



Sen. Patrick J. Joyce

Filed: 10/29/2025

10400SB1473sam003

LRB104 09432 LNS 29465 a

1 AMENDMENT TO SENATE BILL 1473

2 AMENDMENT NO. _____. Amend Senate Bill 1473, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Substance Use Disorder Act is amended by
6 changing Sections 1-5, 1-10, 5-5, 5-10, 5-20, 10-10, 10-15,
7 15-5, 15-10, 20-5, 25-5, 25-10, 30-5, 35-5, 35-10, 50-40,
8 55-30, and 55-40 as follows:

9 (20 ILCS 301/1-5)

10 Sec. 1-5. Legislative declaration. Substance use and
11 gambling disorders, as defined in this Act, constitute a
12 serious public health problem. The effects on public safety
13 and the criminal justice system cause serious social and
14 economic losses, as well as great human suffering. It is
15 imperative that a comprehensive and coordinated strategy be
16 developed under the leadership of a State agency. This

1 strategy should be implemented through the facilities of
2 federal and local government and community-based agencies
3 (which may be public or private, volunteer or professional).
4 Through local prevention, early intervention, treatment, and
5 other recovery support services, this strategy should empower
6 those struggling with these ~~substance use~~ disorders (and, when
7 appropriate, the families of those persons) to lead healthy
8 lives.

9 The human, social, and economic benefits of preventing
10 these ~~substance use~~ disorders are great, and it is imperative
11 that there be interagency cooperation in the planning and
12 delivery of prevention, early intervention, treatment, and
13 other recovery support services in Illinois.

14 The provisions of this Act shall be liberally construed to
15 enable the Department to carry out these objectives and
16 purposes.

17 (Source: P.A. 100-759, eff. 1-1-19.)

18 (20 ILCS 301/1-10)

19 Sec. 1-10. Definitions. As used in this Act, unless the
20 context clearly indicates otherwise, the following words and
21 terms have the following meanings:

22 "Case management" means a coordinated approach to the
23 delivery of health and medical treatment, substance use
24 disorder treatment, gambling disorder treatment, mental health
25 treatment, and social services, linking patients with

1 appropriate services to address specific needs and achieve
2 stated goals. In general, case management assists patients
3 with other disorders and conditions that require multiple
4 services over extended periods of time and who face difficulty
5 in gaining access to those services.

6 "Crime of violence" means any of the following crimes:
7 murder, voluntary manslaughter, criminal sexual assault,
8 aggravated criminal sexual assault, predatory criminal sexual
9 assault of a child, armed robbery, robbery, arson, kidnapping,
10 aggravated battery, aggravated arson, or any other felony that
11 involves the use or threat of physical force or violence
12 against another individual.

13 "Department" means the Department of Human Services.

14 "DUI" means driving under the influence of alcohol or
15 other drugs.

16 "Designated program" means a category of service
17 authorized by an intervention license issued by the Department
18 for delivery of all services as described in Article 40 in this
19 Act.

20 "Early intervention" means services, authorized by a
21 treatment license, that are sub-clinical and pre-diagnostic
22 and that are designed to screen, identify, and address risk
23 factors that may be related to problems associated with a
24 substance use or gambling disorder ~~substance use disorders~~ and
25 to assist individuals in recognizing harmful consequences.
26 Early intervention services facilitate emotional and social

1 stability and involve ~~involves~~ referrals for treatment, as
2 needed.

3 "Facility" means the building or premises are used for the
4 provision of licensable services, including support services,
5 as set forth by rule.

6 "Gambling disorder" means persistent and recurrent
7 problematic gambling behavior leading to clinically
8 significant impairment or distress. ~~recurring maladaptive~~
9 ~~gambling behavior that disrupts personal, family, or~~
10 ~~vocational pursuits.~~

11 "Gambling" means the risking of money or other items of
12 value in games of chance, including video gaming, sports
13 betting, and other games of chance.

14 "Gaming" means the action or practice of playing video
15 games.

16 "Holds itself out" means any activity that would lead one
17 to reasonably conclude that the individual or entity provides
18 or intends to provide licensable substance-related disorder
19 intervention or treatment services. Such activities include,
20 but are not limited to, advertisements, notices, statements,
21 or contractual arrangements with managed care organizations,
22 private health insurance, or employee assistance programs to
23 provide services that require a license as specified in
24 Article 15.

25 "Informed consent" means legally valid written consent,
26 given by a client, patient, or legal guardian, that authorizes

1 intervention or treatment services from a licensed
2 organization and that documents agreement to participate in
3 those services and knowledge of the consequences of withdrawal
4 from such services. Informed consent also acknowledges the
5 client's or patient's right to a conflict-free choice of
6 services from any licensed organization and the potential
7 risks and benefits of selected services.

8 "Intoxicated person" means a person whose mental or
9 physical functioning is substantially impaired as a result of
10 the current effects of alcohol or other drugs within the body.

11 "Medication assisted treatment" means the prescription of
12 medications that are approved by the U.S. Food and Drug
13 Administration and the Center for Substance Abuse Treatment to
14 assist with treatment for a substance use disorder and to
15 support recovery for individuals receiving services in a
16 facility licensed by the Department. Medication assisted
17 treatment includes opioid treatment services as authorized by
18 a Department license.

19 "Off-site services" means licensable services are
20 conducted at a location separate from the licensed location of
21 the provider, and services are operated by an entity licensed
22 under this Act and approved in advance by the Department.

23 "Person" means any individual, firm, group, association,
24 partnership, corporation, trust, government or governmental
25 subdivision or agency.

26 "Prevention" means an interactive process of individuals,

1 families, schools, religious organizations, communities and
2 regional, state and national organizations whose goals are to
3 reduce the prevalence of substance use or gambling disorders,
4 prevent the use of illegal drugs and the abuse of legal drugs
5 by persons of all ages, prevent the use of alcohol by minors,
6 reduce the severity of harm in gambling by persons of all ages,
7 build the capacities of individuals and systems, and promote
8 healthy environments, lifestyles, and behaviors.

9 "Recovery" means a process of change through which
10 individuals improve their health and wellness, live a
11 self-directed life, and reach their full potential.

12 "Recovery support" means services designed to support
13 individual recovery from a substance use or gambling disorder
14 that may be delivered pre-treatment, during treatment, or post
15 treatment. These services may be delivered in a wide variety
16 of settings for the purpose of supporting the individual in
17 meeting his or her recovery support goals.

18 "Secretary" means the Secretary of the Department of Human
19 Services or his or her designee.

20 "Substance use disorder" means a spectrum of persistent
21 and recurring problematic behavior that encompasses 10
22 separate classes of drugs: alcohol; caffeine; cannabis;
23 hallucinogens; inhalants; opioids; sedatives, hypnotics and
24 anxiolytics; stimulants; and tobacco; and other unknown
25 substances leading to clinically significant impairment or
26 distress.

1 "Treatment" means the broad range of emergency,
2 outpatient, and residential care (including assessment,
3 diagnosis, case management, treatment, and recovery support
4 planning) ~~may be extended to individuals with substance use~~
5 ~~disorders~~ or to the families of those persons.

6 "Withdrawal management" means services designed to manage
7 intoxication or withdrawal episodes (previously referred to as
8 detoxification), interrupt the momentum of habitual,
9 compulsive substance use and begin the initial engagement in
10 medically necessary substance use disorder treatment.
11 Withdrawal management allows patients to safely withdraw from
12 substances in a controlled medically-structured environment.
13 (Source: P.A. 100-759, eff. 1-1-19.)

14 (20 ILCS 301/5-5)

15 Sec. 5-5. Successor department; home rule.

16 (a) The Department of Human Services, as successor to the
17 Department of Alcoholism and Substance Abuse, shall assume the
18 various rights, powers, duties, and functions provided for in
19 this Act.

20 (b) It is declared to be the public policy of this State,
21 pursuant to paragraphs (h) and (i) of Section 6 of Article VII
22 of the Illinois Constitution of 1970, that the powers and
23 functions set forth in this Act and expressly delegated to the
24 Department are exclusive State powers and functions. Nothing
25 herein prohibits the exercise of any power or the performance

1 of any function, including the power to regulate, for the
2 protection of the public health, safety, morals and welfare,
3 by any unit of local government, other than the powers and
4 functions set forth in this Act and expressly delegated to the
5 Department to be exclusive State powers and functions.

6 (c) The Department shall, through accountable and
7 efficient leadership, example and commitment to excellence,
8 strive to reduce the incidence of substance use or gambling
9 disorders by:

10 (1) Fostering public understanding of substance use
11 disorders and how they affect individuals, families, and
12 communities.

13 (2) Promoting healthy lifestyles.

14 (3) Promoting understanding and support for sound
15 public policies.

16 (4) Ensuring quality prevention, early intervention,
17 treatment, and other recovery support services that are
18 accessible and responsive to the diverse needs of
19 individuals, families, and communities.

20 (Source: P.A. 100-759, eff. 1-1-19.)

21 (20 ILCS 301/5-10)

22 Sec. 5-10. Functions of the Department.

23 (a) In addition to the powers, duties and functions vested
24 in the Department by this Act, or by other laws of this State,
25 the Department shall carry out the following activities:

1 (1) Design, coordinate and fund comprehensive
2 community-based and culturally and gender-appropriate
3 services throughout the State. These services must include
4 prevention, early intervention, treatment, and other
5 recovery support services ~~for substance use disorders~~ that
6 are accessible and address the needs of at-risk
7 individuals and their families.

8 (2) Act as the exclusive State agency to accept,
9 receive and expend, pursuant to appropriation, any public
10 or private monies, grants or services, including those
11 received from the federal government or from other State
12 agencies, for the purpose of providing prevention, early
13 intervention, treatment, and other recovery support
14 services for substance use or gambling disorders.

15 (2.5) In partnership with the Department of Healthcare
16 and Family Services, act as one of the principal State
17 agencies for the sole purpose of calculating the
18 maintenance of effort requirement under Section 1930 of
19 Title XIX, Part B, Subpart II of the Public Health Service
20 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
21 96.134).

22 (3) Coordinate a statewide strategy for the
23 prevention, early intervention, treatment, and recovery
24 support of substance use or gambling disorders. This
25 strategy shall include the development of a comprehensive
26 plan, submitted annually with the application for federal

1 substance use disorder block grant funding, for the
2 provision of an array of such services. The plan shall be
3 based on local community-based needs and upon data
4 including, but not limited to, that which defines the
5 prevalence of and costs associated with these ~~substance~~
6 ~~use~~ disorders. This comprehensive plan shall include
7 identification of problems, needs, priorities, services
8 and other pertinent information, including the needs of
9 marginalized communities ~~minorities~~ and other specific
10 priority populations in the State, and shall describe how
11 the identified problems and needs will be addressed. For
12 purposes of this paragraph, the term "marginalized
13 communities ~~minorities~~ and other specific priority
14 populations" may include, but shall not be limited to,
15 groups such as women, children, persons who use
16 intravenous drugs, ~~intravenous drug users~~, persons with
17 AIDS or who are HIV infected, veterans, ~~African Americans~~,
18 ~~Puerto Ricans~~, ~~Hispanics~~, ~~Asian Americans~~, the elderly,
19 persons in the criminal justice system, persons who are
20 clients of services provided by other State agencies,
21 persons with disabilities and such other specific
22 populations as the Department may from time to time
23 identify. In developing the plan, the Department shall
24 seek input from providers, parent groups, associations and
25 interested citizens.

26 The plan developed under this Section shall include an

1 explanation of the rationale to be used in ensuring that
2 funding shall be based upon local community needs,
3 including, but not limited to, the incidence and
4 prevalence of, and costs associated with, these substance
5 ~~use~~ disorders, as well as upon demonstrated program
6 performance.

7 The plan developed under this Section shall also
8 contain a report detailing the activities of and progress
9 made through services for the care and treatment of these
10 ~~substance use~~ disorders among pregnant women and mothers
11 and their children established under subsection (j) of
12 Section 35-5.

13 As applicable, the plan developed under this Section
14 shall also include information about funding by other
15 State agencies for prevention, early intervention,
16 treatment, and other recovery support services.

17 (4) Lead, foster and develop cooperation, coordination
18 and agreements among federal and State governmental
19 agencies and local providers that provide assistance,
20 services, funding or other functions, peripheral or
21 direct, in the prevention, early intervention, treatment,
22 and recovery support for substance use or gambling
23 disorders. This shall include, but shall not be limited
24 to, the following:

25 (A) Cooperate with and assist other State
26 agencies, as applicable, in establishing and

1 conducting these ~~substance use disorder~~ services among
2 the populations they respectively serve.

3 (B) Cooperate with and assist the Illinois
4 Department of Public Health in the establishment,
5 funding and support of programs and services for the
6 promotion of maternal and child health and the
7 prevention and treatment of infectious diseases,
8 including, but not limited to, HIV infection,
9 especially with respect to those persons who are high
10 risk due to intravenous injection of illegal drugs, or
11 who may have been sexual partners of these
12 individuals, or who may have impaired immune systems
13 as a result of a substance use disorder.

14 (C) Supply to the Department of Public Health and
15 prenatal care providers a list of all providers who
16 are licensed to provide substance use disorder
17 treatment for pregnant women in this State.

