amounts collected that year to such  
15 charitable organization applicants on a schedule determined by  
16 the Board, based on the charitable organization's estimated  
17 expenditures related to this grant. Any funds not expended by  
18 the grantee in a grant year shall be distributed to the  
19 charitable organization or charitable organizations selected  
20 in the next grant year after the funds are recovered in  
21 addition to the amounts specified in subsections (a) and  
22 (a-5).

23 (Source: P.A. 104-185, eff. 8-15-25.)

24 (230 ILCS 5/40) (from Ch. 8, par. 37-40)

25 Sec. 40. (a) The imposition of any fine or penalty

1 provided in this Act shall not preclude the Board in its rules  
2 and regulations from imposing a fine or penalty for any other  
3 action which, in the Board's discretion, is a detriment or  
4 impediment to horse racing.

5 (b) The Director of Agriculture or the Director's ~~his or~~  
6 ~~her~~ authorized representative shall impose the following  
7 monetary penalties and hold administrative hearings as  
8 required for failure to submit the following applications,  
9 lists, or reports within the time period, date or manner  
10 required by statute or rule or for removing a foal from  
11 Illinois prior to inspection:

12 (1) late filing of a renewal application for offering  
13 or standing stallion for service:

14 (A) if an application is submitted no more than 30  
15 days late, \$50;

16 (B) if an application is submitted no more than 45  
17 days late, \$150; or

18 (C) if an application is submitted more than 45  
19 days late, if filing of the application is allowed  
20 under an administrative hearing, \$250;

21 (2) late filing of list or report of mares bred:

22 (A) if a list or report is submitted no more than  
23 30 days late, \$50;

24 (B) if a list or report is submitted no more than  
25 60 days late, \$150; or

26 (C) if a list or report is submitted more than 60

1 days late, if filing of the list or report is allowed  
2 under an administrative hearing, \$250;

3 (3) filing an Illinois foaled thoroughbred mare status  
4 report after the statutory deadline as provided in  
5 subsection (k) of Section 30 of this Act:

6 (A) if a report is submitted no more than 30 days  
7 late, \$50;

8 (B) if a report is submitted no more than 90 days  
9 late, \$150;

10 (C) if a report is submitted no more than 150 days  
11 late, \$250; or

12 (D) if a report is submitted more than 150 days  
13 late, if filing of the report is allowed under an  
14 administrative hearing, \$500;

15 (4) late filing of application for foal eligibility  
16 certificate:

17 (A) if an application is submitted no more than 30  
18 days late, \$50;

19 (B) if an application is submitted no more than 90  
20 days late, \$150;

21 (C) if an application is submitted no more than  
22 150 days late, \$250; or

23 (D) if an application is submitted more than 150  
24 days late, if filing of the application is allowed  
25 under an administrative hearing, \$500;

26 (5) failure to report the intent to remove a foal from

1 Illinois prior to inspection, identification and  
2 certification by a Department of Agriculture investigator,  
3 \$50; and

4 (6) if a list or report of mares bred is incomplete,  
5 \$50 per mare not included on the list or report.

6 Any person upon whom monetary penalties are imposed under  
7 this Section 3 times within a 5-year period shall have any  
8 further monetary penalties imposed at double the amounts set  
9 forth above. All monies assessed and collected for violations  
10 relating to thoroughbreds shall be paid into the Illinois  
11 Thoroughbred Breeders Fund. All monies assessed and collected  
12 for violations relating to standardbreds shall be paid into  
13 the Illinois Standardbred Breeders Fund.

14 (Source: P.A. 100-201, eff. 8-18-17; 101-31, eff. 6-28-19.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	230 ILCS 5/6	from Ch. 8, par. 37-6
4	230 ILCS 5/9	from Ch. 8, par. 37-9
5	230 ILCS 5/10	from Ch. 8, par. 37-10
6	230 ILCS 5/12	from Ch. 8, par. 37-12
7	230 ILCS 5/13	from Ch. 8, par. 37-13
8	230 ILCS 5/14	from Ch. 8, par. 37-14
9	230 ILCS 5/15	from Ch. 8, par. 37-15
10	230 ILCS 5/15.3	from Ch. 8, par. 37-15.3
11	230 ILCS 5/16	from Ch. 8, par. 37-16
12	230 ILCS 5/19	from Ch. 8, par. 37-19
13	230 ILCS 5/20	from Ch. 8, par. 37-20
14	230 ILCS 5/24	from Ch. 8, par. 37-24
15	230 ILCS 5/26	from Ch. 8, par. 37-26
16	230 ILCS 5/27.2	
17	230 ILCS 5/31.1	from Ch. 8, par. 37-31.1
18	230 ILCS 5/40	from Ch. 8, par. 37-40