



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5469

Introduced 2/13/2026, by Rep. Robert "Bob" Rita - Elizabeth "Lisa" Hernandez

SYNOPSIS AS INTRODUCED:

230 ILCS 5/26	from Ch. 8, par. 37-26
230 ILCS 5/31.1	from Ch. 8, par. 37-31.1
230 ILCS 5/32.1	
230 ILCS 10/7.7	

Amends the Illinois Horse Racing Act of 1975. Provides that, in addition to the appropriation for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks, a one-time appropriation shall be made for the 3-year period before the effective date of the amendatory Act for which appropriations were not made. Makes conforming changes. Makes changes to provisions concerning the calculation of organization licensees' annual contributions to non-profit organizations that provide medical and family, counseling, and similar services to persons who reside or work on the backstretch of Illinois racetracks. Provides that for the 10-year (rather than 5-year) period beginning on the January 1 of the calendar year immediately following the calendar year during which an organization licensee begins conducting gaming operations, the organization licensee shall make capital expenditures to the improvement and maintenance of the backstretch. Amends the Illinois Gambling Act. Requires a person or entity having operating control of a racetrack to pay an initial fee of \$17,500 (rather than \$30,000) per gaming position from organization gaming licensees where gaming is conducted in Cook County. Provides that a person or entity having operating control of a racetrack located in Cook County shall only pay the initial fees for 720 of the gaming positions authorized under the license. Provides that the required reconciliation payments for an organization gaming licensee who operates gaming positions may be made in installments over a period of no more than 12 (rather than 6) years.

LRB104 18730 LNS 32173 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 26, 31.1, and 32.1 as follows:

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

7 Sec. 26. Wagering.

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

22 (b) Except for those gaming activities for which a license
23 is obtained and authorized under the Illinois Lottery Law, the

1 Charitable Games Act, the Raffles and Poker Runs Act, or the
2 Illinois Gambling Act, no other method of betting, pool
3 making, wagering or gambling shall be used or permitted by the
4 licensee. Each licensee may retain, subject to the payment of
5 all applicable taxes and purses, an amount not to exceed 17% of
6 all money wagered under subsection (a) of this Section, except
7 as may otherwise be permitted under this Act.

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

15 (c) (Blank).

16 (c-5) The sum held by any licensee for payment of
17 outstanding pari-mutuel tickets, if unclaimed prior to
18 December 31 of the next year, shall be retained by the licensee
19 for payment of such tickets until that date. Within 10 days
20 thereafter, the balance of such sum remaining unclaimed, less
21 any uncashed supplements contributed by such licensee for the
22 purpose of guaranteeing minimum distributions of any
23 pari-mutuel pool, shall be evenly distributed to the purse
24 account of the organization licensee and the organization
25 licensee, except that the balance of the sum of all
26 outstanding pari-mutuel tickets generated from simulcast

1 wagering and inter-track wagering by an organization licensee
2 located in a county with a population in excess of 230,000 and
3 borders the Mississippi River or any licensee that derives its
4 license from that organization licensee shall be evenly
5 distributed to the purse account of the organization licensee
6 and the organization licensee.

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

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

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

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

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

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

1 finds that the simulcast program is clearly adverse to the
2 integrity of racing. The host track simulcast program shall
3 include the signal of live racing of all organization
4 licensees. All non-host licensees and advance deposit wagering
5 licensees shall carry the signal of and accept wagers on live
6 racing of all organization licensees. Advance deposit wagering
7 licensees shall not be permitted to accept out-of-state wagers
8 on any Illinois signal provided pursuant to this Section
9 without the approval and consent of the organization licensee
10 providing the signal. For one year after August 15, 2014 (the
11 effective date of Public Act 98-968), non-host licensees may
12 carry the host track simulcast program and shall accept wagers
13 on all races included as part of the simulcast program of horse
14 races conducted at race tracks located within North America
15 upon which wagering is permitted. For a period of one year
16 after August 15, 2014 (the effective date of Public Act
17 98-968), on horse races conducted at race tracks located
18 outside of North America, non-host licensees may accept wagers
19 on all races included as part of the simulcast program upon
20 which wagering is permitted. Beginning August 15, 2015 (one
21 year after the effective date of Public Act 98-968), non-host
22 licensees may carry the host track simulcast program and shall
23 accept wagers on all races included as part of the simulcast
24 program upon which wagering is permitted. All organization
25 licensees shall provide their live signal to all advance
26 deposit wagering licensees for a simulcast commission fee not

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

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

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

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

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

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

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

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

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

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

25 (4) A licensee who receives an interstate simulcast
26 may combine its gross or net pools with pools at the

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

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

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

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

1 non-host licensee, and 50% to the purses at the host
2 track.

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

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

21 (7.1) Notwithstanding any other provision of this Act
22 to the contrary, if no standardbred racing is conducted at
23 a racetrack located in Madison County during any calendar
24 year beginning on or after January 1, 2002, and the
25 licensee that conducts horse racing at that racetrack
26 requests from the Board at least as many racing dates as

1 were conducted in calendar year 2000, all moneys derived
2 by that racetrack from simulcast wagering and inter-track
3 wagering that (1) are to be used for purses and (2) are
4 generated between the hours of 6:30 p.m. and 6:30 a.m.
5 during that calendar year shall be paid as follows:

6 (A) Eighty percent shall be paid to its
7 thoroughbred purse account; and

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

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

1 licensee that conducts horse racing at that racetrack
2 requests from the Board at least as many racing dates as
3 were conducted in calendar year 2000, all moneys derived
4 by that racetrack from simulcast wagering and inter-track
5 wagering that (1) are to be used for purses and (2) are
6 generated between the hours of 6:30 a.m. and 6:30 p.m.
7 during that calendar year shall be deposited as follows:

8 (A) Eighty percent shall be deposited into its
9 standardbred purse account; and

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

1 into that Fund.

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

9 (8.1) Notwithstanding any provisions in this Act to
10 the contrary, if 2 organization licensees are conducting
11 standardbred race meetings concurrently between the hours
12 of 6:30 p.m. and 6:30 a.m., after payment of all
13 applicable State and local taxes and interstate commission
14 fees, the remainder of the amount retained from simulcast
15 wagering otherwise attributable to the host track and to
16 host track purses shall be split daily between the 2
17 organization licensees and the purses at the tracks of the
18 2 organization licensees, respectively, based on each
19 organization licensee's share of the total live handle for
20 that day, provided that this provision shall not apply to
21 any non-host licensee that derives its license from a
22 track located in a county with a population in excess of
23 230,000 and that borders the Mississippi River.