18 (D) Assist in the placement of child abuse or
19 neglect perpetrators (identified by the Illinois
20 Department of Children and Family Services (DCFS)) who
21 have been determined to be in need of substance use
22 disorder treatment pursuant to Section 8.2 of the
23 Abused and Neglected Child Reporting Act.

24 (E) Cooperate with and assist DCFS in carrying out
25 its mandates to:

26 (i) identify substance use or gambling

1 disorders among its clients and their families;

2 and

3 (ii) develop services to deal with such
4 disorders.

5 These services may include, but shall not be limited
6 to, programs to prevent or treat substance use or
7 gambling disorders with DCFS clients and their
8 families, identifying child care needs within such
9 treatment, and assistance with other issues as
10 required.

11 (F) Cooperate with and assist the Illinois
12 Criminal Justice Information Authority with respect to
13 statistical and other information concerning the
14 incidence and prevalence of substance use or gambling
15 disorders.

16 (G) Cooperate with and assist the State
17 Superintendent of Education, boards of education,
18 schools, police departments, the Illinois State
19 Police, courts and other public and private agencies
20 and individuals in establishing substance use or
21 gambling disorder prevention programs statewide and
22 preparing curriculum materials for use at all levels
23 of education.

24 (H) Cooperate with and assist the Illinois
25 Department of Healthcare and Family Services in the
26 development and provision of services offered to

1 recipients of public assistance for the treatment and
2 prevention of substance use or gambling disorders.

3 (I) (Blank).

4 (5) From monies appropriated to the Department from
5 the Drunk and Drugged Driving Prevention Fund, reimburse
6 DUI evaluation and risk education programs licensed by the
7 Department for providing indigent persons with free or
8 reduced-cost evaluation and risk education services
9 relating to a charge of driving under the influence of
10 alcohol or other drugs.

11 (6) Promulgate regulations to identify and disseminate
12 best practice guidelines that can be utilized by publicly
13 and privately funded programs as well as for levels of
14 payment to government funded programs that provide
15 prevention, early intervention, treatment, and other
16 recovery support services for substance use or gambling
17 disorders and those services referenced in Sections 15-10
18 and 40-5.

19 (7) In consultation with providers and related trade
20 associations, specify a uniform methodology for use by
21 funded providers and the Department for billing and
22 collection and dissemination of statistical information
23 regarding services related to substance use or gambling
24 disorders.

25 (8) Receive data and assistance from federal, State
26 and local governmental agencies, and obtain copies of

1 identification and arrest data from all federal, State and
2 local law enforcement agencies for use in carrying out the
3 purposes and functions of the Department.

4 (9) Designate and license providers to conduct
5 screening, assessment, referral and tracking of clients
6 identified by the criminal justice system as having
7 indications of substance use disorders and being eligible
8 to make an election for treatment under Section 40-5 of
9 this Act, and assist in the placement of individuals who
10 are under court order to participate in treatment.

11 (10) Identify and disseminate evidence-based best
12 practice guidelines as maintained in administrative rule
13 that can be utilized to determine a substance use or
14 gambling disorder diagnosis.

15 (11) (Blank).

16 (11.5) Make grants with funds appropriated to the
17 Department as provided in Section 50 of the Video Gaming
18 Act and subsection (c) of Section 13 of the Illinois
19 Gambling Act.

20 (12) Make grants with funds appropriated from the Drug
21 Treatment Fund in accordance with Section 50-35 of this
22 Act.

23 (13) Encourage all health and disability insurance
24 programs to include substance use disorder or gambling
25 treatment as ~~a~~ covered services ~~service~~ and to use
26 evidence-based best practice criteria as maintained in

1 administrative rule and as required in Public Act 99-0480
2 in determining the necessity for such services and
3 continued stay.

4 (14) Award grants and enter into fixed-rate and
5 fee-for-service arrangements with any other department,
6 authority or commission of this State, or any other state
7 or the federal government or with any public or private
8 agency, including the disbursement of funds and furnishing
9 of staff, to effectuate the purposes of this Act.

10 (15) Conduct a public information campaign to inform
11 the State's Hispanic residents regarding the prevention
12 and treatment of substance use or gambling disorders.

13 (b) In addition to the powers, duties and functions vested
14 in it by this Act, or by other laws of this State, the
15 Department may undertake, but shall not be limited to, the
16 following activities:

17 (1) Require all organizations licensed or funded by
18 the Department to include an education component to inform
19 participants regarding the causes and means of
20 transmission and methods of reducing the risk of acquiring
21 or transmitting HIV infection and other infectious
22 diseases, and to include funding for such education
23 component in its support of the program.

24 (2) Review all State agency applications for federal
25 funds that include provisions relating to the prevention,
26 early intervention and treatment of substance use or

1 gambling disorders in order to ensure consistency.

2 (3) Prepare, publish, evaluate, disseminate and serve
3 as a central repository for educational materials dealing
4 with the nature and effects of substance use or gambling
5 disorders. Such materials may deal with the educational
6 needs of the citizens of Illinois, and may include at
7 least pamphlets that describe the causes and effects of
8 fetal alcohol spectrum disorders.

9 (4) Develop and coordinate, with regional and local
10 agencies, education and training programs for persons
11 engaged in providing services for persons with substance
12 use or gambling disorders, which programs may include
13 specific HIV education and training for program personnel.

14 (5) Cooperate with and assist in the development of
15 education, prevention, early intervention, and treatment
16 programs for employees of State and local governments and
17 businesses in the State.

18 (6) Utilize the support and assistance of interested
19 persons in the community, including recovering persons, to
20 assist individuals and communities in understanding the
21 dynamics of substance use or gambling disorders, and to
22 encourage individuals with these ~~substance use~~ disorders
23 to voluntarily undergo treatment.

24 (7) Promote, conduct, assist or sponsor basic
25 clinical, epidemiological and statistical research into
26 substance use or gambling disorders and research into the

1 prevention of those problems either solely or in
2 conjunction with any public or private agency.

3 (8) Cooperate with public and private agencies,
4 organizations, institutions of higher education, and
5 individuals in the development of programs, and to provide
6 technical assistance and consultation services for this
7 purpose.

8 (9) (Blank).

9 (10) (Blank).

10 (11) Fund, promote, or assist entities dealing with
11 substance use or gambling disorders.

12 (12) With monies appropriated from the Group Home Loan
13 Revolving Fund, make loans, directly or through
14 subcontract, to assist in underwriting the costs of
15 housing in which individuals recovering from substance use
16 or gambling disorders may reside, pursuant to Section
17 50-40 of this Act.

18 (13) Promulgate such regulations as may be necessary
19 to carry out the purposes and enforce the provisions of
20 this Act.

21 (14) Provide funding to help parents be effective in
22 preventing substance use or gambling disorders by building
23 an awareness of the family's role in preventing these
24 ~~substance use~~ disorders through adjusting expectations,
25 developing new skills, and setting positive family goals.
26 The programs shall include, but not be limited to, the

1 following subjects: healthy family communication;
2 establishing rules and limits; how to reduce family
3 conflict; how to build self-esteem, competency, and
4 responsibility in children; how to improve motivation and
5 achievement; effective discipline; problem solving
6 techniques; healthy gaming and play habits; appropriate
7 financial planning and investment strategies; how to talk
8 about gambling and related activities; and how to talk
9 about substance use or gambling ~~drugs and alcohol~~. The
10 programs shall be open to all parents.

11 (15) Establish an Opioid Remediation Services Capital
12 Investment Grant Program. The Department may, subject to
13 appropriation and approval through the Opioid Overdose
14 Prevention and Recovery Steering Committee, after
15 recommendation by the Illinois Opioid Remediation Advisory
16 Board, and certification by the Office of the Attorney
17 General, make capital improvement grants to units of local
18 government and substance use prevention, treatment, and
19 recovery service providers addressing opioid remediation
20 in the State for approved abatement uses under the
21 Illinois Opioid Allocation Agreement. The Illinois Opioid
22 Remediation State Trust Fund shall be the source of
23 funding for the program. Eligible grant recipients shall
24 be units of local government and substance use prevention,
25 treatment, and recovery service providers that offer
26 facilities and services in a manner that supports and

1 meets the approved uses of the opioid settlement funds.
2 Eligible grant recipients have no entitlement to a grant
3 under this Section. The Department of Human Services may
4 consult with the Capital Development Board, the Department
5 of Commerce and Economic Opportunity, and the Illinois
6 Housing Development Authority to adopt rules to implement
7 this Section and may create a competitive application
8 procedure for grants to be awarded. The rules may specify
9 the manner of applying for grants; grantee eligibility
10 requirements; project eligibility requirements;
11 restrictions on the use of grant moneys; the manner in
12 which grantees must account for the use of grant moneys;
13 and any other provision that the Department of Human
14 Services determines to be necessary or useful for the
15 administration of this Section. Rules may include a
16 requirement for grantees to provide local matching funds
17 in an amount equal to a specific percentage of the grant.
18 No portion of an opioid remediation services capital
19 investment grant awarded under this Section may be used by
20 a grantee to pay for any ongoing operational costs or
21 outstanding debt. The Department of Human Services may
22 consult with the Capital Development Board, the Department
23 of Commerce and Economic Opportunity, and the Illinois
24 Housing Development Authority in the management and
25 disbursement of funds for capital-related projects. The
26 Capital Development Board, the Department of Commerce and

1 Economic Opportunity, and the Illinois Housing Development
2 Authority shall act in a consulting role only for the
3 evaluation of applicants, scoring of applicants, or
4 administration of the grant program.

5 (c) There is created within the Department of Human
6 Services an Office of Opioid Settlement Administration. The
7 Office shall be responsible for implementing and administering
8 approved abatement programs as described in Exhibit B of the
9 Illinois Opioid Allocation Agreement, effective December 30,
10 2021. The Office may also implement and administer other
11 opioid-related programs, including, but not limited to,
12 prevention, treatment, and recovery services from other funds
13 made available to the Department of Human Services. The
14 Secretary of Human Services shall appoint or assign staff as
15 necessary to carry out the duties and functions of the Office.
16 (Source: P.A. 103-8, eff. 6-7-23; 104-2, eff. 6-16-25.)

17 (20 ILCS 301/5-20)

18 Sec. 5-20. Gambling disorders.

19 (a) Subject to appropriation, the Department shall
20 establish a program for public education, research, and
21 training regarding gambling disorders and the treatment and
22 prevention of gambling disorders. Subject to specific
23 appropriation for these stated purposes, the program must
24 include all of the following:

25 (1) Establishment and maintenance of a toll-free

1 hotline and website ~~"800" telephone number~~ to provide
2 crisis counseling and referral services for ~~to~~ families
3 experiencing difficulty related to a ~~as a result of~~
4 gambling disorder ~~disorders~~.

5 (2) Promotion of public awareness regarding the
6 recognition and prevention of gambling disorders.
7 Promotion of public awareness regarding the impact of
8 gambling disorders on individuals, families, and
9 communities and the stigma that surrounds gambling
10 disorders.

11 (3) Facilitation, through in-service training,
12 certification promotion, and other innovative means, of
13 the availability of effective assistance programs for
14 gambling disorders.

15 (4) Conducting studies to, and through other
16 innovative means, identify adults and juveniles in this
17 State who have, or who are at risk of developing, gambling
18 disorders.

19 (5) Use screening, crisis intervention, treatment,
20 public awareness, prevention, in-service training, and
21 other innovative means to decrease the incidence of
22 suicide attempts related to a gambling disorder or
23 gambling issues.

24 (b) Subject to appropriation, the Department shall either
25 establish and maintain the program or contract with a private
26 or public entity for the establishment and maintenance of the

1 program. Subject to appropriation, either the Department or
2 the private or public entity shall implement the hotline and
3 website ~~toll-free telephone number~~, promote public awareness,
4 conduct research, fund treatment and recovery services, and
5 conduct in-service training concerning gambling disorders.

6 (c) The Department shall select a statement regarding
7 obtaining assistance with gambling disorders, which each
8 licensed gambling establishment owner shall post, and each
9 master sports wagering licensee shall include, on the master
10 sports wagering licensee's portal, Internet website, or
11 computer or mobile application. Subject to appropriation, the
12 Department shall produce and supply the signs with the
13 statement as specified in Section 10.7 of the Illinois Lottery
14 Law, Section 34.1 of the Illinois Horse Racing Act of 1975,
15 Section 4.3 of the Bingo License and Tax Act, Section 8.1 of
16 the Charitable Games Act, Section 25.95 of the Sports Wagering
17 Act, and Section 13.1 of the Illinois Gambling Act, and the
18 Video Gaming Act.

19 (d) Programs; gambling disorder prevention.

20 (1) The Department may establish a program to provide
21 for the production and publication, in electronic and
22 other formats, of gambling prevention, recognition,
23 treatment, and recovery literature and other public
24 education methods. The Department may develop and
25 disseminate curricula for use by professionals,
26 organizations, individuals, or committees interested in

1 the prevention of gambling disorders.

2 (2) The Department may provide advice to State and
3 local officials on gambling disorders, including the
4 prevalence of gambling disorders, programs treating or
5 promoting prevention of gambling disorders, trends in
6 gambling disorder prevalence, and the relationship between
7 gaming and gambling disorders.

