



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5296

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Horse Racing Act of 1975. Extends the authorization for advance deposit wagering until December 31, 2021 (from December 31, 2018). Amends the Video Gaming Act. Allows for video gaming by licensed horse racing establishments (facilities operated by an organization licensee whose handle from wagering on Illinois races for 2016 was less than \$32,000,000 or by an inter-track wagering location licensee that derives its license from such an organization licensee); makes conforming changes throughout the Video Gaming Act and in the Criminal Code of 2012. Provides that a licensed horse racing establishment that is an organization licensee may operate up to 150 video gaming terminals at its organization licensee location at any time and a licensed horse racing establishment that is an inter-track wagering location licensee may operate up to 5 video gaming terminals at the inter-track wagering location licensee's location or on the premises of the organization licensee with which it is affiliated. The provisions amending the Illinois Horse Racing Act of 1975 are effective immediately.

LRB100 18081 AMC 36086 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by changing Sections 26, 26.8, 26.9, and 27 as follows:

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

7 Sec. 26. Wagering.

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

22 (b) No other method of betting, pool making, wagering or
23 gambling shall be used or permitted by the licensee. Each

1 licensee may retain, subject to the payment of all applicable
2 taxes and purses, an amount not to exceed 17% of all money
3 wagered under subsection (a) of this Section, except as may
4 otherwise be permitted under this Act.

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

12 (c) Until January 1, 2000, the sum held by any licensee for
13 payment of outstanding pari-mutuel tickets, if unclaimed prior
14 to December 31 of the next year, shall be retained by the
15 licensee for payment of such tickets until that date. Within 10
16 days thereafter, the balance of such sum remaining unclaimed,
17 less any uncashed supplements contributed by such licensee for
18 the purpose of guaranteeing minimum distributions of any
19 pari-mutuel pool, shall be paid to the Illinois Veterans'
20 Rehabilitation Fund of the State treasury, except as provided
21 in subsection (g) of Section 27 of this Act.

22 (c-5) Beginning January 1, 2000, the sum held by any
23 licensee for payment of outstanding pari-mutuel tickets, if
24 unclaimed prior to December 31 of the next year, shall be
25 retained by the licensee for payment of such tickets until that
26 date. Within 10 days thereafter, the balance of such sum

1 remaining unclaimed, less any uncashed supplements contributed
2 by such licensee for the purpose of guaranteeing minimum
3 distributions of any pari-mutuel pool, shall be evenly
4 distributed to the purse account of the organization licensee
5 and the organization licensee.

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

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

20 (f) Notwithstanding the other provisions of this Act, an
21 organization licensee may contract with an entity in another
22 state or country to permit any legal wagering entity in another
23 state or country to accept wagers solely within such other
24 state or country on races conducted by the organization
25 licensee in this State. Beginning January 1, 2000, these wagers
26 shall not be subject to State taxation. Until January 1, 2000,

1 when the out-of-State entity conducts a pari-mutuel pool
2 separate from the organization licensee, a privilege tax equal
3 to 7 1/2% of all monies received by the organization licensee
4 from entities in other states or countries pursuant to such
5 contracts is imposed on the organization licensee, and such
6 privilege tax shall be remitted to the Department of Revenue
7 within 48 hours of receipt of the moneys from the simulcast.
8 When the out-of-State entity conducts a combined pari-mutuel
9 pool with the organization licensee, the tax shall be 10% of
10 all monies received by the organization licensee with 25% of
11 the receipts from this 10% tax to be distributed to the county
12 in which the race was conducted.

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

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

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

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

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

13 Notwithstanding any other provision of this Act, through
14 December 31, 2021 ~~2018~~, an organization licensee, with the
15 consent of the horsemen association representing the largest
16 number of owners, trainers, jockeys, or standardbred drivers
17 who race horses at that organization licensee's racing meeting,
18 may maintain a system whereby advance deposit wagering may take
19 place or an organization licensee, with the consent of the
20 horsemen association representing the largest number of
21 owners, trainers, jockeys, or standardbred drivers who race
22 horses at that organization licensee's racing meeting, may
23 contract with another person to carry out a system of advance
24 deposit wagering. Such consent may not be unreasonably
25 withheld. Only with respect to an appeal to the Board that
26 consent for an organization licensee that maintains its own

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

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

1 escrow or otherwise withheld from wagers pending a
2 determination of the legality of advance deposit wagering, no
3 action shall be brought to declare such wagers or the
4 disbursement of any fees previously escrowed illegal.