24 (9) (Blank).

25 (10) (Blank).

26 (11) (Blank).

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

6 (13) Notwithstanding any other provision of this Act,
7 in the event that the total Illinois pari-mutuel handle on
8 Illinois horse races at all wagering facilities in any
9 calendar year is less than 75% of the total Illinois
10 pari-mutuel handle on Illinois horse races at all such
11 wagering facilities for calendar year 1994, then each
12 wagering facility that has an annual total Illinois
13 pari-mutuel handle on Illinois horse races that is less
14 than 75% of the total Illinois pari-mutuel handle on
15 Illinois horse races at such wagering facility for
16 calendar year 1994, shall be permitted to receive, from
17 any amount otherwise payable to the purse account at the
18 race track with which the wagering facility is affiliated
19 in the succeeding calendar year, an amount equal to 2% of
20 the differential in total Illinois pari-mutuel handle on
21 Illinois horse races at the wagering facility between that
22 calendar year in question and 1994 provided, however, that
23 a wagering facility shall not be entitled to any such
24 payment until the Board certifies in writing to the
25 wagering facility the amount to which the wagering
26 facility is entitled and a schedule for payment of the

1 amount to the wagering facility, based on: (i) the racing
2 dates awarded to the race track affiliated with the
3 wagering facility during the succeeding year; (ii) the
4 sums available or anticipated to be available in the purse
5 account of the race track affiliated with the wagering
6 facility for purses during the succeeding year; and (iii)
7 the need to ensure reasonable purse levels during the
8 payment period. The Board's certification shall be
9 provided no later than January 31 of the succeeding year.
10 In the event a wagering facility entitled to a payment
11 under this paragraph (13) is affiliated with a race track
12 that maintains purse accounts for both standardbred and
13 thoroughbred racing, the amount to be paid to the wagering
14 facility shall be divided between each purse account pro
15 rata, based on the amount of Illinois handle on Illinois
16 standardbred and thoroughbred racing respectively at the
17 wagering facility during the previous calendar year.
18 Annually, the General Assembly shall appropriate
19 sufficient funds from the General Revenue Fund to the
20 Department of Agriculture for payment into the
21 thoroughbred and standardbred horse racing purse accounts
22 at Illinois pari-mutuel tracks. The amount paid to each
23 purse account shall be the amount certified by the
24 Illinois Racing Board in January to be transferred from
25 each account to each eligible racing facility in
26 accordance with the provisions of this Section. In

1 addition to the annual appropriation, the General Assembly
2 shall make a one-time appropriation for the 3-year period
3 before the effective date of this amendatory Act of the
4 104th General Assembly for which appropriations were not
5 made. Beginning in the calendar year in which an
6 organization licensee that is eligible to receive payment
7 under this paragraph (13) begins to receive funds from
8 gaming pursuant to an organization gaming license issued
9 under the Illinois Gambling Act, the amount of the payment
10 due to all wagering facilities licensed under that
11 organization licensee under this paragraph (13) shall be
12 the amount certified by the Board in January of that year.
13 An organization licensee and its related wagering
14 facilities shall no longer be able to receive payments
15 under this paragraph (13) beginning in the year subsequent
16 to the fifth ~~first~~ year in which the organization licensee
17 begins to receive funds from gaming pursuant to an
18 organization gaming license issued under the Illinois
19 Gambling Act.

20 (h) The Board may approve and license the conduct of
21 inter-track wagering and simulcast wagering by inter-track
22 wagering licensees and inter-track wagering location licensees
23 subject to the following terms and conditions:

24 (1) Any person licensed to conduct a race meeting (i)
25 at a track where 60 or more days of racing were conducted
26 during the immediately preceding calendar year or where

1 over the 5 immediately preceding calendar years an average
2 of 30 or more days of racing were conducted annually may be
3 issued an inter-track wagering license; (ii) at a track
4 located in a county that is bounded by the Mississippi
5 River, which has a population of less than 150,000
6 according to the 1990 decennial census, and an average of
7 at least 60 days of racing per year between 1985 and 1993
8 may be issued an inter-track wagering license; (iii) at a
9 track awarded standardbred racing dates; or (iv) at a
10 track located in Madison County that conducted at least
11 100 days of live racing during the immediately preceding
12 calendar year may be issued an inter-track wagering
13 license, unless a lesser schedule of live racing is the
14 result of (A) weather, unsafe track conditions, or other
15 acts of God; (B) an agreement between the organization
16 licensee and the associations representing the largest
17 number of owners, trainers, jockeys, or standardbred
18 drivers who race horses at that organization licensee's
19 racing meeting; or (C) a finding by the Board of
20 extraordinary circumstances and that it was in the best
21 interest of the public and the sport to conduct fewer than
22 100 days of live racing. Any such person having operating
23 control of the racing facility may receive inter-track
24 wagering location licenses. An eligible race track located
25 in a county that has a population of more than 230,000 and
26 that is bounded by the Mississippi River may establish up

1 to 9 inter-track wagering locations, an eligible race
2 track located in Stickney Township in Cook County may
3 establish up to 16 inter-track wagering locations, and an
4 eligible race track located in Palatine Township in Cook
5 County may establish up to 18 inter-track wagering
6 locations. An eligible racetrack conducting standardbred
7 racing may have up to 16 inter-track wagering locations.
8 An application for said license shall be filed with the
9 Board prior to such dates as may be fixed by the Board.
10 With an application for an inter-track wagering location
11 license there shall be delivered to the Board a certified
12 check or bank draft payable to the order of the Board for
13 an amount equal to \$500. The application shall be on forms
14 prescribed and furnished by the Board. The application
15 shall comply with all other rules, regulations and
16 conditions imposed by the Board in connection therewith.

17 (2) The Board shall examine the applications with
18 respect to their conformity with this Act and the rules
19 and regulations imposed by the Board. If found to be in
20 compliance with the Act and rules and regulations of the
21 Board, the Board may then issue a license to conduct
22 inter-track wagering and simulcast wagering to such
23 applicant. All such applications shall be acted upon by
24 the Board at a meeting to be held on such date as may be
25 fixed by the Board.