8 (3) The Department may support gambling disorder
9 prevention, recognition, treatment, and recovery projects
10 by facilitating the acquisition of gambling prevention
11 curriculums, providing trainings in gambling disorder
12 prevention best practices, connecting programs to health
13 care resources, establishing learning collaboratives
14 between localities and programs, and assisting programs in
15 navigating any regulatory requirements for establishing or
16 expanding such programs.

17 (4) In supporting best practices in gambling disorder
18 prevention programming, the Department may promote the
19 following programmatic elements:

20 (A) Providing funding for community-based
21 organizations to employ community health workers or
22 peer recovery specialists who are familiar with the
23 communities served and can provide culturally
24 competent services.

25 (B) Collaborating with other community-based
26 organizations, substance use disorder treatment

1 centers, or other health care providers engaged in
2 treating individuals who are experiencing a gambling
3 disorder.

4 (C) Providing linkages for individuals to obtain
5 evidence-based gambling disorder treatment.

6 (D) Engaging individuals exiting jails or prisons
7 who are at a high risk of developing a gambling
8 disorder.

9 (E) Providing education and training to
10 community-based organizations who work directly with
11 individuals who are experiencing gambling disorders
12 and those individuals' families and communities.

13 (F) Providing education and training on gambling
14 disorder prevention and response to the judicial
15 system.

16 (G) Informing communities of the impact gambling
17 disorder has on suicidal ideation and suicide attempts
18 and the role health care professionals can have in
19 identifying appropriate treatment.

20 (H) Producing and distributing targeted mass media
21 materials on gambling disorder prevention and
22 response, and the potential dangers of gambling
23 related stigma.

24 (e) Grants.

25 (1) The Department may award grants, in accordance
26 with this subsection, to create or support local gambling

1 prevention, recognition, and response projects. Local
2 health departments, correctional institutions, hospitals,
3 universities, community-based organizations, and
4 faith-based organizations may apply to the Department for
5 a grant under this subsection at the time and in the manner
6 the Department prescribes.

7 (2) In awarding grants, the Department shall consider
8 the necessity for gambling disorder prevention projects in
9 various settings and shall encourage all grant applicants
10 to develop interventions that will be effective and viable
11 in their local areas.

12 (3) In addition to moneys appropriated by the General
13 Assembly, the Department may seek grants from private
14 foundations, the federal government, and other sources to
15 fund the grants under this Section and to fund an
16 evaluation of the programs supported by the grants.

17 (4) The Department may award grants to create or
18 support local gambling treatment programs. Such programs
19 may include prevention, early intervention, residential
20 and outpatient treatment, and recovery support services
21 for gambling disorders. Local health departments,
22 hospitals, universities, community-based organizations,
23 and faith-based organizations may apply to the Department
24 for a grant under this subsection at the time and in the
25 manner the Department prescribes.

26 (Source: P.A. 100-759, eff. 1-1-19; 101-31, eff. 6-28-19.)

1 (20 ILCS 301/10-10)

2 Sec. 10-10. Powers and duties of the Council. The Council
3 shall:

4 (a) Advise the Department on ways to encourage public
5 understanding and support of the Department's programs.

6 (b) Advise the Department on regulations and licensure
7 proposed by the Department.

8 (c) Advise the Department in the formulation,
9 preparation, and implementation of the annual plan
10 submitted with the federal Substance Use Disorder Block
11 Grant application for prevention, early intervention,
12 treatment, and other recovery support services for
13 substance use disorders.

14 (d) Advise the Department on implementation of
15 substance use and gambling disorder education and
16 prevention programs throughout the State.

17 (e) Assist with incorporating into the annual plan
18 submitted with the federal Substance Use Disorder Block
19 Grant application, planning information specific to
20 Illinois' female population. The information shall
21 contain, but need not be limited to, the types of services
22 funded, the population served, the support services
23 available, and the goals, objectives, proposed methods of
24 achievement, service projections and cost estimate for the
25 upcoming year.

1 (f) Perform other duties as requested by the
2 Secretary.

3 (g) Advise the Department in the planning,
4 development, and coordination of programs among all
5 agencies and departments of State government, including
6 programs to reduce substance use and gambling disorders,
7 prevent the misuse of illegal and legal drugs by persons
8 of all ages, prevent gambling and gambling behaviors while
9 gaming by minors, and prevent the use of alcohol by
10 minors.

11 (h) Promote and encourage participation by the private
12 sector, including business, industry, labor, and the
13 media, in programs to prevent substance use and gambling
14 disorders.

15 (i) Encourage the implementation of programs to
16 prevent substance use and gambling disorders in the public
17 and private schools and educational institutions.

18 (j) Gather information, conduct hearings, and make
19 recommendations to the Secretary concerning additions,
20 deletions, or rescheduling of substances under the
21 Illinois Controlled Substances Act.

22 (k) Report as requested to the General Assembly
23 regarding the activities and recommendations made by the
24 Council.

25 (Source: P.A. 100-759, eff. 1-1-19.)

1 (20 ILCS 301/10-15)

2 Sec. 10-15. Qualification and appointment of members. The
3 membership of the Illinois Advisory Council may, as needed,
4 consist of:

5 (a) A State's Attorney designated by the President of
6 the Illinois State's Attorneys Association.

7 (b) A judge designated by the Chief Justice of the
8 Illinois Supreme Court.

9 (c) A Public Defender appointed by the President of
10 the Illinois Public Defender Association.

11 (d) A local law enforcement officer appointed by the
12 Governor.

13 (e) A labor representative appointed by the Governor.

14 (f) An educator appointed by the Governor.

15 (g) A physician licensed to practice medicine in all
16 its branches appointed by the Governor with due regard for
17 the appointee's knowledge of the field of substance use
18 disorders.

19 (h) 4 members of the Illinois House of
20 Representatives, 2 each appointed by the Speaker and
21 Minority Leader.

22 (i) 4 members of the Illinois Senate, 2 each appointed
23 by the President and Minority Leader.

24 (j) The Chief Executive Officer of the Illinois
25 Association for Behavioral Health or his or her designee.

26 (k) An advocate for the needs of youth appointed by

1 the Governor.

2 (l) The President of the Illinois State Medical
3 Society or his or her designee.

4 (m) The President of the Illinois Hospital Association
5 or his or her designee.

6 (n) The President of the Illinois Nurses Association
7 or a registered nurse designated by the President.

8 (o) The President of the Illinois Pharmacists
9 Association or a licensed pharmacist designated by the
10 President.

11 (p) The President of the Illinois Chapter of the
12 Association of Labor-Management Administrators and
13 Consultants on Alcoholism.

14 (p-1) The Chief Executive Officer of the Community
15 Behavioral Healthcare Association of Illinois or his or
16 her designee.

17 (q) The Attorney General or his or her designee.

18 (r) The State Comptroller or his or her designee.

19 (s) 20 public members, 8 appointed by the Governor, 3
20 of whom shall be representatives of substance use or
21 gambling disorder treatment programs and one of whom shall
22 be a representative of a manufacturer or importing
23 distributor of alcoholic liquor licensed by the State of
24 Illinois, and 3 public members appointed by each of the
25 President and Minority Leader of the Senate and the
26 Speaker and Minority Leader of the House.

1 (t) The Director, Secretary, or other chief
2 administrative officer, ex officio, or his or her
3 designee, of each of the following: the Department on
4 Aging, the Department of Children and Family Services, the
5 Department of Corrections, the Department of Juvenile
6 Justice, the Department of Healthcare and Family Services,
7 the Department of Revenue, the Department of Public
8 Health, the Department of Financial and Professional
9 Regulation, the Illinois State Police, the Administrative
10 Office of the Illinois Courts, the Criminal Justice
11 Information Authority, and the Department of
12 Transportation.

13 (u) Each of the following, ex officio, or his or her
14 designee: the Secretary of State, the State Superintendent
15 of Education, and the Chairman of the Board of Higher
16 Education.

17 The public members may not be officers or employees of the
18 executive branch of State government; however, the public
19 members may be officers or employees of a State college or
20 university or of any law enforcement agency. In appointing
21 members, due consideration shall be given to the experience of
22 appointees in the fields of medicine, law, prevention,
23 correctional activities, and social welfare. Vacancies in the
24 public membership shall be filled for the unexpired term by
25 appointment in like manner as for original appointments, and
26 the appointive members shall serve until their successors are

1 appointed and have qualified. Vacancies among the public
2 members appointed by the legislative leaders shall be filled
3 by the leader of the same house and of the same political party
4 as the leader who originally appointed the member.

5 Each non-appointive member may designate a representative
6 to serve in his place by written notice to the Department. All
7 General Assembly members shall serve until their respective
8 successors are appointed or until termination of their
9 legislative service, whichever occurs first. The terms of
10 office for each of the members appointed by the Governor shall
11 be for 3 years, except that of the members first appointed, 3
12 shall be appointed for a term of one year, and 4 shall be
13 appointed for a term of 2 years. The terms of office of each of
14 the public members appointed by the legislative leaders shall
15 be for 2 years.

16 (Source: P.A. 102-538, eff. 8-20-21.)

17 (20 ILCS 301/15-5)

18 Sec. 15-5. Applicability.

19 (a) It is unlawful for any person to provide treatment for
20 substance use or gambling disorders or to provide services as
21 specified in subsections (a) and (b) of Section 15-10 of this
22 Act unless the person is licensed to do so by the Department.
23 The performance of these activities by any person in violation
24 of this Act is declared to be inimical to the public health and
25 welfare, and to be a public nuisance. The Department may

1 undertake such inspections and investigations as it deems
2 appropriate to determine whether licensable activities are
3 being conducted without the requisite license.

4 (b) Nothing in this Act shall be construed to require any
5 hospital, as defined by the Hospital Licensing Act, required
6 to have a license from the Department of Public Health
7 pursuant to the Hospital Licensing Act to obtain any license
8 under this Act for any substance use disorder treatment
9 services operated on the licensed premises of the hospital,
10 and operated by the hospital or its designated agent, provided
11 that such services are covered within the scope of the
12 Hospital Licensing Act. No person or facility required to be
13 licensed under this Act shall be required to obtain a license
14 pursuant to the Hospital Licensing Act or the Child Care Act of
15 1969.

16 (c) Nothing in this Act shall be construed to require an
17 individual employee of a licensed program to be licensed under
18 this Act.

19 (d) Nothing in this Act shall be construed to require any
20 private professional practice, whether by an individual
21 practitioner, by a partnership, or by a duly incorporated
22 professional service corporation, that provides outpatient
23 treatment for substance use disorders to be licensed under
24 this Act, provided that the treatment is rendered personally
25 by the professional in his own name and the professional is
26 authorized by individual professional licensure or

1 registration from the Department of Financial and Professional
2 Regulation to provide substance use disorder treatment
3 unsupervised. This exemption shall not apply to such private
4 professional practice that provides or holds itself out, as
5 defined in Section 1-10, as providing substance use disorder
6 outpatient treatment. This exemption shall also not apply to
7 licensable intervention services, research, or residential
8 treatment services as defined in this Act or by rule.

9 Notwithstanding any other provisions of this subsection to
10 the contrary, persons licensed to practice medicine in all of
11 its branches in Illinois shall not require licensure under
12 this Act unless their private professional practice provides
13 and holds itself out, as defined in Section 1-10, as providing
14 substance use disorder outpatient treatment.

15 (e) Nothing in this Act shall be construed to require any
16 employee assistance program operated by an employer or any
17 intervenor program operated by a professional association to
18 obtain any license pursuant to this Act to perform services
19 that do not constitute licensable treatment or intervention as
20 defined in this Act.

21 (f) Before any violation of this Act is reported by the
22 Department or any of its agents to any State's Attorney for the
23 institution of a criminal proceeding, the person against whom
24 such proceeding is contemplated shall be given appropriate
25 notice and an opportunity to present his views before the
26 Department or its designated agent, either orally or in

1 writing, in person or by an attorney, with regard to such
2 contemplated proceeding. Nothing in this Act shall be
3 construed as requiring the Department to report minor
4 violations of this Act whenever the Department believes that
5 the public interest would be adequately served by a suitable
6 written notice or warning.

7 (Source: P.A. 100-759, eff. 1-1-19.)

8 (20 ILCS 301/15-10)

9 Sec. 15-10. Licensure categories and services. No person
10 or program may provide the services or conduct the activities
11 described in this Section without first obtaining a license
12 therefor from the Department, unless otherwise exempted under
13 this Act. The Department shall, by rule, provide requirements
14 for each of the following types of licenses and categories of
15 service:

16 (a) Treatment: Categories of treatment service for a
17 substance use or gambling disorder ~~authorized by a~~
18 ~~treatment license~~ are Early Intervention, Outpatient,
19 Intensive Outpatient/Partial Hospitalization, Subacute
20 Residential/Inpatient, and Withdrawal Management.
21 Medication assisted treatment that includes methadone used
22 for an opioid use disorder can be licensed as an adjunct to
23 any of the treatment levels of care specified in this
24 Section.

25 (b) Intervention: Categories of intervention service

1 ~~authorized by an intervention license~~ are DUI Evaluation,
2 DUI Risk Education, Designated Program, and Recovery Homes
3 for persons in any stage of recovery from a substance use
4 or gambling disorder. Harm Reduction Services is another
5 category of intervention licensure that may be issued if
6 and when legal authorization is adopted to allow for
7 services and upon adoption of administrative or funding
8 rules that govern the delivery of these services.

