

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB3233**

Introduced 2/2/2026, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

See Index

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

LRB104 16898 LNS 30309 b

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is
5 amended by changing Sections 6, 9, 10, 12, 13, 14, 15, 15.3,
6 16, 19, 20, 24, 26, 27.2, 31.1, and 40 as follows:

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

8 Sec. 6. Restrictions on Board members.

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

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

1 other state, or the United States.

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

4 For the purposes of this subsection (c):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 license by the Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (b) (Blank).

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

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

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

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

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

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

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

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

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

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

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

6 (c) The application shall specify:

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

9 (2) the principal address of the applicant;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 During the third year and every year thereafter in

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 employment classifications;

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

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

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

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

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

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

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

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

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

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

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

13 (g) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

1 interest within this period.

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

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

14 (e) (Blank).

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

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

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

1 Sec. 26. Wagering.

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

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

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

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

6 (c) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 simulcast is clearly adverse to the integrity of racing.

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

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

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

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

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

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

25 (A) Eighty percent shall be deposited into its
26 standardbred purse account; and

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

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

26 (8.1) Notwithstanding any provisions in this Act to

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

15 (9) (Blank).

16 (10) (Blank).

17 (11) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (9) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Two-sevenths to the Department of Agriculture.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (D) (Blank).

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

1 promulgated in accordance with this Act.

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

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

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

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

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

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

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

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

10 (230 ILCS 5/27.2)

11 Sec. 27.2. Withholding of delinquent child support.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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