26 (3) In granting licenses to conduct inter-track

1 wagering and simulcast wagering, the Board shall give due
2 consideration to the best interests of the public, of
3 horse racing, and of maximizing revenue to the State.

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

15 (5) Each license to conduct inter-track wagering and
16 simulcast wagering shall specify the person to whom it is
17 issued, the dates on which such wagering is permitted, and
18 the track or location where the wagering is to be
19 conducted.

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

24 (7) An inter-track wagering licensee or inter-track
25 wagering location licensee may accept wagers at the track
26 or location where it is licensed, or as otherwise provided

1 under this Act.

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

5 (8.1) Inter-track wagering location licensees who
6 derive their licenses from a particular organization
7 licensee shall conduct inter-track wagering and simulcast
8 wagering only at locations that are within 160 miles of
9 that race track where the particular organization licensee
10 is licensed to conduct racing. However, inter-track
11 wagering and simulcast wagering shall not be conducted by
12 those licensees at any location within 5 miles of any race
13 track at which a horse race meeting has been licensed in
14 the current year, unless the person having operating
15 control of such race track has given its written consent
16 to such inter-track wagering location licensees, which
17 consent must be filed with the Board at or prior to the
18 time application is made. In the case of any inter-track
19 wagering location licensee initially licensed after
20 December 31, 2013, inter-track wagering and simulcast
21 wagering shall not be conducted by those inter-track
22 wagering location licensees that are located outside the
23 City of Chicago at any location within 8 miles of any race
24 track at which a horse race meeting has been licensed in
25 the current year, unless the person having operating
26 control of such race track has given its written consent

1 to such inter-track wagering location licensees, which
2 consent must be filed with the Board at or prior to the
3 time application is made.

4 (8.2) Inter-track wagering or simulcast wagering shall
5 not be conducted by an inter-track wagering location
6 licensee at any location within 100 feet of an existing
7 church, an existing elementary or secondary public school,
8 or an existing elementary or secondary private school
9 registered with or recognized by the State Board of
10 Education. The distance of 100 feet shall be measured to
11 the nearest part of any building used for worship
12 services, education programs, or conducting inter-track
13 wagering by an inter-track wagering location licensee, and
14 not to property boundaries. However, inter-track wagering
15 or simulcast wagering may be conducted at a site within
16 100 feet of a church or school if such church or school has
17 been erected or established after the Board issues the
18 original inter-track wagering location license at the site
19 in question. Inter-track wagering location licensees may
20 conduct inter-track wagering and simulcast wagering only
21 in areas that are zoned for commercial or manufacturing
22 purposes or in areas for which a special use has been
23 approved by the local zoning authority. However, no
24 license to conduct inter-track wagering and simulcast
25 wagering shall be granted by the Board with respect to any
26 inter-track wagering location within the jurisdiction of

1 any local zoning authority which has, by ordinance or by
2 resolution, prohibited the establishment of an inter-track
3 wagering location within its jurisdiction. However,
4 inter-track wagering and simulcast wagering may be
5 conducted at a site if such ordinance or resolution is
6 enacted after the Board licenses the original inter-track
7 wagering location licensee for the site in question.

8 (9) (Blank).

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

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

1 2% of the pari-mutuel handle from such location to such
2 county. Inter-track wagering location licensees must pay
3 the handle percentage required under this paragraph to the
4 municipality and county no later than the 20th of the
5 month following the month such handle was generated.

6 (10.2) Notwithstanding any other provision of this
7 Act, with respect to inter-track wagering at a race track
8 located in a county that has a population of more than
9 230,000 and that is bounded by the Mississippi River ("the
10 first race track"), or at a facility operated by an
11 inter-track wagering licensee or inter-track wagering
12 location licensee that derives its license from the
13 organization licensee that operates the first race track,
14 on races conducted at the first race track or on races
15 conducted at another Illinois race track and
16 simultaneously televised to the first race track or to a
17 facility operated by an inter-track wagering licensee or
18 inter-track wagering location licensee that derives its
19 license from the organization licensee that operates the
20 first race track, those moneys shall be allocated as
21 follows:

22 (A) That portion of all moneys wagered on
23 standardbred racing that is required under this Act to
24 be paid to purses shall be paid to purses for
25 standardbred races.

26 (B) That portion of all moneys wagered on

1 thoroughbred racing that is required under this Act to
2 be paid to purses shall be paid to purses for
3 thoroughbred races.

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

24 (B) From the sums permitted to be retained pursuant to
25 this Act each inter-track wagering location licensee shall
26 pay (i) the privilege or pari-mutuel tax to the State;

1 (ii) 4.75% of the pari-mutuel handle on inter-track
2 wagering at such location on races as purses, except that
3 an inter-track wagering location licensee that derives its
4 license from a track located in a county with a population
5 in excess of 230,000 and that borders the Mississippi
6 River shall retain all purse moneys for its own purse
7 account consistent with distribution set forth in this
8 subsection (h), and inter-track wagering location
9 licensees that accept wagers on races conducted by an
10 organization licensee located in a county with a
11 population in excess of 230,000 and that borders the
12 Mississippi River shall distribute all purse moneys to
13 purses at the operating host track; (iii) until January 1,
14 2000, except as provided in subsection (g) of Section 27
15 of this Act, 1% of the pari-mutuel handle wagered on
16 inter-track wagering and simulcast wagering at each
17 inter-track wagering location licensee facility to the
18 Horse Racing Tax Allocation Fund, provided that, to the
19 extent the total amount collected and distributed to the
20 Horse Racing Tax Allocation Fund under this subsection (h)
21 during any calendar year exceeds the amount collected and
22 distributed to the Horse Racing Tax Allocation Fund during
23 calendar year 1994, that excess amount shall be
24 redistributed (I) to all inter-track wagering location
25 licensees, based on each licensee's pro rata share of the
26 total handle from inter-track wagering and simulcast