9 The Department may, under procedures established by rule
10 and upon a showing of good cause for such, exempt off-site
11 services from having to obtain a separate license for services
12 conducted away from the provider's licensed location.

13 (Source: P.A. 100-759, eff. 1-1-19.)

14 (20 ILCS 301/20-5)

15 Sec. 20-5. Development of statewide prevention system.

16 (a) The Department shall develop and implement a
17 comprehensive, statewide, community-based strategy to reduce
18 substance use and gambling disorders and prevent the misuse of
19 illegal and legal drugs by persons of all ages, and to prevent
20 the use of alcohol by minors. The system created to implement
21 this strategy shall be based on the premise that coordination
22 among and integration between all community and governmental
23 systems will facilitate effective and efficient program
24 implementation and utilization of existing resources.

25 (b) The statewide system developed under this Section may

1 be adopted by administrative rule or funded as a grant award
2 condition and shall be responsible for:

3 (1) Providing programs and technical assistance to
4 improve the ability of Illinois communities and schools to
5 develop, implement and evaluate prevention programs.

6 (2) Initiating and fostering continuing cooperation
7 among the Department, Department-funded prevention
8 programs, other community-based prevention providers and
9 other State, regional, or local systems or agencies that
10 have an interest in substance use disorder prevention.

11 (c) In developing, implementing, and advocating for this
12 statewide strategy and system, the Department may engage in,
13 but shall not be limited to, the following activities:

14 (1) Establishing and conducting programs to provide
15 awareness and knowledge of the nature and extent of
16 substance use and gambling disorders and their effect on
17 individuals, families, and communities.

18 (2) Conducting or providing prevention skill building
19 or education through the use of structured experiences.

20 (3) Developing, supporting, and advocating with new
21 and existing local community coalitions or
22 neighborhood-based grassroots networks using action
23 planning and collaborative systems to initiate change
24 regarding substance use and gambling disorders in their
25 communities.

26 (4) Encouraging, supporting, and advocating for

1 programs and activities that emphasize alcohol-free and
2 other drug-free lifestyles.

3 (5) Drafting and implementing efficient plans for the
4 use of available resources to address issues of substance
5 use disorder prevention.

6 (6) Coordinating local programs of alcoholism and
7 other drug abuse education and prevention.

8 (7) Encouraging the development of local advisory
9 councils.

10 (d) In providing leadership to this system, the Department
11 shall take into account, wherever possible, the needs and
12 requirements of local communities. The Department shall also
13 involve, wherever possible, local communities in its statewide
14 planning efforts. These planning efforts shall include, but
15 shall not be limited to, in cooperation with local community
16 representatives and Department-funded agencies, the analysis
17 and application of results of local needs assessments, as well
18 as a process for the integration of an evaluation component
19 into the system. The results of this collaborative planning
20 effort shall be taken into account by the Department in making
21 decisions regarding the allocation of prevention resources.

22 (e) Prevention programs funded in whole or in part by the
23 Department shall maintain staff whose skills, training,
24 experiences and cultural awareness demonstrably match the
25 needs of the people they are serving.

26 (f) The Department may delegate the functions and

1 activities described in subsection (c) of this Section to
2 local, community-based providers.

3 (Source: P.A. 100-759, eff. 1-1-19.)

4 (20 ILCS 301/25-5)

5 Sec. 25-5. Establishment of comprehensive treatment
6 system. The Department shall develop, fund and implement a
7 comprehensive, statewide, community-based system for the
8 provision of early intervention, treatment, and recovery
9 support services for persons suffering from substance use or
10 gambling disorders. The system created under this Section
11 shall be based on the premise that coordination among and
12 integration between all community and governmental systems
13 will facilitate effective and efficient program implementation
14 and utilization of existing resources.

15 (Source: P.A. 100-759, eff. 1-1-19.)

16 (20 ILCS 301/25-10)

17 Sec. 25-10. Promulgation of regulations. The Department
18 shall adopt regulations for licensure, certification for
19 Medicaid reimbursement, and to identify evidence-based best
20 practice criteria that can be utilized for intervention and
21 treatment services, taking into consideration available
22 resources and facilities, for the purpose of early and
23 effective treatment of substance use and gambling disorders.

24 (Source: P.A. 100-759, eff. 1-1-19.)

1 (20 ILCS 301/30-5)

2 Sec. 30-5. Patients' rights established.

3 (a) For purposes of this Section, "patient" means any
4 person who is receiving or has received early intervention,
5 treatment, or other recovery support services under this Act
6 or any category of service licensed as "intervention" under
7 this Act.

8 (b) No patient shall be deprived of any rights, benefits,
9 or privileges guaranteed by law, the Constitution of the
10 United States of America, or the Constitution of the State of
11 Illinois solely because of his or her status as a patient.

12 (c) Persons who have substance use or gambling disorders
13 who are also suffering from medical conditions shall not be
14 discriminated against in admission or treatment by any
15 hospital that receives support in any form supported in whole
16 or in part by funds appropriated to any State department or
17 agency.

18 (d) Every patient shall have impartial access to services
19 without regard to race, religion, sex, ethnicity, age, sexual
20 orientation, gender identity, marital status, or other
21 disability.

22 (e) Patients shall be permitted the free exercise of
23 religion.

24 (f) Every patient's personal dignity shall be recognized
25 in the provision of services, and a patient's personal privacy

1 shall be assured and protected within the constraints of his
2 or her individual treatment.

3 (g) Treatment services shall be provided in the least
4 restrictive environment possible.

5 (h) Each patient receiving treatment services shall be
6 provided an individual treatment plan, which shall be
7 periodically reviewed and updated as mandated by
8 administrative rule.

9 (i) Treatment shall be person-centered, meaning that every
10 patient shall be permitted to participate in the planning of
11 his or her total care and medical treatment to the extent that
12 his or her condition permits.

13 (j) A person shall not be denied treatment solely because
14 he or she has withdrawn from treatment against medical advice
15 on a prior occasion or had prior treatment episodes.

16 (k) The patient in residential treatment shall be
17 permitted visits by family and significant others, unless such
18 visits are clinically contraindicated.

19 (l) A patient in residential treatment shall be allowed to
20 conduct private telephone conversations with family and
21 friends unless clinically contraindicated.

22 (m) A patient in residential treatment shall be permitted
23 to send and receive mail without hindrance, unless clinically
24 contraindicated.

25 (n) A patient shall be permitted to manage his or her own
26 financial affairs unless the patient or the patient's

1 guardian, or if the patient is a minor, the patient's parent,
2 authorizes another competent person to do so.

3 (o) A patient shall be permitted to request the opinion of
4 a consultant at his or her own expense, or to request an
5 in-house review of a treatment plan, as provided in the
6 specific procedures of the provider. A treatment provider is
7 not liable for the negligence of any consultant.

8 (p) Unless otherwise prohibited by State or federal law,
9 every patient shall be permitted to obtain from his or her own
10 physician, the treatment provider, or the treatment provider's
11 consulting physician complete and current information
12 concerning the nature of care, procedures, and treatment that
13 he or she will receive.

14 (q) A patient shall be permitted to refuse to participate
15 in any experimental research or medical procedure without
16 compromising his or her access to other, non-experimental
17 services. Before a patient is placed in an experimental
18 research or medical procedure, the provider must first obtain
19 his or her informed written consent or otherwise comply with
20 the federal requirements regarding the protection of human
21 subjects contained in 45 CFR Part 46.

22 (r) All medical treatment and procedures shall be
23 administered as ordered by a physician and in accordance with
24 all Department rules.

25 (s) Every patient in treatment shall be permitted to
26 refuse medical treatment and to know the consequences of such

1 action. Such refusal by a patient shall free the treatment
2 licensee from the obligation to provide the treatment.

3 (t) Unless otherwise prohibited by State or federal law,
4 every patient, patient's guardian, or parent, if the patient
5 is a minor, shall be permitted to inspect and copy all clinical
6 and other records kept by the intervention or treatment
7 licensee or by his or her physician concerning his or her care
8 and maintenance. The licensee or physician may charge a
9 reasonable fee for the duplication of a record.

10 (u) No owner, licensee, administrator, employee, or agent
11 of a licensed intervention or treatment program shall abuse or
12 neglect a patient. It is the duty of any individual who becomes
13 aware of such abuse or neglect to report it to the Department
14 immediately.

15 (v) The licensee may refuse access to any person if the
16 actions of that person are or could be injurious to the health
17 and safety of a patient or the licensee, or if the person seeks
18 access for commercial purposes.

19 (w) All patients admitted to community-based treatment
20 facilities shall be considered voluntary treatment patients
21 and such patients shall not be contained within a locked
22 setting.

23 (x) Patients and their families or legal guardians shall
24 have the right to present complaints to the provider or the
25 Department concerning the quality of care provided to the
26 patient, without threat of discharge or reprisal in any form

1 or manner whatsoever. The complaint process and procedure
2 shall be adopted by the Department by rule. The treatment
3 provider shall have in place a mechanism for receiving and
4 responding to such complaints, and shall inform the patient
5 and the patient's family or legal guardian of this mechanism
6 and how to use it. The provider shall analyze any complaint
7 received and, when indicated, take appropriate corrective
8 action. Every patient and his or her family member or legal
9 guardian who makes a complaint shall receive a timely response
10 from the provider that substantively addresses the complaint.
11 The provider shall inform the patient and the patient's family
12 or legal guardian about other sources of assistance if the
13 provider has not resolved the complaint to the satisfaction of
14 the patient or the patient's family or legal guardian.

15 (y) A patient may refuse to perform labor at a program
16 unless such labor is a part of the patient's individual
17 treatment plan as documented in the patient's clinical record.

18 (z) A person who is in need of services may apply for
19 voluntary admission in the manner and with the rights provided
20 for under regulations promulgated by the Department. If a
21 person is refused admission, then staff, subject to rules
22 promulgated by the Department, shall refer the person to
23 another facility or to other appropriate services.

24 (aa) No patient shall be denied services based solely on
25 HIV status. Further, records and information governed by the
26 AIDS Confidentiality Act and the AIDS Confidentiality and

1 Testing Code (77 Ill. Adm. Code 697) shall be maintained in
2 accordance therewith.

3 (bb) Records of the identity, diagnosis, prognosis or
4 treatment of any patient maintained in connection with the
5 performance of any service or activity relating to substance
6 use or gambling disorder education, early intervention,
7 intervention, training, or treatment that is regulated,
8 authorized, or directly or indirectly assisted by any
9 Department or agency of this State or under any provision of
10 this Act shall be confidential and may be disclosed only in
11 accordance with the provisions of federal law and regulations
12 concerning the confidentiality of substance use disorder
13 patient records as contained in 42 U.S.C. Sections 290dd-2 and
14 42 CFR Part 2, or any successor federal statute or regulation.

15 (1) The following are exempt from the confidentiality
16 protections set forth in 42 CFR Section 2.12(c):

17 (A) Veteran's Administration records.

18 (B) Information obtained by the Armed Forces.

19 (C) Information given to qualified service
20 organizations.

21 (D) Communications within a program or between a
22 program and an entity having direct administrative
23 control over that program.

24 (E) Information given to law enforcement personnel
25 investigating a patient's commission of a crime on the
26 program premises or against program personnel.

1 (F) Reports under State law of incidents of
2 suspected child abuse and neglect; however,
3 confidentiality restrictions continue to apply to the
4 records and any follow-up information for disclosure
5 and use in civil or criminal proceedings arising from
6 the report of suspected abuse or neglect.

7 (2) If the information is not exempt, a disclosure can
8 be made only under the following circumstances:

9 (A) With patient consent as set forth in 42 CFR
10 Sections 2.1(b)(1) and 2.31, and as consistent with
11 pertinent State law.

12 (B) For medical emergencies as set forth in 42 CFR
13 Sections 2.1(b)(2) and 2.51.

14 (C) For research activities as set forth in 42 CFR
15 Sections 2.1(b)(2) and 2.52.

16 (D) For audit evaluation activities as set forth
17 in 42 CFR Section 2.53.

18 (E) With a court order as set forth in 42 CFR
19 Sections 2.61 through 2.67.

20 (3) The restrictions on disclosure and use of patient
21 information apply whether the holder of the information
22 already has it, has other means of obtaining it, is a law
23 enforcement or other official, has obtained a subpoena, or
24 asserts any other justification for a disclosure or use
25 that is not permitted by 42 CFR Part 2. Any court orders
26 authorizing disclosure of patient records under this Act

1 must comply with the procedures and criteria set forth in
2 42 CFR Sections 2.64 and 2.65. Except as authorized by a
3 court order granted under this Section, no record referred
4 to in this Section may be used to initiate or substantiate
5 any charges against a patient or to conduct any
6 investigation of a patient.

7 (4) The prohibitions of this subsection shall apply to
8 records concerning any person who has been a patient,
9 regardless of whether or when the person ceases to be a
10 patient.

11 (5) Any person who discloses the content of any record
12 referred to in this Section except as authorized shall,
13 upon conviction, be guilty of a Class A misdemeanor.

14 (6) The Department shall prescribe regulations to
15 carry out the purposes of this subsection. These
16 regulations may contain such definitions, and may provide
17 for such safeguards and procedures, including procedures
18 and criteria for the issuance and scope of court orders,
19 as in the judgment of the Department are necessary or
20 proper to effectuate the purposes of this Section, to
21 prevent circumvention or evasion thereof, or to facilitate
22 compliance therewith.

23 (cc) Each patient shall be given a written explanation of
24 all the rights enumerated in this Section and a copy, signed by
25 the patient, shall be kept in every patient record. If a
26 patient is unable to read such written explanation, it shall

1 be read to the patient in a language that the patient
2 understands. A copy of all the rights enumerated in this
3 Section shall be posted in a conspicuous place within the
4 program where it may readily be seen and read by program
5 patients and visitors.

6 (dd) The program shall ensure that its staff is familiar
7 with and observes the rights and responsibilities enumerated
8 in this Section.

9 (ee) Licensed organizations shall comply with the right of
10 any adolescent to consent to treatment without approval of the
11 parent or legal guardian in accordance with the Consent by
12 Minors to Health Care Services Act.

13 (ff) At the point of admission for services, licensed
14 organizations must obtain written informed consent, as defined
15 in Section 1-10 and in administrative rule, from each client,
16 patient, or legal guardian.

17 (Source: P.A. 102-813, eff. 5-13-22.)

18 (20 ILCS 301/35-5)

19 Sec. 35-5. Services for pregnant women and mothers.

20 (a) In order to promote a comprehensive, statewide and
21 multidisciplinary approach to serving pregnant women and
22 mothers, including those who are minors, and their children
23 who are affected by substance use or gambling disorders, the
24 Department shall have responsibility for an ongoing exchange
25 of referral information among the following:

1 (1) those who provide medical and social services to
2 pregnant women, mothers and their children, whether or not
3 there exists evidence of a substance use or gambling
4 disorder. These include any other State-funded medical or
5 social services to pregnant women.

6 (2) providers of treatment services to women affected
7 by substance use or gambling disorders.

8 (b) (Blank).

9 (c) (Blank).

10 (d) (Blank).

11 (e) (Blank).

12 (f) The Department shall develop and maintain an updated
13 and comprehensive directory of licensed providers that deliver
14 treatment and intervention services. The Department shall post
15 on its website a licensed provider directory updated at least
16 quarterly.

17 (g) As a condition of any State grant or contract, the
18 Department shall require that any treatment program for women
19 with substance use or gambling disorders provide services,
20 either by its own staff or by agreement with other agencies or
21 individuals, which include but need not be limited to the
22 following:

23 (1) coordination with any program providing case
24 management services to ensure ongoing monitoring and
25 coordination of services after the addicted woman has
26 returned home.

1 (2) coordination with medical services for individual
2 medical care of pregnant women, including prenatal care
3 under the supervision of a physician.

4 (3) coordination with child care services.

5 (h) As a condition of any State grant or contract, the
6 Department shall require that any nonresidential program
7 receiving any funding for treatment services accept women who
8 are pregnant, provided that such services are clinically
9 appropriate. Failure to comply with this subsection shall
10 result in termination of the grant or contract and loss of
11 State funding.

12 (i)(1) From funds appropriated expressly for the purposes
13 of this Section, the Department shall create or contract with
14 licensed, certified agencies to develop a program for the care
15 and treatment of pregnant women, mothers and their children.
16 The program shall be in Cook County in an area of high density
17 population having a disproportionate number of women with
18 substance use and other disorders and a high infant mortality
19 rate.

20 (2) From funds appropriated expressly for the purposes of
21 this Section, the Department shall create or contract with
22 licensed, certified agencies to develop a program for the care
23 and treatment of low income pregnant women. The program shall
24 be located anywhere in the State outside of Cook County in an
25 area of high density population having a disproportionate
26 number of low income pregnant women.

1 (3) In implementing the programs established under this
2 subsection, the Department shall contract with existing
3 residential treatment or recovery homes in areas having a
4 disproportionate number of women with substance use and other
5 disorders who need residential treatment. Priority shall be
6 given to women who:

7 (A) are pregnant, especially if they are intravenous
8 drug users,

9 (B) have minor children,

10 (C) are both pregnant and have minor children, or

11 (D) are referred by medical personnel because they
12 either have given birth to a baby with a substance use
13 disorder, or will give birth to a baby with a substance use
14 disorder.

15 (4) The services provided by the programs shall include
16 but not be limited to:

17 (A) individual medical care, including prenatal care,
18 under the supervision of a physician.

19 (B) temporary, residential shelter for pregnant women,
20 mothers and children when necessary.

21 (C) a range of educational or counseling services.

22 (D) comprehensive and coordinated social services,
23 including therapy groups for the treatment of substance
24 use disorders; family therapy groups; programs to develop
25 positive self-awareness; parent-child therapy; and
26 residential support groups.

1 (5) (Blank).

2 (Source: P.A. 100-759, eff. 1-1-19.)

3 (20 ILCS 301/35-10)

4 Sec. 35-10. Adolescent Family Life Program.

5 (a) The General Assembly finds and declares the following:

6 (1) In Illinois, a substantial number of babies are
7 born each year to adolescent mothers between 12 and 19
8 years of age.

9 (2) A substantial percentage of pregnant adolescents
10 have substance use disorders or live in environments in
11 which substance use disorders occur and thus are at risk
12 of exposing their infants to dangerous and harmful
13 circumstances.

14 (3) It is difficult to provide substance use disorder
15 counseling for adolescents in settings designed to serve
16 adults.

17 (b) To address the findings set forth in subsection (a),
18 and subject to appropriation, the Department may establish and
19 fund treatment strategies to meet the developmental, social,
20 and educational needs of high-risk pregnant adolescents and
21 shall do the following:

22 (1) To the maximum extent feasible and appropriate,
23 utilize existing services and funding rather than create
24 new, duplicative services.

25 (2) Include plans for coordination and collaboration

1 with existing perinatal substance use disorder services.

2 (3) Include goals and objectives for reducing the
3 incidence of high-risk pregnant adolescents.

4 (4) Be culturally and linguistically appropriate to
5 the population being served.

6 (5) Include staff development training by substance
7 use and other disorder counselors.

8 As used in this Section, "high-risk pregnant adolescent"
9 means a person at least 12 but not more than 18 years of age
10 with a substance use or other disorder who is pregnant.

11 (c) (Blank).

12 (Source: P.A. 100-759, eff. 1-1-19.)

13 (20 ILCS 301/50-40)

14 Sec. 50-40. Group Home Loan Revolving Fund.

15 (a) There is hereby established the Group Home Loan
16 Revolving Fund, referred to in this Section as the "fund", to
17 be held as a separate fund within the State Treasury. Monies in
18 this fund shall be appropriated to the Department on a
19 continuing annual basis. With these funds, the Department
20 shall, directly or through subcontract, make loans to assist
21 in underwriting the costs of housing in which there may reside
22 individuals who are recovering from substance use or gambling
23 disorders, and who are seeking an alcohol-free, gambling-free,
24 or drug-free environment in which to live. Consistent with
25 federal law and regulation, the Department may establish

1 guidelines for approving the use and management of monies
2 loaned from the fund, the operation of group homes receiving
3 loans under this Section and the repayment of monies loaned.

4 (b) There shall be deposited into the fund such amounts
5 including, but not limited to:

6 (1) All receipts, including principal and interest
7 payments and royalties, from any applicable loan agreement
8 made from the fund.

9 (2) All proceeds of assets of whatever nature received
10 by the Department as a result of default or delinquency
11 with respect to loan agreements made from the fund,
12 including proceeds from the sale, disposal, lease or
13 rental of real or personal property that the Department
14 may receive as a result thereof.

15 (3) Any direct appropriations made by the General
16 Assembly, or any gifts or grants made by any person to the
17 fund.

18 (4) Any income received from interest on investments
19 of monies in the fund.

20 (c) The Treasurer may invest monies in the fund in
21 securities constituting obligations of the United States
22 government, or in obligations the principal of and interest on
23 which are guaranteed by the United States government, or in
24 certificates of deposit of any State or national bank which
25 are fully secured by obligations guaranteed as to principal
26 and interest by the United States government.

1 (Source: P.A. 100-759, eff. 1-1-19.)

2 (20 ILCS 301/55-30)

3 Sec. 55-30. Rate increase.

4 (a) The Department shall by rule develop the increased
5 rate methodology and annualize the increased rate beginning
6 with State fiscal year 2018 contracts to licensed providers of
7 community-based substance use and gambling disorders ~~disorder~~
8 intervention or treatment, based on the additional amounts
9 appropriated for the purpose of providing a rate increase to
10 licensed providers. The Department shall adopt rules,
11 including emergency rules under subsection (y) of Section 5-45
12 of the Illinois Administrative Procedure Act, to implement the
13 provisions of this Section.

14 (b) (Blank).

15 (c) Beginning on July 1, 2022, the Division of Substance
16 Use Prevention and Recovery shall increase reimbursement rates
17 for all community-based substance use disorder treatment and
18 intervention services by 47%, including, but not limited to,
19 all of the following:

20 (1) Admission and Discharge Assessment.

21 (2) Level 1 (Individual).

22 (3) Level 1 (Group).

23 (4) Level 2 (Individual).

24 (5) Level 2 (Group).

25 (6) Case Management.

1 (7) Psychiatric Evaluation.

2 (8) Medication Assisted Recovery.

3 (9) Community Intervention.

4 (10) Early Intervention (Individual).

5 (11) Early Intervention (Group).

6 Beginning in State Fiscal Year 2023, and every State
7 fiscal year thereafter, reimbursement rates for those
8 community-based substance use disorder treatment and
9 intervention services shall be adjusted upward by an amount
10 equal to the Consumer Price Index-U from the previous year,
11 not to exceed 2% in any State fiscal year. If there is a
12 decrease in the Consumer Price Index-U, rates shall remain
13 unchanged for that State fiscal year. The Department shall
14 adopt rules, including emergency rules in accordance with the
15 Illinois Administrative Procedure Act, to implement the
16 provisions of this Section.

17 As used in this Section, "Consumer Price Index-U" means
18 the index published by the Bureau of Labor Statistics of the
19 United States Department of Labor that measures the average
20 change in prices of goods and services purchased by all urban
21 consumers, United States city average, all items, 1982-84 =
22 100.

23 (d) Beginning on January 1, 2024, subject to federal
24 approval, the Division of Substance Use Prevention and
25 Recovery shall increase reimbursement rates for all ASAM level
26 3 residential/inpatient substance use disorder treatment and

1 intervention services by 30%, including, but not limited to,
2 the following services:

3 (1) ASAM level 3.5 Clinically Managed High-Intensity
4 Residential Services for adults;

5 (2) ASAM level 3.5 Clinically Managed Medium-Intensity
6 Residential Services for adolescents;

7 (3) ASAM level 3.2 Clinically Managed Residential
8 Withdrawal Management;

9 (4) ASAM level 3.7 Medically Monitored Intensive
10 Inpatient Services for adults and Medically Monitored
11 High-Intensity Inpatient Services for adolescents; and

12 (5) ASAM level 3.1 Clinically Managed Low-Intensity
13 Residential Services for adults and adolescents.

14 (e) Beginning in State fiscal year 2025, and every State
15 fiscal year thereafter, reimbursement rates for licensed or
16 certified substance use disorder treatment providers of ASAM
17 Level 3 residential/inpatient services for persons with
18 substance use disorders shall be adjusted upward by an amount
19 equal to the Consumer Price Index-U from the previous year,
20 not to exceed 2% in any State fiscal year. If there is a
21 decrease in the Consumer Price Index-U, rates shall remain
22 unchanged for that State fiscal year. The Department shall
23 adopt rules, including emergency rules, in accordance with the
24 Illinois Administrative Procedure Act, to implement the
25 provisions of this Section.

26 (Source: P.A. 102-699, eff. 4-19-22; 103-102, eff. 6-16-23;

1 103-588, eff. 6-5-24.)

2 (20 ILCS 301/55-40)

3 Sec. 55-40. Recovery residences.

4 (a) As used in this Section, "recovery residence" means a
5 sober, safe, and healthy living environment that promotes
6 recovery from alcohol and other drug use and associated
7 problems. These residences are not subject to Department
8 licensure as they are viewed as independent living residences
9 that only provide peer support and a lengthened exposure to
10 the culture of recovery.

11 (b) The Department shall develop and maintain an online
12 registry for recovery residences that operate in Illinois to
13 serve as a resource for individuals seeking continued recovery
14 assistance.

15 (c) Non-licensable recovery residences are encouraged to
16 register with the Department and the registry shall be
17 publicly available through online posting.

18 (d) The registry shall indicate any accreditation,
19 certification, or licensure that each recovery residence has
20 received from an entity that has developed uniform national
21 standards. The registry shall also indicate each recovery
22 residence's location in order to assist providers and
23 individuals in finding alcohol, gambling, and drug free
24 housing options with like-minded residents who are committed
25 to alcohol, gambling, and drug free living.

1 (e) Registrants are encouraged to seek national
2 accreditation from any entity that has developed uniform State
3 or national standards for recovery residences.

4 (f) The Department shall include a disclaimer on the
5 registry that states that the recovery residences are not
6 regulated by the Department and their listing is provided as a
7 resource but not as an endorsement by the State.

8 (Source: P.A. 100-1062, eff. 1-1-19; 101-81, eff. 7-12-19.)

9 Section 10. The Illinois Income Tax Act is amended by
10 adding Section 253 as follows:

11 (35 ILCS 5/253 new)

12 Sec. 253. Backstretch assistance tax credit.

13 (a) As used in this Section:

14 "Backstretch worker" means any individual who has been
15 issued an occupation license by the Illinois Racing Board.