1 wagering for all inter-track wagering location licensees
2 during the calendar year in which this provision is
3 applicable; then (II) the amounts redistributed to each
4 inter-track wagering location licensee as described in
5 subpart (I) shall be further redistributed as provided in
6 subparagraph (B) of paragraph (5) of subsection (g) of
7 this Section 26 provided first, that the shares of those
8 amounts, which are to be redistributed to the host track
9 or to purses at the host track under subparagraph (B) of
10 paragraph (5) of subsection (g) of this Section 26 shall
11 be redistributed based on each host track's pro rata share
12 of the total inter-track wagering and simulcast wagering
13 handle at all host tracks during the calendar year in
14 question, and second, that any amounts redistributed as
15 described in part (I) to an inter-track wagering location
16 licensee that accepts wagers on races conducted by an
17 organization licensee that conducts a race meet in a
18 county with a population in excess of 230,000 and that
19 borders the Mississippi River shall be further
20 redistributed, effective January 1, 2017, as provided in
21 paragraph (7) of subsection (g) of this Section 26, with
22 the portion of that further redistribution allocated to
23 purses at that organization licensee to be divided between
24 standardbred purses and thoroughbred purses based on the
25 amounts otherwise allocated to purses at that organization
26 licensee during the calendar year in question; and (iv) 8%

1 of the pari-mutuel handle on inter-track wagering wagered
2 at such location to satisfy all costs and expenses of
3 conducting its wagering. The remainder of the monies
4 retained by the inter-track wagering location licensee
5 shall be allocated 40% to the location licensee and 60% to
6 the organization licensee which provides the Illinois
7 races to the location, except that an inter-track wagering
8 location licensee that derives its license from a track
9 located in a county with a population in excess of 230,000
10 and that borders the Mississippi River shall not divide
11 any remaining retention with the organization licensee
12 that provides the race or races and an inter-track
13 wagering location licensee that accepts wagers on races
14 conducted by an organization licensee that conducts a race
15 meet in a county with a population in excess of 230,000 and
16 that borders the Mississippi River shall not divide any
17 remaining retention with the organization licensee.
18 Notwithstanding the provisions of clauses (ii) and (iv) of
19 this paragraph, in the case of the additional inter-track
20 wagering location licenses authorized under paragraph (1)
21 of this subsection (h) by Public Act 87-110, those
22 licensees shall pay the following amounts as purses:
23 during the first 12 months the licensee is in operation,
24 5.25% of the pari-mutuel handle wagered at the location on
25 races; during the second 12 months, 5.25%; during the
26 third 12 months, 5.75%; during the fourth 12 months,

1 6.25%; and during the fifth 12 months and thereafter,
2 6.75%. The following amounts shall be retained by the
3 licensee to satisfy all costs and expenses of conducting
4 its wagering: during the first 12 months the licensee is
5 in operation, 8.25% of the pari-mutuel handle wagered at
6 the location; during the second 12 months, 8.25%; during
7 the third 12 months, 7.75%; during the fourth 12 months,
8 7.25%; and during the fifth 12 months and thereafter,
9 6.75%. For additional inter-track wagering location
10 licensees authorized under Public Act 89-16, purses for
11 the first 12 months the licensee is in operation shall be
12 5.75% of the pari-mutuel wagered at the location, purses
13 for the second 12 months the licensee is in operation
14 shall be 6.25%, and purses thereafter shall be 6.75%. For
15 additional inter-track location licensees authorized under
16 Public Act 89-16, the licensee shall be allowed to retain
17 to satisfy all costs and expenses: 7.75% of the
18 pari-mutuel handle wagered at the location during its
19 first 12 months of operation, 7.25% during its second 12
20 months of operation, and 6.75% thereafter.

21 (C) There is hereby created the Horse Racing Tax
22 Allocation Fund which shall remain in existence until
23 December 31, 1999. Moneys remaining in the Fund after
24 December 31, 1999 shall be paid into the General Revenue
25 Fund. Until January 1, 2000, all monies paid into the
26 Horse Racing Tax Allocation Fund pursuant to this

1 paragraph (11) by inter-track wagering location licensees
2 located in park districts of 500,000 population or less,
3 or in a municipality that is not included within any park
4 district but is included within a conservation district
5 and is the county seat of a county that (i) is contiguous
6 to the state of Indiana and (ii) has a 1990 population of
7 88,257 according to the United States Bureau of the
8 Census, and operating on May 1, 1994 shall be allocated by
9 appropriation as 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 park districts or municipalities
22 that do not have a park district of 500,000 population
23 or less for museum purposes (if an inter-track
24 wagering location licensee is located in such a park
25 district) or to conservation districts for museum
26 purposes (if an inter-track wagering location licensee

1 is located in a municipality that is not included
2 within any park district but is included within a
3 conservation district and is the county seat of a
4 county that (i) is contiguous to the state of Indiana
5 and (ii) has a 1990 population of 88,257 according to
6 the United States Bureau of the Census, except that if
7 the conservation district does not maintain a museum,
8 the monies shall be allocated equally between the
9 county and the municipality in which the inter-track
10 wagering location licensee is located for general
11 purposes) or to a municipal recreation board for park
12 purposes (if an inter-track wagering location licensee
13 is located in a municipality that is not included
14 within any park district and park maintenance is the
15 function of the municipal recreation board and the
16 municipality has a 1990 population of 9,302 according
17 to the United States Bureau of the Census); provided
18 that the monies are distributed to each park district
19 or conservation district or municipality that does not
20 have a park district in an amount equal to
21 four-sevenths of the amount collected by each
22 inter-track wagering location licensee within the park
23 district or conservation district or municipality for
24 the Fund. Monies that were paid into the Horse Racing
25 Tax Allocation Fund before August 9, 1991 (the
26 effective date of Public Act 87-110) by an inter-track

1 wagering location licensee located in a municipality
2 that is not included within any park district but is
3 included within a conservation district as provided in
4 this paragraph shall, as soon as practicable after
5 August 9, 1991 (the effective date of Public Act
6 87-110), be allocated and paid to that conservation
7 district as provided in this paragraph. Any park
8 district or municipality not maintaining a museum may
9 deposit the monies in the corporate fund of the park
10 district or municipality where the inter-track
11 wagering location is located, to be used for general
12 purposes; and

13 One-seventh to the Agricultural Premium Fund to be
14 used for distribution to agricultural home economics
15 extension councils in accordance with "An Act in
16 relation to additional support and finances for the
17 Agricultural and Home Economic Extension Councils in
18 the several counties of this State and making an
19 appropriation therefor", approved July 24, 1967.

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

24 Two-sevenths to the Department of Agriculture.
25 Fifty percent of this two-sevenths shall be used to
26 promote the Illinois horse racing and breeding

1 industry, and shall be distributed by the Department
2 of Agriculture upon the advice of a 9-member committee
3 appointed by the Governor consisting of the following
4 members: the Director of Agriculture, who shall serve
5 as chairman; 2 representatives of organization
6 licensees conducting thoroughbred race meetings in
7 this State, recommended by those licensees; 2
8 representatives of organization licensees conducting
9 standardbred race meetings in this State, recommended
10 by those licensees; a representative of the Illinois
11 Thoroughbred Breeders and Owners Foundation,
12 recommended by that Foundation; a representative of
13 the Illinois Standardbred Owners and Breeders
14 Association, recommended by that Association; a
15 representative of the Horsemen's Benevolent and
16 Protective Association or any successor organization
17 thereto established in Illinois comprised of the
18 largest number of owners and trainers, recommended by
19 that Association or that successor organization; and a
20 representative of the Illinois Harness Horsemen's
21 Association, recommended by that Association.
22 Committee members shall serve for terms of 2 years,
23 commencing January 1 of each even-numbered year. If a
24 representative of any of the above-named entities has
25 not been recommended by January 1 of any even-numbered
26 year, the Governor shall appoint a committee member to

1 fill that position. Committee members shall receive no
2 compensation for their services as members but shall
3 be reimbursed for all actual and necessary expenses
4 and disbursements incurred in the performance of their
5 official duties. The remaining 50% of this
6 two-sevenths shall be distributed to county fairs for
7 premiums and rehabilitation as set forth in the
8 Agricultural Fair Act;

9 Four-sevenths to museums and aquariums located in
10 park districts of over 500,000 population; provided
11 that the monies are distributed in accordance with the
12 previous year's distribution of the maintenance tax
13 for such museums and aquariums as provided in Section
14 2 of the Park District Aquarium and Museum Act; and

15 One-seventh to the Agricultural Premium Fund to be
16 used for distribution to agricultural home economics
17 extension councils in accordance with "An Act in
18 relation to additional support and finances for the
19 Agricultural and Home Economic Extension Councils in
20 the several counties of this State and making an
21 appropriation therefor", approved July 24, 1967. This
22 subparagraph (C) shall be inoperative and of no force
23 and effect on and after January 1, 2000.

24 (D) Except as provided in paragraph (11) of this
25 subsection (h), with respect to purse allocation from
26 inter-track wagering, the monies so retained shall be

1 divided as follows:

2 (i) If the inter-track wagering licensee,
3 except an inter-track wagering licensee that
4 derives its license from an organization licensee
5 located in a county with a population in excess of
6 230,000 and bounded by the Mississippi River, is
7 not conducting its own race meeting during the
8 same dates, then the entire purse allocation shall
9 be to purses at the track where the races wagered
10 on are being conducted.

11 (ii) If the inter-track wagering licensee,
12 except an inter-track wagering licensee that
13 derives its license from an organization licensee
14 located in a county with a population in excess of
15 230,000 and bounded by the Mississippi River, is
16 also conducting its own race meeting during the
17 same dates, then the purse allocation shall be as
18 follows: 50% to purses at the track where the
19 races wagered on are being conducted; 50% to
20 purses at the track where the inter-track wagering
21 licensee is accepting such wagers.

22 (iii) If the inter-track wagering is being
23 conducted by an inter-track wagering location
24 licensee, except an inter-track wagering location
25 licensee that derives its license from an
26 organization licensee located in a county with a

1 population in excess of 230,000 and bounded by the
2 Mississippi River, the entire purse allocation for
3 Illinois races shall be to purses at the track
4 where the race meeting being wagered on is being
5 held.

6 (12) The Board shall have all powers necessary and
7 proper to fully supervise and control the conduct of
8 inter-track wagering and simulcast wagering by inter-track
9 wagering licensees and inter-track wagering location
10 licensees, including, but not limited to, the following:

11 (A) The Board is vested with power to promulgate
12 reasonable rules and regulations for the purpose of
13 administering the conduct of this wagering and to
14 prescribe reasonable rules, regulations and conditions
15 under which such wagering shall be held and conducted.
16 Such rules and regulations are to provide for the
17 prevention of practices detrimental to the public
18 interest and for the best interests of said wagering
19 and to impose penalties for violations thereof.

20 (B) The Board, and any person or persons to whom it
21 delegates this power, is vested with the power to
22 enter the facilities of any licensee to determine
23 whether there has been compliance with the provisions
24 of this Act and the rules and regulations relating to
25 the conduct of such wagering.

26 (C) The Board, and any person or persons to whom it

1 delegates this power, may eject or exclude from any
2 licensee's facilities, any person whose conduct or
3 reputation is such that his presence on such premises
4 may, in the opinion of the Board, call into the
5 question the honesty and integrity of, or interfere
6 with the orderly conduct of such wagering; provided,
7 however, that no person shall be excluded or ejected
8 from such premises solely on the grounds of race,
9 color, creed, national origin, ancestry, or sex.

10 (D) (Blank).

11 (E) The Board is vested with the power to appoint
12 delegates to execute any of the powers granted to it
13 under this Section for the purpose of administering
14 this wagering and any rules and regulations
15 promulgated in accordance with this Act.

16 (F) The Board shall name and appoint a State
17 director of this wagering who shall be a
18 representative of the Board and whose duty it shall be
19 to supervise the conduct of inter-track wagering as
20 may be provided for by the rules and regulations of the
21 Board; such rules and regulation shall specify the
22 method of appointment and the Director's powers,
23 authority and duties. The Board may appoint the
24 Director of Mutuels to also serve as the State
25 director of this wagering.

26 (G) The Board is vested with the power to impose

1 civil penalties of up to \$5,000 against individuals
2 and up to \$10,000 against licensees for each violation
3 of any provision of this Act relating to the conduct of
4 this wagering, any rules adopted by the Board, any
5 order of the Board or any other action which in the
6 Board's discretion, is a detriment or impediment to
7 such wagering.