16 "Organization licensee" means any person or entity with an
17 organization license issued under the Illinois Horse Racing
18 Act of 1975.

19 "Placed in service" means the date when the property is
20 placed in a condition or state of readiness and availability
21 for a specifically assigned function.

22 "Qualified project capital infrastructure improvements"
23 means any permanent, nonrecurring investment in physical
24 assets located within or directly serving the backstretch area

1 of a licensed horse racing venue, undertaken to enhance the
2 safety, functionality, habitability, or operational efficiency
3 of the facility. "Qualified project capital infrastructure
4 improvements" must be capital in nature, with a useful life of
5 at least 5 years, and may include, but are not limited to:

6 (1) structural upgrades, such as the renovation,
7 repair, or replacement of dormitories, stables, barns,
8 tack rooms, wash racks, and other horse care or worker
9 housing facilities;

10 (2) utility systems, such as the installation or
11 modernization of water, sewer, electrical, HVAC, and fire
12 suppression systems serving the backstretch;

13 (3) sanitation and health facilities, such as the
14 construction or enhancement of restrooms, showers, laundry
15 areas, medical or veterinary stations, and food
16 preparation areas;

17 (4) safety and accessibility improvements, such as
18 upgrades to lighting, walkways, fencing, emergency access
19 routes, and Americans with Disabilities Act-compliant
20 infrastructure;

21 (5) technology and communications infrastructure, such
22 as the deployment of broadband, security systems, and
23 digital infrastructure supporting worker welfare and
24 operational oversight; and

25 (6) environmental enhancements, such as stormwater
26 management systems, energy-efficient retrofits, and

1 sustainable design features that reduce environmental
2 impact.

3 (b) For taxable years beginning on or after January 1,
4 2026 and ending on or before December 31, 2030, each taxpayer
5 that is an organization licensee under the Illinois Horse
6 Racing Act of 1975 is entitled to a credit against the taxes
7 imposed by subsections (a) and (b) of Section 201 in an
8 aggregate amount equal to 100% of eligible expenditures up to
9 \$9,000,000 for qualified project capital infrastructure
10 improvements for housing and other facilities that benefit
11 backstretch workers at an organization licensee facility
12 operating on the effective date of this amendatory Act of the
13 104th General Assembly. For each taxable year, the amount of
14 the tax credit for each taxpayer with eligible expenditures
15 shall be determined by the Illinois Racing Board. The Illinois
16 Racing Board shall not award to any taxpayer credits under
17 this Section in an amount that is greater than \$9,000,000 in
18 the aggregate for taxable years beginning on or after January
19 1, 2026 and ending on or before December 31, 2030.

20 (c) To obtain a tax credit certificate pursuant to this
21 Section, the taxpayer must apply with the Illinois Racing
22 Board. The Illinois Racing Board shall determine whether an
23 expenditure qualifies for the credit under this Section based
24 on whether it includes improvements for backstretch workers
25 and facilities that benefit the backstretch workers. The
26 Illinois Racing Board shall determine the amount of eligible

1 expenditures within 45 days after receipt of a complete
2 application. The taxpayer must provide to the Illinois Racing
3 Board a third-party cost certification conducted by a
4 certified public accountant verifying the eligible and
5 noneligible expenditures. The accountant shall provide
6 appropriate review and testing of invoices. The Illinois
7 Racing Board is authorized, but not required, to accept the
8 third-party cost certification to determine the amount of
9 eligible expenditures and all required permits with final
10 sign-offs from the jurisdiction where the improvements were
11 made. Project costs shall not include the organization
12 licensee's organization gaming facility or other property not
13 related to housing and other facilities that benefit
14 backstretch workers.

15 (d) Upon satisfactory review of the application, the
16 Illinois Racing Board shall issue a tax credit certificate to
17 the taxpayer stating the amount of the tax credit to which the
18 taxpayer is entitled for that tax year. The credit shall be
19 claimed in the taxable year in which the tax credit
20 certificate is issued. A person claiming the credit allowed
21 under this Section shall attach to the person's Illinois
22 income tax return a copy of the tax credit certificate issued
23 by the Illinois Racing Board.

24 (e) If the taxpayer is a partnership or Subchapter S
25 corporation, the credit shall be allowed to the partners or
26 shareholders in accordance with the provisions of Section 251.

1 (f) The credit may not reduce the taxpayer's liability to
2 less than zero. If the amount of the credit exceeds the tax
3 liability for the year, whether it exceeds the original
4 liability or the liability as later amended, such excess may
5 be carried forward and applied to the tax liability of the 5
6 taxable years following the excess credit year. The credit
7 shall be applied to the earliest year for which there is a tax
8 liability. If there are credits from more than one tax year
9 that are available to offset a liability, the earlier credit
10 shall be applied first.

11 (g) A taxpayer claiming the credit provided by this
12 Section must maintain and record any information that the
13 Department may require regarding the project for which the
14 credit is claimed.

15 (h) The Department may adopt rules to implement and
16 administer this Section.

17 (i) The Illinois Racing Board may adopt rules to implement
18 and administer this tax credit program, including rules
19 concerning applications for the tax credit.

20 Section 15. The Illinois Horse Racing Act of 1975 is
21 amended by changing Sections 3.075, 19, 19.5, 20, and 26 and by
22 adding Section 19.10 as follows:

23 (230 ILCS 5/3.075)

24 Sec. 3.075. (a) "Host track" means the organization

1 licensee (i) conducting live thoroughbred racing between the
2 hours of 6:30 a.m. and 6:30 p.m. from the first day to the last
3 day of its horse racing meet as awarded by the Board (including
4 all days within that period when no live racing occurs),
5 except as otherwise provided in subsections (c) and (e) of
6 this Section, or (ii) conducting live standardbred racing
7 between the hours of 6:30 p.m. to 6:30 a.m. of the following
8 day from the first day to the last day of its horse racing meet
9 as awarded by the Board (including all days within that period
10 when no live racing occurs, except as otherwise provided in
11 subsections (b), (d), and (e) of this Section); provided that
12 the organization licensee conducts live racing no fewer than 5
13 days per week with no fewer than 9 races per day, unless a
14 lesser schedule of live racing is the result of (1) weather,
15 unsafe track conditions, or other acts of God; (2) an
16 agreement between the organization licensee and the
17 associations representing the largest number of owners,
18 trainers, and standardbred drivers who race horses at that
19 organization licensee's race meeting, with the Board's
20 consent; or (3) a decision by the Board after a public hearing
21 (in which the associations representing the owners, trainers,
22 jockeys, or standardbred drivers who race horses at that
23 organization licensee's race meeting shall participate) either
24 at the time racing dates are awarded or after those dates are
25 awarded due to changed financial circumstances, upon a written
26 petition from the organization licensee, accompanied by

1 supporting financial data as requested by the Board, stating
2 that the organization licensee has and will continue to incur
3 significant financial losses. No organization licensee
4 conducting its race meeting in a county bordering the
5 Mississippi River and having a population greater than 230,000
6 or Macon County may be a host track for its race meeting.

7 (b) (Blank).

8 (c) (Blank).

9 (d) Notwithstanding the provisions of subsection (a) of
10 this Section and except as otherwise provided in subsection
11 (e) of this Section, in the event that 2 organization
12 licensees conduct their standardbred race meetings
13 concurrently on any date after January 1, 1996, between the
14 hours of 6:30 p.m. and 6:30 a.m., the organization licensee
15 awarded the most racing dates between 6:30 p.m. and 6:30 a.m.
16 during the calendar year in which that concurrent racing
17 occurs will be deemed the host track, provided that the 2
18 organization licensees collectively conduct live standardbred
19 racing between 6:30 p.m. and 6:30 a.m. during the week in which
20 concurrent race meetings occur no less than 5 days per week
21 with no less than 9 races per day. During each week of the
22 calendar year in which 2 organization licensees are conducting
23 live standardbred race meetings between 6:30 p.m. and 6:30
24 a.m., if there is any day in that week on which only one
25 organization licensee is conducting a standardbred race
26 meeting between 6:30 p.m. and 6:30 a.m., that organization

1 licensee shall be the host track provided that the 2
2 organization licensees collectively conduct live standardbred
3 racing between 6:30 p.m. and 6:30 a.m. during the week in which
4 concurrent race meetings occur no less than 5 days per week
5 with no less than 9 races per day. During each week of the
6 calendar year in which 2 organization licensees are
7 concurrently conducting live standardbred race meetings on one
8 or more days between 6:30 p.m. and 6:30 a.m., if there is any
9 day in that week on which no organization licensee is
10 conducting a standardbred race meeting between 6:30 p.m. and
11 6:30 a.m., the organization licensee conducting a standardbred
12 race meeting during that week and time period that has been
13 awarded the most racing dates during the calendar year between
14 6:30 p.m. and 6:30 a.m. shall be the host track, provided that
15 the 2 organization licensees collectively conduct live
16 standardbred racing between 6:30 p.m. and 6:30 a.m. during the
17 week in which concurrent race meetings occur no less than 5
18 days per week with no less than 9 races per day. The
19 requirement in this subsection (d) that live racing be
20 conducted no less than 5 days per week with no less than 9
21 races per day shall be subject to exceptions set forth in items
22 (1), (2), and (3) of subsection (a) of Section 3.075.

23 (e) During any calendar period in which no organization
24 licensee has been awarded a thoroughbred race meeting, the
25 host track, between the hours of 6:30 a.m. and 6:30 p.m. of
26 such period, shall be an organization licensee determined by

1 the Board, provided the organization licensee has been awarded
2 a thoroughbred race meeting in the current year and is
3 eligible to be a host track.

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

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

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

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

17 (1.5) except as provided in Section 19.10 of this Act,
18 to any person at any place within 100 miles of a track
19 located in a county with a population in excess of 230,000
20 and that borders the Mississippi River; the mileage
21 measurement used in this paragraph (1.5) shall be
22 certified to the Board by the Bureau of Systems and
23 Services at the Illinois Department of Transportation as
24 the most commonly used public way of vehicular travel;
25 this paragraph (1.5) shall not apply to a race meeting

1 conducted by an organization licensee at the Springfield
2 State fairgrounds or at the DuQuoin State fairgrounds;

3 (2) to any person in default in the payment of any
4 obligation or debt due the State under this Act, provided
5 no applicant shall be deemed in default in the payment of
6 any obligation or debt due to the State under this Act as
7 long as there is pending a hearing of any kind relevant to
8 such matter;

9 (3) to any person who has been convicted of the
10 violation of any law of the United States or any State law
11 which provided as all or part of its penalty imprisonment
12 in any penal institution; to any person against whom there
13 is pending a Federal or State criminal charge; to any
14 person who is or has been connected with or engaged in the
15 operation of any illegal business; to any person who does
16 not enjoy a general reputation in his community of being
17 an honest, upright, law-abiding person; provided that none
18 of the matters set forth in this subparagraph (3) shall
19 make any person ineligible to be granted an organization
20 license if the Board determines, based on circumstances of
21 any such case, that the granting of a license would not be
22 detrimental to the interests of horse racing and of the
23 public;

24 (4) to any person who does not at the time of
25 application for the organization license own or have a
26 contract or lease for the possession of a finished race

1 track suitable for the type of racing intended to be held
2 by the applicant and for the accommodation of the public.

3 (b) (Blank).

4 (c) If any person is ineligible to receive an organization
5 license because of any of the matters set forth in subsection
6 (a) (2) or subsection (a) (3) of this Section, any other or
7 separate person that either (i) controls, directly or
8 indirectly, such ineligible person or (ii) is controlled,
9 directly or indirectly, by such ineligible person or by a
10 person which controls, directly or indirectly, such ineligible
11 person shall also be ineligible.

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

13 (230 ILCS 5/19.5)

14 Sec. 19.5. Standardbred racetrack in Cook County.
15 Notwithstanding anything in this Act to the contrary, in
16 addition to organization licenses issued by the Board on the
17 effective date of this amendatory Act of the 101st General
18 Assembly, the Board shall issue an organization license
19 limited to standardbred racing to a racetrack located in a
20 municipality that has a poverty rate that is greater than or
21 equal to 6%, according to the 2023 U.S. Census Bureau's
22 American Community Survey 5-year estimates, in one of the
23 following townships of Cook County: Bloom, Bremen, Calumet,
24 Orland, Rich, Thornton, or Worth. This additional organization
25 license shall not be issued within a 35-mile radius of another

1 organization license issued by the Board on the effective date
2 of this amendatory Act of the 101st General Assembly, unless
3 the person having operating control of such racetrack has
4 given written consent to the organization licensee applicant,
5 which consent must be filed with the Board at or prior to the
6 time application is made. However, the consent required by
7 this Section from the person having operating control of such
8 racetrack shall not be required after July 1, 2026. The
9 organization license application shall be submitted to the
10 Board and the Board may grant the organization license at any
11 meeting of the Board. The Board shall examine the application
12 within 21 days after receipt of the application with respect
13 to its conformity with this Act and the rules adopted by the
14 Board. If the application does not comply with this Act or the
15 rules adopted by the Board, the application may be rejected
16 and an organization license refused to the applicant, or the
17 Board may, within 21 days after receipt of the application,
18 advise the applicant of the deficiencies of the application
19 under the Act or the rules of the Board and require the
20 submittal of an amended application within a reasonable time
21 determined by the Board; upon submittal of the amended
22 application by the applicant, the Board may consider the
23 application consistent with the process described in
24 subsection (e-5) of Section 20. If the application is found to
25 be in compliance with this Act and the rules of the Board, the
26 Board shall then issue an organization license to the

1 applicant. Once the organization license is granted, the
2 licensee shall have all of the current and future rights of
3 existing Illinois racetracks, including, but not limited to,
4 the ability to obtain an inter-track wagering license, the
5 ability to obtain inter-track wagering location licenses, the
6 ability to obtain an organization gaming license pursuant to
7 the Illinois Gambling Act with 1,200 gaming positions, and the
8 ability to offer Internet wagering on horse racing. If, at any
9 time after the effective date of this amendatory Act of the
10 104th General Assembly, the Board approves a standardbred
11 racetrack under this Section and Section 19.10, beginning with
12 the calendar year after the organization licensee of the
13 second such standardbred racetrack begins to conduct wagering
14 under Section 7.7 of the Illinois Gambling Act, if approved by
15 the Board, the racetrack located in Stickney Township in Cook
16 County shall be limited to thoroughbred racing under this Act
17 so that both horse racing breeds shall have dedicated
18 facilities in the Chicagoland area and, thereby, enhance the
19 overall economic benefit for the State.

20 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)

21 (230 ILCS 5/19.10 new)

22 Sec. 19.10. Standardbred racetrack in Macon County.
23 Notwithstanding anything in this Act to the contrary, in
24 addition to organization licenses issued by the Board on the
25 effective date of this amendatory Act of the 104th General

1 Assembly, the Board shall issue an organization license
2 limited to standardbred racing to a racetrack located in Macon
3 County. Any physical gaming positions issued to an
4 organization licensee under this Section that also receives an
5 organization gaming license under Section 56 shall be located
6 in Macon County. The organization license application shall be
7 submitted to the Board, and the Board may grant the
8 organization license at any meeting of the Board. The Board
9 shall examine the application within 21 days after receipt of
10 the application with respect to its conformity with this Act
11 and the rules adopted by the Board. If the application does not
12 comply with this Act or the rules adopted by the Board, the
13 application may be rejected and an organization license
14 refused to the applicant, or the Board may, within 21 days
15 after receipt of the application, advise the applicant of the
16 deficiencies of the application under this Act or the rules of
17 the Board and require the submittal of an amended application
18 within a reasonable time determined by the Board. Upon
19 submittal of the amended application by the applicant, the
20 Board may consider the application consistent with the process
21 described in subsection (e-5) of Section 20. If the
22 application is found to be in compliance with this Act and the
23 rules of the Board, the Board shall then issue an organization
24 license to the applicant. Once the organization license is
25 granted, the licensee shall have all of the current and future
26 rights of existing Illinois racetracks, including, but not

1 limited to, the ability to obtain an inter-track wagering
2 license, the ability to obtain inter-track wagering location
3 licenses, the ability to obtain an organization gaming license
4 pursuant to the Illinois Gambling Act with 900 gaming
5 positions, and the ability to offer Internet wagering on horse
6 racing. However, the organization licensee in this Section may
7 not be a host track for its race meeting. If, at any time after
8 the effective date of this amendatory Act of the 104th General
9 Assembly, the Board approves a standardbred racetrack under
10 this Section and Section 19.5, beginning with the calendar
11 year after the organization licensee of the second such
12 standardbred racetrack begins to conduct wagering under
13 Section 7.7 of the Illinois Gambling Act, if approved by the
14 Board, the racetrack located in Stickney Township in Cook
15 County shall be limited to thoroughbred racing under this Act
16 so that both horse racing breeds shall have dedicated
17 facilities in the Chicagoland area and, thereby, enhance the
18 overall economic benefit for the State.

19 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

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

24 (1) the dates on which it intends to conduct the horse
25 race meeting, which dates shall be provided under Section

1 21;

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

4 (3) the location where it proposes to conduct the
5 meeting; and

6 (4) any other information the Board may reasonably
7 require.

8 It is the public policy of the State to provide racing
9 opportunities for both horse breeds, thoroughbred and
10 standardbred, and to ensure that the organization licensees in
11 the State collectively do so in a manner that makes the racing
12 of both breeds viable. Therefore, if and only if the Board
13 approves an organization license to conduct standardbred
14 racing under Sections 19.5 and 19.10 and if the involved
15 organization licensee of the second such standardbred track
16 begins to conduct wagering under Section 7.7 of the Illinois
17 Gambling Act, if approved by the Board, the racetrack located
18 in Stickney Township in Cook County shall be limited to
19 thoroughbred racing under this Act.

20 (b) A separate application for an organization license
21 shall be filed for each horse race meeting which such person
22 proposes to hold. Any such application, if made by an
23 individual, or by any individual as trustee, shall be signed
24 and verified under oath by such individual. If the application
25 is made by individuals, then it shall be signed and verified
26 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 \$1,000. All applications for
4 the issuance of an organization license shall be filed with
5 the Board before August 1 of the year prior to the year for
6 which application is made and shall be acted upon by the Board
7 at a meeting to be held on such date as shall be fixed by the
8 Board during the last 15 days of September of such prior year.
9 At such meeting, the Board shall announce the award of the
10 racing meets, live racing schedule, and designation of host
11 track to the applicants and its approval or disapproval of
12 each application. No announcement shall be considered binding
13 until a formal order is executed by the Board, which shall be
14 executed no later than October 15 of that prior year. Absent
15 the agreement of the affected organization licensees, the
16 Board shall not grant overlapping race meetings to 2 or more
17 tracks that are within 100 miles of each other to conduct the
18 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 (4) Notwithstanding any other requirement of this
2 subsection, if the Board approves an organization license
3 pursuant to Section 19.10, the Board may award fewer than
4 the minimum number of racing days, but no fewer than 60
5 days of racing, if there is consent for fewer days of
6 racing as agreed to by the organization licensee and the
7 horsemen association representing the largest number of
8 owners, trainers, jockeys, or standardbred drivers who
9 race horses at that organization licensee's racing
10 meeting.

11 (5) Notwithstanding any other requirement of this
12 subsection, if the Board approves an organization license
13 pursuant to Section 19.10 before July 1, 2026, and the
14 organization licensee applies for racing days in the
15 remainder of 2026, the Board may award racing days to the
16 organization licensee in the remainder of 2026 and may
17 award fewer than 60 days of racing in 2026 after the Board
18 has considered the application consistent with subsection
19 (e-5).

20 An organization licensee shall apply for racing dates
21 pursuant to this subsection (e-1). In awarding racing dates
22 under this subsection (e-1), the Board shall have the
23 discretion to allocate those standardbred racing dates among
24 these organization licensees.

25 (e-2) The Board shall award thoroughbred racing days to
26 Cook County organization licensees pursuant to the following

1 schedule:

2 (1) During the first year in which only one
3 organization licensee is awarded an organization gaming
4 license, the Board shall award no fewer than 110 days of
5 racing.

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

9 During the third year and every year thereafter, in
10 which only one organization licensee is awarded an
11 organization gaming license, the Board shall award no
12 fewer than 120 racing days.

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

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

19 During the third year and every year thereafter in
20 which 2 organization licensees are awarded an organization
21 gaming license, the Board shall award no fewer than 174
22 total racing days.

23 A Cook County organization licensee shall apply for racing
24 dates pursuant to this subsection (e-2). In awarding racing
25 dates under this subsection (e-2), the Board shall have the
26 discretion to allocate those thoroughbred racing dates among

1 these Cook County organization licensees.

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

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

16 (e-4) Notwithstanding the provisions of Section 7.7 of the
17 Illinois Gambling Act or any provision of this Act other than
18 subsections (e-3) and (e-4.5), for each calendar year for
19 which an organization gaming licensee requests thoroughbred
20 racing dates which results in a number of live races under its
21 organization license that is less than the total number of
22 live races which it conducted in 2017 at its racetrack
23 facility, the organization gaming licensee may not conduct
24 gaming pursuant to its organization gaming license for the
25 calendar year of such requested live races.

26 (e-4.1) Notwithstanding the provisions of Section 7.7 of

1 the Illinois Gambling Act or any provision of this Act other
2 than subsections (e-3) and (e-4.5), for each calendar year for
3 which an organization licensee requests racing dates for
4 standardbred racing which results in a number of live races
5 that is less than the total number of live races required in
6 subsection (e-1), the organization gaming licensee may not
7 conduct gaming pursuant to its organization gaming license for
8 the calendar year of such requested live races.

9 (e-4.5) The Board shall award the minimum live racing
10 guarantees contained in subsections (e-1), (e-2), and (e-3) to
11 ensure that each organization licensee shall individually run
12 a sufficient number of races per year to qualify for an
13 organization gaming license under this Act. The General
14 Assembly finds that the minimum live racing guarantees
15 contained in subsections (e-1), (e-2), and (e-3) are in the
16 best interest of the sport of horse racing, and that such
17 guarantees may only be reduced in the calendar year in which
18 they will be conducted in the limited circumstances described
19 in this subsection. The Board may decrease the number of
20 racing days without affecting an organization licensee's
21 ability to conduct gaming pursuant to an organization gaming
22 license issued under the Illinois Gambling Act only if the
23 Board determines, after notice and hearing, that:

24 (i) a decrease is necessary to maintain a sufficient
25 number of betting interests per race to ensure the
26 integrity of racing;

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

3 (iii) there is an agreement between an organization
4 licensee and the breed association that is applicable to
5 the involved live racing guarantee, such association
6 representing either the largest number of thoroughbred
7 owners and trainers or the largest number of standardbred
8 owners, trainers and drivers who race horses at the
9 involved organization licensee's racing meeting, so long
10 as the agreement does not compromise the integrity of the
11 sport of horse racing; or

12 (iv) the horse population or purse levels are
13 insufficient to provide the number of racing opportunities
14 otherwise required in this Act.

15 In decreasing the number of racing dates in accordance
16 with this subsection, the Board shall hold a hearing and shall
17 provide the public and all interested parties notice and an
18 opportunity to be heard. The Board shall accept testimony from
19 all interested parties, including any association representing
20 owners, trainers, jockeys, or drivers who will be affected by
21 the decrease in racing dates. The Board shall provide a
22 written explanation of the reasons for the decrease and the
23 Board's findings. The written explanation shall include a
24 listing and content of all communication between any party and
25 any Illinois Racing Board member or staff that does not take
26 place at a public meeting of the Board.

1 (e-5) In reviewing an application for the purpose of
2 granting an organization license consistent with the best
3 interests of the public and the sport of horse racing, the
4 Board shall consider:

5 (1) the character, reputation, experience, and
6 financial integrity of the applicant and of any other
7 separate person that either:

8 (i) controls the applicant, directly or
9 indirectly, or

10 (ii) is controlled, directly or indirectly, by
11 that applicant or by a person who controls, directly
12 or indirectly, that applicant;

13 (2) the applicant's facilities or proposed facilities
14 for conducting horse racing;

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

18 (4) the applicant's good faith affirmative action plan
19 to recruit, train, and upgrade minorities in all
20 employment classifications;

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

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

26 (7) an agreement, if any, among organization licensees

1 as provided in subsection (b) of Section 21 of this Act;
2 and

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

6 In granting organization licenses and allocating dates for
7 horse race meetings, the Board shall have discretion to
8 determine an overall schedule, including required simulcasts
9 of Illinois races by host tracks that will, in its judgment, be
10 conducive to the best interests of the public and the sport of
11 horse racing.

12 (e-10) The Illinois Administrative Procedure Act shall
13 apply to administrative procedures of the Board under this Act
14 for the granting of an organization license, except that (1)
15 notwithstanding the provisions of subsection (b) of Section
16 10-40 of the Illinois Administrative Procedure Act regarding
17 cross-examination, the Board may prescribe rules limiting the
18 right of an applicant or participant in any proceeding to
19 award an organization license to conduct cross-examination of
20 witnesses at that proceeding where that cross-examination
21 would unduly obstruct the timely award of an organization
22 license under subsection (e) of Section 20 of this Act; (2) the
23 provisions of Section 10-45 of the Illinois Administrative
24 Procedure Act regarding proposals for decision are excluded
25 under this Act; (3) notwithstanding the provisions of
26 subsection (a) of Section 10-60 of the Illinois Administrative

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

16 (f) The Board may allot racing dates to an organization
17 licensee for more than one calendar year but for no more than 3
18 successive calendar years in advance, provided that the Board
19 shall review such allotment for more than one calendar year
20 prior to each year for which such allotment has been made. The
21 granting of an organization license to a person constitutes a
22 privilege to conduct a horse race meeting under the provisions
23 of this Act, and no person granted an organization license
24 shall be deemed to have a vested interest, property right, or
25 future expectation to receive an organization license in any
26 subsequent year as a result of the granting of an organization

1 license. Organization licenses shall be subject to revocation
2 if the organization licensee has violated any provision of
3 this Act or the rules and regulations promulgated under this
4 Act or has been convicted of a crime or has failed to disclose
5 or has stated falsely any information called for in the
6 application for an organization license. Any organization
7 license revocation proceeding shall be in accordance with
8 Section 16 regarding suspension and revocation of occupation
9 licenses.