8 (13) The Department of Agriculture may enter into
9 agreements with licensees authorizing such licensees to
10 conduct inter-track wagering on races to be held at the
11 licensed race meetings conducted by the Department of
12 Agriculture. Such agreement shall specify the races of the
13 Department of Agriculture's licensed race meeting upon
14 which the licensees will conduct wagering. In the event
15 that a licensee conducts inter-track pari-mutuel wagering
16 on races from the Illinois State Fair or DuQuoin State
17 Fair which are in addition to the licensee's previously
18 approved racing program, those races shall be considered a
19 separate racing day for the purpose of determining the
20 daily handle and computing the privilege or pari-mutuel
21 tax on that daily handle as provided in Sections 27 and
22 27.1. Such agreements shall be approved by the Board
23 before such wagering may be conducted. In determining
24 whether to grant approval, the Board shall give due
25 consideration to the best interests of the public and of
26 horse racing. The provisions of paragraphs (1), (8),

1 (8.1), and (8.2) of subsection (h) of this Section which
2 are not specified in this paragraph (13) shall not apply
3 to licensed race meetings conducted by the Department of
4 Agriculture at the Illinois State Fair in Sangamon County
5 or the DuQuoin State Fair in Perry County, or to any
6 wagering conducted on those race meetings.

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

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

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

24 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

25 Sec. 31.1. (a) Unless subsection (a-5) applies,

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

1 license under the Illinois Gambling Act, then the organization
2 licensee shall contribute an additional \$83,000 per year
3 beginning in the year subsequent to the first year in which the
4 organization licensee begins receiving funds from gaming
5 pursuant to an organization gaming license. If an organization
6 licensee wilfully fails to so remit the contribution, the
7 Board may revoke its license to conduct horse racing.

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

1 (ii) notice of the assessed contribution shall be mailed to
2 each organization licensee; (iii) within 30 days after its
3 receipt of such notice, each organization licensee shall remit
4 the assessed contribution to the Board. If an organization
5 licensee willfully fails to so remit the contribution, the
6 Board may revoke its license to conduct horse racing.

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

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

21 (230 ILCS 5/32.1)

22 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack
23 real estate equalization.

24 (a) In order to encourage new investment in Illinois
25 racetrack facilities and mitigate differing real estate tax

1 burdens among all racetracks, the licensees affiliated or
2 associated with each racetrack that has been awarded live
3 racing dates in the current year shall receive an immediate
4 pari-mutuel tax credit in an amount equal to the greater of (i)
5 50% of the amount of the real estate taxes paid in the prior
6 year attributable to that racetrack, or (ii) the amount by
7 which the real estate taxes paid in the prior year
8 attributable to that racetrack exceeds 60% of the average real
9 estate taxes paid in the prior year for all racetracks awarded
10 live horse racing meets in the current year.

11 Each year, regardless of whether the organization licensee
12 conducted live racing in the year of certification, the Board
13 shall certify in writing, prior to December 31, the real
14 estate taxes paid in that year for each racetrack and the
15 amount of the pari-mutuel tax credit that each organization
16 licensee, inter-track wagering licensee, and inter-track
17 wagering location licensee that derives its license from such
18 racetrack is entitled in the succeeding calendar year. The
19 real estate taxes considered under this Section for any
20 racetrack shall be those taxes on the real estate parcels and
21 related facilities used to conduct a horse race meeting and
22 inter-track wagering at such racetrack under this Act. In no
23 event shall the amount of the tax credit under this Section
24 exceed the amount of pari-mutuel taxes otherwise calculated
25 under this Act. The amount of the tax credit under this Section
26 shall be retained by each licensee and shall not be subject to

1 any reallocation or further distribution under this Act. The
2 Board may promulgate emergency rules to implement this
3 Section.

4 (b) If the organization licensee is operating gaming
5 pursuant to an organization gaming license issued under the
6 Illinois Gambling Act, except the organization licensee
7 described in Section 19.5, then, for the 10-year ~~5-year~~ period
8 beginning on the January 1 of the calendar year immediately
9 following the calendar year during which an organization
10 licensee begins conducting gaming operations pursuant to an
11 organization gaming license issued under the Illinois Gambling
12 Act, the organization licensee shall make capital
13 expenditures, in an amount equal to no less than 50% of the tax
14 credit under this Section, to the improvement and maintenance
15 of the backstretch, including, but not limited to, backstretch
16 barns, dormitories, and services for backstretch workers.
17 Those capital expenditures must be in addition to, and not in
18 lieu of, the capital expenditures made for backstretch
19 improvements in calendar year 2015, as reported to the Board
20 in the organization licensee's application for racing dates
21 and as certified by the Board. The organization licensee is
22 required to annually submit the list and amounts of these
23 capital expenditures to the Board by January 30th of the year
24 following the expenditure.

25 (c) If the organization licensee is conducting gaming in
26 accordance with paragraph (b), then, after the 10-year ~~5-year~~

1 period beginning on January 1 of the calendar year immediately
2 following the calendar year during which an organization
3 licensee begins conducting gaming operations pursuant to an
4 organization gaming license issued under the Illinois Gambling
5 Act, the organization license is ineligible to receive a tax
6 credit under this Section.

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

8 Section 10. The Illinois Gambling Act is amended by
9 changing Section 7.7 as follows:

10 (230 ILCS 10/7.7)

11 Sec. 7.7. Organization gaming licenses.

12 (a) The Illinois Gaming Board shall award one organization
13 gaming license to each person or entity having operating
14 control of a racetrack that applies under Section 56 of the
15 Illinois Horse Racing Act of 1975, subject to the application
16 and eligibility requirements of this Section. Within 60 days
17 after the effective date of this amendatory Act of the 101st
18 General Assembly, a person or entity having operating control
19 of a racetrack may submit an application for an organization
20 gaming license. The application shall be made on such forms as
21 provided by the Board and shall contain such information as
22 the Board prescribes, including, but not limited to, the
23 identity of any racetrack at which gaming will be conducted
24 pursuant to an organization gaming license, detailed

1 information regarding the ownership and management of the
2 applicant, and detailed personal information regarding the
3 applicant. The application shall specify the number of gaming
4 positions the applicant intends to use and the place where the
5 organization gaming facility will operate. A person who
6 knowingly makes a false statement on an application is guilty
7 of a Class A misdemeanor.

8 Each applicant shall disclose the identity of every person
9 or entity having a direct or indirect pecuniary interest
10 greater than 1% in any racetrack with respect to which the
11 license is sought. If the disclosed entity is a corporation,
12 the applicant shall disclose the names and addresses of all
13 officers, stockholders, and directors. If the disclosed entity
14 is a limited liability company, the applicant shall disclose
15 the names and addresses of all members and managers. If the
16 disclosed entity is a partnership, the applicant shall
17 disclose the names and addresses of all partners, both general
18 and limited. If the disclosed entity is a trust, the applicant
19 shall disclose the names and addresses of all beneficiaries.

20 An application shall be filed and considered in accordance
21 with the rules of the Board. Each application for an
22 organization gaming license shall include a nonrefundable
23 application fee of \$250,000. In addition, a nonrefundable fee
24 of \$50,000 shall be paid at the time of filing to defray the
25 costs associated with background investigations conducted by
26 the Board. If the costs of the background investigation exceed

1 \$50,000, the applicant shall pay the additional amount to the
2 Board within 7 days after a request by the Board. If the costs
3 of the investigation are less than \$50,000, the applicant
4 shall receive a refund of the remaining amount. All
5 information, records, interviews, reports, statements,
6 memoranda, or other data supplied to or used by the Board in
7 the course of this review or investigation of an applicant for
8 an organization gaming license under this Act shall be
9 privileged and strictly confidential and shall be used only
10 for the purpose of evaluating an applicant for an organization
11 gaming license or a renewal. Such information, records,
12 interviews, reports, statements, memoranda, or other data
13 shall not be admissible as evidence nor discoverable in any
14 action of any kind in any court or before any tribunal, board,
15 agency or person, except for any action deemed necessary by
16 the Board. The application fee shall be deposited into the
17 State Gaming Fund.

18 Any applicant or key person, including the applicant's
19 owners, officers, directors (if a corporation), managers and
20 members (if a limited liability company), and partners (if a
21 partnership), for an organization gaming license shall submit
22 with his or her application, on forms provided by the Board, 2
23 sets of fingerprints. The board shall charge each applicant a
24 fee set by the Illinois State Police to defray the costs
25 associated with the search and classification of fingerprints
26 obtained by the Board with respect to the applicant's

1 application. The fees shall be deposited into the State Police
2 Services Fund.

3 (b) The Board shall determine within 120 days after
4 receiving an application for an organization gaming license
5 whether to grant an organization gaming license to the
6 applicant. If the Board does not make a determination within
7 that time period, then the Board shall give a written
8 explanation to the applicant as to why it has not reached a
9 determination and when it reasonably expects to make a
10 determination.

11 The organization gaming licensee shall purchase up to the
12 amount of gaming positions authorized under this Act within
13 120 days after receiving its organization gaming license. If
14 an organization gaming licensee is prepared to purchase the
15 gaming positions, but is temporarily prohibited from doing so
16 by order of a court of competent jurisdiction or the Board,
17 then the 120-day period is tolled until a resolution is
18 reached.

19 An organization gaming license shall authorize its holder
20 to conduct gaming under this Act at its racetracks on the same
21 days of the year and hours of the day that owners licenses are
22 allowed to operate under approval of the Board.

23 An organization gaming license and any renewal of an
24 organization gaming license shall authorize gaming pursuant to
25 this Section for a period of 4 years. The fee for the issuance
26 or renewal of an organization gaming license shall be

1 \$250,000.

2 All payments by licensees under this subsection (b) shall
3 be deposited into the Rebuild Illinois Projects Fund.

4 (c) To be eligible to conduct gaming under this Section, a
5 person or entity having operating control of a racetrack must
6 (i) obtain an organization gaming license, (ii) hold an
7 organization license under the Illinois Horse Racing Act of
8 1975, (iii) hold an inter-track wagering license, (iv) pay an
9 initial fee of \$17,500 ~~\$30,000~~ per gaming position from
10 organization gaming licensees where gaming is conducted in
11 Cook County and, except as provided in subsection (c-5),
12 \$17,500 for organization gaming licensees where gaming is
13 conducted outside of Cook County before beginning to conduct
14 gaming plus make the reconciliation payment required under
15 subsection (k), (v) conduct live racing in accordance with
16 subsections (e-1), (e-2), and (e-3) of Section 20 of the
17 Illinois Horse Racing Act of 1975, (vi) meet the requirements
18 of subsection (a) of Section 56 of the Illinois Horse Racing
19 Act of 1975, (vii) for organization licensees conducting
20 standardbred race meetings, keep backstretch barns and
21 dormitories open and operational year-round unless a lesser
22 schedule is mutually agreed to by the organization licensee
23 and the horsemen association racing at that organization
24 licensee's race meeting, (viii) for organization licensees
25 conducting thoroughbred race meetings, the organization
26 licensee must maintain accident medical expense liability

1 insurance coverage of \$1,000,000 for jockeys, and (ix) meet
2 all other requirements of this Act that apply to owners
3 licensees.

4 An organization gaming licensee may enter into a joint
5 venture with a licensed owner to own, manage, conduct, or
6 otherwise operate the organization gaming licensee's
7 organization gaming facilities, unless the organization gaming
8 licensee has a parent company or other affiliated company that
9 is, directly or indirectly, wholly owned by a parent company
10 that is also licensed to conduct organization gaming, casino
11 gaming, or their equivalent in another state.

12 All payments by licensees under this subsection (c) shall
13 be deposited into the Rebuild Illinois Projects Fund.

14 (c-5) A person or entity having operating control of a
15 racetrack located in Madison County shall only pay the initial
16 fees specified in subsection (c) for 540 of the gaming
17 positions authorized under the license. A person or entity
18 having operating control of a racetrack located in Cook County
19 shall only pay the initial fees specified in subsection (c)
20 for 720 of the gaming positions authorized under the license.

21 (d) A person or entity is ineligible to receive an
22 organization gaming license if:

23 (1) the person or entity has been convicted of a
24 felony under the laws of this State, any other state, or
25 the United States, including a conviction under the
26 Racketeer Influenced and Corrupt Organizations Act;

1 (2) the person or entity has been convicted of any
2 violation of Article 28 of the Criminal Code of 2012, or
3 substantially similar laws of any other jurisdiction;

4 (3) the person or entity has submitted an application
5 for a license under this Act that contains false
6 information;

7 (4) the person is a member of the Board;

8 (5) a person defined in (1), (2), (3), or (4) of this
9 subsection (d) is an officer, director, or managerial
10 employee of the entity;

11 (6) the person or entity employs a person defined in
12 (1), (2), (3), or (4) of this subsection (d) who
13 participates in the management or operation of gambling
14 operations authorized under this Act; or

15 (7) a license of the person or entity issued under
16 this Act or a license to own or operate gambling
17 facilities in any other jurisdiction has been revoked.