10 (f-5) If, (i) an applicant does not file an acceptance of
11 the racing dates awarded by the Board as required under part
12 (1) of subsection (h) of this Section 20, or (ii) an
13 organization licensee has its license suspended or revoked
14 under this Act, the Board, upon conducting an emergency
15 hearing as provided for in this Act, may reaward on an
16 emergency basis pursuant to rules established by the Board,
17 racing dates not accepted or the racing dates associated with
18 any suspension or revocation period to one or more
19 organization licensees, new applicants, or any combination
20 thereof, upon terms and conditions that the Board determines
21 are in the best interest of racing, provided, the organization
22 licensees or new applicants receiving the awarded racing dates
23 file an acceptance of those reawarded racing dates as required
24 under paragraph (1) of subsection (h) of this Section 20 and
25 comply with the other provisions of this Act. The Illinois
26 Administrative Procedure Act shall not apply to the

1 administrative procedures of the Board in conducting the
2 emergency hearing and the reallocation of racing dates on an
3 emergency basis.

4 (g) (Blank).

5 (h) The Board shall send the applicant a copy of its
6 formally executed order by certified mail addressed to the
7 applicant at the address stated in his application, which
8 notice shall be mailed within 5 days of the date the formal
9 order is executed.

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

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

15 (2) pay to the Board an additional amount equal to
16 \$110 for each racing date awarded; and

17 (3) file with the Board the bonds required in Sections
18 21 and 25 at least 20 days prior to the first day of each
19 race meeting.

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

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

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

1 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

2 Sec. 26. Wagering.

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

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

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

8 (c) (Blank).

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

26 (d) A pari-mutuel ticket shall be honored until December

1 31 of the next calendar year, and the licensee shall pay the
2 same and may charge the amount thereof against unpaid money
3 similarly accumulated on account of pari-mutuel tickets not
4 presented for payment.

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

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

1 Revenue within 48 hours of receipt of the moneys from the
2 simulcast. When the out-of-State entity conducts a combined
3 pari-mutuel pool with the organization licensee, the tax shall
4 be 10% of all monies received by the organization licensee
5 with 25% of the receipts from this 10% tax to be distributed to
6 the county in which the race was conducted.

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

15 (g) A host track may accept interstate simulcast wagers on
16 horse races conducted in other states or countries and shall
17 control the number of signals and types of breeds of racing in
18 its simulcast program, subject to the disapproval of the
19 Board. The Board may prohibit a simulcast program only if it
20 finds that the simulcast program is clearly adverse to the
21 integrity of racing. The host track simulcast program shall
22 include the signal of live racing of all organization
23 licensees. All non-host licensees and advance deposit wagering
24 licensees shall carry the signal of and accept wagers on live
25 racing of all organization licensees. Advance deposit wagering
26 licensees shall not be permitted to accept out-of-state wagers

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

1 interstate simulcast races that shall reflect, among other
2 things, the General Assembly's desire to maximize revenues to
3 the State, horsemen purses, and organization licensees.
4 However, organization licensees providing live signals
5 pursuant to the requirements of this subsection (g) may
6 petition the Board to withhold their live signals from an
7 advance deposit wagering licensee if the organization licensee
8 discovers and the Board finds reputable or credible
9 information that the advance deposit wagering licensee is
10 under investigation by another state or federal governmental
11 agency, the advance deposit wagering licensee's license has
12 been suspended in another state, or the advance deposit
13 wagering licensee's license is in revocation proceedings in
14 another state. The organization licensee's provision of their
15 live signal to an advance deposit wagering licensee under this
16 subsection (g) pertains to wagers placed from within Illinois.
17 Advance deposit wagering licensees may place advance deposit
18 wagering terminals at wagering facilities as a convenience to
19 customers. The advance deposit wagering licensee shall not
20 charge or collect any fee from purses for the placement of the
21 advance deposit wagering terminals. The costs and expenses of
22 the host track and non-host licensees associated with
23 interstate simulcast wagering, other than the interstate
24 commission fee, shall be borne by the host track and all
25 non-host licensees incurring these costs. The interstate
26 commission fee shall not exceed 5% of Illinois handle on the

1 interstate simulcast race or races without prior approval of
2 the Board. The Board shall promulgate rules under which it may
3 permit interstate commission fees in excess of 5%. The
4 interstate commission fee and other fees charged by the
5 sending racetrack, including, but not limited to, satellite
6 decoder fees, shall be uniformly applied to the host track and
7 all non-host licensees.

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

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

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

26 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an

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

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

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

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

1 placed in other states or countries to be combined with
2 its gross or net wagering pools or other wagering pools.

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

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

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

22 (6) Notwithstanding any provision in this Act to the
23 contrary, non-host licensees who derive their licenses
24 from a track located in a county with a population in
25 excess of 230,000 and that borders the Mississippi River
26 or Macon County may receive supplemental interstate

1 simulcast races at all times subject to Board approval,
2 which shall be withheld only upon a finding that a
3 supplemental interstate simulcast is clearly adverse to
4 the integrity of racing.

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

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

26 (A) Eighty percent shall be paid to its

1 thoroughbred purse account; and

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

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

1 during that calendar year shall be deposited as follows:

2 (A) Eighty percent shall be deposited into its
3 standardbred purse account; and

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

22 (8) Notwithstanding any provision in this Act to the
23 contrary, an organization licensee from a track located in
24 a county with a population in excess of 230,000 and that
25 borders the Mississippi River or Macon County and its
26 affiliated non-host licensees shall not be entitled to

1 share in any retention generated on racing, inter-track
2 wagering, or simulcast wagering at any other Illinois
3 wagering facility.

4 (8.1) Notwithstanding any provisions in this Act to
5 the contrary, if 2 organization licensees are conducting
6 standardbred race meetings concurrently between the hours
7 of 6:30 p.m. and 6:30 a.m., after payment of all
8 applicable State and local taxes and interstate commission
9 fees, the remainder of the amount retained from simulcast
10 wagering otherwise attributable to the host track and to
11 host track purses shall be split daily between the 2
12 organization licensees and the purses at the tracks of the
13 2 organization licensees, respectively, based on each
14 organization licensee's share of the total live handle for
15 that day, provided that this provision shall not apply to
16 any non-host licensee that derives its license from a
17 track located in a county with a population in excess of
18 230,000 and that borders the Mississippi River.

19 (9) (Blank).

20 (10) (Blank).

21 (11) (Blank).

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

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board certifies in writing to the wagering facility the amount to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the race track affiliated with the wagering

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

1 wagering facilities licensed under that organization
2 licensee under this paragraph (13) shall be the amount
3 certified by the Board in January of that year. An
4 organization licensee and its related wagering facilities
5 shall no longer be able to receive payments under this
6 paragraph (13) beginning in the year subsequent to the
7 first year in which the organization licensee begins to
8 receive funds from gaming pursuant to an organization
9 gaming license issued under the Illinois Gambling Act.
10 Notwithstanding any other provision in this Section, in
11 the calendar year after an organization licensee first
12 receiving funds from gaming pursuant to an organization
13 gaming license or Temporary Operating Permit issued under
14 the Illinois Gambling Act and its implementing rules, or
15 any time beginning after January 1, 2028, no certification
16 by the Board or payments to an organization licensee and
17 its related wagering facilities shall take place under
18 this paragraph (13).

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

23 (1) Any person licensed to conduct a race meeting (i)
24 at a track where 60 or more days of racing were conducted
25 during the immediately preceding calendar year or where
26 over the 5 immediately preceding calendar years an average

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

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

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

25 (3) In granting licenses to conduct inter-track
26 wagering and simulcast wagering, the Board shall give due

1 consideration to the best interests of the public, of
2 horse racing, and of maximizing revenue to the State.

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

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

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

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

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

4 (8.1) Inter-track wagering location licensees who
5 derive their licenses from a particular organization
6 licensee shall conduct inter-track wagering and simulcast
7 wagering only at locations that are within 160 miles of
8 that race track where the particular organization licensee
9 is licensed to conduct racing unless all persons or
10 entities having operating control of a race track within
11 160 miles at the time of initial application have given
12 written consent to an organization licensee and filed a
13 copy of that written consent with the Board on or before
14 the time of application. A flat pari-mutuel tax at the
15 rate of 1.5% of the daily pari-mutuel handle is imposed on
16 any licensee of an inter-track wagering location license
17 issued outside of 160 miles of the race track where the
18 particular organization licensee is licensed to conduct
19 racing. Inter-track. ~~However, inter track~~ wagering and
20 simulcast wagering shall not be conducted by those
21 licensees at any location within 5 miles of any race track
22 at which a horse race meeting has been licensed in the
23 current year, unless the person having operating control
24 of such race track has given its written consent to such
25 inter-track wagering location licensees, which consent
26 must be filed with the Board at or prior to the time

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

13 (8.2) Inter-track wagering or simulcast wagering shall
14 not be conducted by an inter-track wagering location
15 licensee at any location within 100 feet of an existing
16 church, an existing elementary or secondary public school,
17 or an existing elementary or secondary private school
18 registered with or recognized by the State Board of
19 Education. The distance of 100 feet shall be measured to
20 the nearest part of any building used for worship
21 services, education programs, or conducting inter-track
22 wagering by an inter-track wagering location licensee, and
23 not to property boundaries. However, inter-track wagering
24 or simulcast wagering may be conducted at a site within
25 100 feet of a church or school if such church or school has
26 been erected or established after the Board issues the

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

17 (8.3) After the effective date of this amendatory Act
18 of the 104th General Assembly, no inter-track wagering
19 location shall be issued within a 25-mile radius of an
20 organizational licensee unless the organization licensee
21 gives written consent and the organizational licensee
22 files such consent with the Board.

23 (9) (Blank).

24 (10) An inter-track wagering licensee or an
25 inter-track wagering location licensee may retain, subject
26 to the payment of the privilege taxes and the purses, an

1 amount not to exceed 17% of all money wagered. Each
2 program of racing conducted by each inter-track wagering
3 licensee or inter-track wagering location licensee shall
4 be considered a separate racing day for the purpose of
5 determining the daily handle and computing the privilege
6 tax or pari-mutuel tax on such daily handle as provided in
7 Section 27.

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

21 (10.2) Notwithstanding any other provision of this
22 Act, with respect to inter-track wagering at a race track
23 located in a county that has a population of more than
24 230,000 and that is bounded by the Mississippi River ("the
25 first race track"), or at a facility operated by an
26 inter-track wagering licensee or inter-track wagering

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

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

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

19 (11) (A) After payment of the privilege or pari-mutuel
20 tax, any other applicable taxes, and the costs and
21 expenses in connection with the gathering, transmission,
22 and dissemination of all data necessary to the conduct of
23 inter-track wagering, the remainder of the monies retained
24 under either Section 26 or Section 26.2 of this Act by the
25 inter-track wagering licensee on inter-track wagering
26 shall be allocated with 50% to be split between the 2

1 participating licensees and 50% to purses, except that an
2 inter-track wagering licensee that derives its license
3 from a track located in a county with a population in
4 excess of 230,000 and that borders the Mississippi River
5 shall not divide any remaining retention with the Illinois
6 organization licensee that provides the race or races, and
7 an inter-track wagering licensee that accepts wagers on
8 races conducted by an organization licensee that conducts
9 a race meet in a county with a population in excess of
10 230,000 and that borders the Mississippi River shall not
11 divide any remaining retention with that organization
12 licensee.

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

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

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

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

1 5.75% of the pari-mutuel wagered at the location, purses
2 for the second 12 months the licensee is in operation
3 shall be 6.25%, and purses thereafter shall be 6.75%. For
4 additional inter-track location licensees authorized under
5 Public Act 89-16, the licensee shall be allowed to retain
6 to satisfy all costs and expenses: 7.75% of the
7 pari-mutuel handle wagered at the location during its
8 first 12 months of operation, 7.25% during its second 12
9 months of operation, and 6.75% thereafter.

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

25 Two-sevenths to the Department of Agriculture.

26 Fifty percent of this two-sevenths shall be used to

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

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

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

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

1 purposes; and

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

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

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

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

24 Four-sevenths to museums and aquariums located in
25 park districts of over 500,000 population; provided
26 that the monies are distributed in accordance with the

1 previous year's distribution of the maintenance tax
2 for such museums and aquariums as provided in Section
3 2 of the Park District Aquarium and Museum Act; and

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

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

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

26 (ii) If the inter-track wagering licensee,

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

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

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

26 (A) The Board is vested with power to promulgate

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

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

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

25 (D) (Blank).

26 (E) The Board is vested with the power to appoint

1 delegates to execute any of the powers granted to it
2 under this Section for the purpose of administering
3 this wagering and any rules and regulations
4 promulgated in accordance with this Act.

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

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

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

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

22 (14) An inter-track wagering location license
23 authorized by the Board in 2016 that is owned and operated
24 by a race track in Rock Island County shall be transferred
25 to a commonly owned race track in Cook County on August 12,
26 2016 (the effective date of Public Act 99-757). The

1 licensee shall retain its status in relation to purse
2 distribution under paragraph (11) of this subsection (h)
3 following the transfer to the new entity. The pari-mutuel
4 tax credit under Section 32.1 shall not be applied toward
5 any pari-mutuel tax obligation of the inter-track wagering
6 location licensee of the license that is transferred under
7 this paragraph (14).

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

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.".