18 (e) The Board may approve gaming positions pursuant to an
19 organization gaming license statewide as provided in this
20 Section. The authority to operate gaming positions under this
21 Section shall be allocated as follows: up to 1,200 gaming
22 positions for any organization gaming licensee in Cook County
23 and up to 900 gaming positions for any organization gaming
24 licensee outside of Cook County.

25 (f) Each applicant for an organization gaming license
26 shall specify in its application for licensure the number of

1 gaming positions it will operate, up to the applicable
2 limitation set forth in subsection (e) of this Section. Any
3 unreserved gaming positions that are not specified shall be
4 forfeited and retained by the Board. For the purposes of this
5 subsection (f), an organization gaming licensee that did not
6 conduct live racing in 2010 and is located within 3 miles of
7 the Mississippi River may reserve up to 900 positions and
8 shall not be penalized under this Section for not operating
9 those positions until it meets the requirements of subsection
10 (e) of this Section, but such licensee shall not request
11 unreserved gaming positions under this subsection (f) until
12 its 900 positions are all operational.

13 Thereafter, the Board shall publish the number of
14 unreserved gaming positions and shall accept requests for
15 additional positions from any organization gaming licensee
16 that initially reserved all of the positions that were
17 offered. The Board shall allocate expeditiously the unreserved
18 gaming positions to requesting organization gaming licensees
19 in a manner that maximizes revenue to the State. The Board may
20 allocate any such unused gaming positions pursuant to an open
21 and competitive bidding process, as provided under Section 7.5
22 of this Act. This process shall continue until all unreserved
23 gaming positions have been purchased. All positions obtained
24 pursuant to this process and all positions the organization
25 gaming licensee specified it would operate in its application
26 must be in operation within 18 months after they were obtained

1 or the organization gaming licensee forfeits the right to
2 operate those positions, but is not entitled to a refund of any
3 fees paid. The Board may, after holding a public hearing,
4 grant extensions so long as the organization gaming licensee
5 is working in good faith to make the positions operational.
6 The extension may be for a period of 6 months. If, after the
7 period of the extension, the organization gaming licensee has
8 not made the positions operational, then another public
9 hearing must be held by the Board before it may grant another
10 extension.

11 Unreserved gaming positions retained from and allocated to
12 organization gaming licensees by the Board pursuant to this
13 subsection (f) shall not be allocated to owners licensees
14 under this Act.

15 For the purpose of this subsection (f), the unreserved
16 gaming positions for each organization gaming licensee shall
17 be the applicable limitation set forth in subsection (e) of
18 this Section, less the number of reserved gaming positions by
19 such organization gaming licensee, and the total unreserved
20 gaming positions shall be the aggregate of the unreserved
21 gaming positions for all organization gaming licensees.

22 (g) An organization gaming licensee is authorized to
23 conduct the following at a racetrack:

- 24 (1) slot machine gambling;
25 (2) video game of chance gambling;
26 (3) gambling with electronic gambling games as defined

1 in this Act or defined by the Illinois Gaming Board; and

2 (4) table games.

3 (h) Subject to the approval of the Illinois Gaming Board,
4 an organization gaming licensee may make modification or
5 additions to any existing buildings and structures to comply
6 with the requirements of this Act. The Illinois Gaming Board
7 shall make its decision after consulting with the Illinois
8 Racing Board. In no case, however, shall the Illinois Gaming
9 Board approve any modification or addition that alters the
10 grounds of the organization licensee such that the act of live
11 racing is an ancillary activity to gaming authorized under
12 this Section. Gaming authorized under this Section may take
13 place in existing structures where inter-track wagering is
14 conducted at the racetrack or a facility within 300 yards of
15 the racetrack in accordance with the provisions of this Act
16 and the Illinois Horse Racing Act of 1975.

17 (i) An organization gaming licensee may conduct gaming at
18 a temporary facility pending the construction of a permanent
19 facility or the remodeling or relocation of an existing
20 facility to accommodate gaming participants for up to 24
21 months after the temporary facility begins to conduct gaming
22 authorized under this Section. Upon request by an organization
23 gaming licensee and upon a showing of good cause by the
24 organization gaming licensee, the Board shall extend the
25 period during which the licensee may conduct gaming authorized
26 under this Section at a temporary facility by up to 12 months.

1 The Board shall make rules concerning the conduct of gaming
2 authorized under this Section from temporary facilities.

3 The gaming authorized under this Section may take place in
4 existing structures where inter-track wagering is conducted at
5 the racetrack or a facility within 300 yards of the racetrack
6 in accordance with the provisions of this Act and the Illinois
7 Horse Racing Act of 1975.

8 (i-5) Under no circumstances shall an organization gaming
9 licensee conduct gaming at any State or county fair.

10 (j) The Illinois Gaming Board must adopt emergency rules
11 in accordance with Section 5-45 of the Illinois Administrative
12 Procedure Act as necessary to ensure compliance with the
13 provisions of this amendatory Act of the 101st General
14 Assembly concerning the conduct of gaming by an organization
15 gaming licensee. The adoption of emergency rules authorized by
16 this subsection (j) shall be deemed to be necessary for the
17 public interest, safety, and welfare.

18 (k) Each organization gaming licensee who obtains gaming
19 positions must make a reconciliation payment 3 years after the
20 date the organization gaming licensee begins operating the
21 positions in an amount equal to 75% of the difference between
22 its adjusted gross receipts from gaming authorized under this
23 Section and amounts paid to its purse accounts pursuant to
24 item (1) of subsection (b) of Section 56 of the Illinois Horse
25 Racing Act of 1975 for the 12-month period for which such
26 difference was the largest, minus an amount equal to the

1 initial per position fee paid by the organization gaming
2 licensee. If this calculation results in a negative amount,
3 then the organization gaming licensee is not entitled to any
4 reimbursement of fees previously paid. This reconciliation
5 payment may be made in installments over a period of no more
6 than 12 ~~6~~ years.

7 All payments by licensees under this subsection (k) shall
8 be deposited into the Rebuild Illinois Projects Fund.

9 (1) As soon as practical after a request is made by the
10 Illinois Gaming Board, to minimize duplicate submissions by
11 the applicant, the Illinois Racing Board must provide
12 information on an applicant for an organization gaming license
13 to the Illinois Gaming Board.

14 (Source: P.A. 102-538, eff. 8-20-21; 103-609, eff. 7-1-24.)