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

22 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
23 inter-track wagering licensee other than the host track may
24 receive supplemental interstate simulcasts only with the
25 consent of the host track, except when the Board finds that
26 the simulcast is clearly adverse to the integrity of

1 racing. Consent granted under this paragraph (2) to any
2 inter-track wagering licensee shall be deemed consent to
3 all non-host licensees. The interstate commission fee for
4 the supplemental interstate simulcast shall be paid by all
5 participating non-host licensees.

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

22 (4) A licensee who receives an interstate simulcast may
23 combine its gross or net pools with pools at the sending
24 racetracks pursuant to rules established by the Board. All
25 licensees combining their gross pools at a sending
26 racetrack shall adopt the take-out percentages of the

1 sending racetrack. A licensee may also establish a separate
2 pool and takeout structure for wagering purposes on races
3 conducted at race tracks outside of the State of Illinois.
4 The licensee may permit pari-mutuel wagers placed in other
5 states or countries to be combined with its gross or net
6 wagering pools or other wagering pools.

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

16 (A) For interstate simulcast wagers made at a host
17 track, 50% to the host track and 50% to purses at the
18 host track.

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

26 (6) Notwithstanding any provision in this Act to the

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

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

17 (A) Between January 1 and the third Friday in
18 February, inclusive, if no live thoroughbred racing is
19 occurring in Illinois during this period, when the
20 interstate simulcast is a standardbred race, the purse
21 share to its standardbred purse account;

22 (B) Between January 1 and the third Friday in
23 February, inclusive, if no live thoroughbred racing is
24 occurring in Illinois during this period, and the
25 interstate simulcast is a thoroughbred race, the purse
26 share to its interstate simulcast purse pool to be

1 distributed under paragraph (10) of this subsection
2 (g);

3 (C) Between January 1 and the third Friday in
4 February, inclusive, if live thoroughbred racing is
5 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
6 the purse share from wagers made during this time
7 period to its thoroughbred purse account and between
8 6:30 p.m. and 6:30 a.m. the purse share from wagers
9 made during this time period to its standardbred purse
10 accounts;

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

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

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

1 (A) If the licensee that conducts horse racing at
2 that racetrack requests from the Board at least as many
3 racing dates as were conducted in calendar year 2000,
4 80% shall be paid to its thoroughbred purse account;
5 and

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

21 (7.2) Notwithstanding any other provision of this Act
22 to the contrary, if no thoroughbred racing is conducted at
23 a racetrack located in Madison County during any calendar
24 year beginning on or after January 1, 2002, all moneys
25 derived by that racetrack from simulcast wagering and
26 inter-track wagering that (1) are to be used for purses and

1 (2) are generated between the hours of 6:30 a.m. and 6:30
2 p.m. during that calendar year shall be deposited as
3 follows:

4 (A) If the licensee that conducts horse racing at
5 that racetrack requests from the Board at least as many
6 racing dates as were conducted in calendar year 2000,
7 80% shall be deposited into its standardbred purse
8 account; and

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

1 (7.3) If no live standardbred racing is conducted at a
2 racetrack located in Madison County in calendar year 2000
3 or 2001, an organization licensee who is licensed to
4 conduct horse racing at that racetrack shall, before
5 January 1, 2002, pay all moneys derived from simulcast
6 wagering and inter-track wagering in calendar years 2000
7 and 2001 and paid into the licensee's standardbred purse
8 account as follows:

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

11 (B) Twenty percent to the Illinois Colt Stakes
12 Purse Distribution Fund.

13 Failure to make the payment to the Illinois Colt Stakes
14 Purse Distribution Fund before January 1, 2002 shall result
15 in the immediate revocation of the licensee's organization
16 license, inter-track wagering license, and inter-track
17 wagering location license.

18 Moneys paid into the Illinois Colt Stakes Purse
19 Distribution Fund pursuant to this paragraph (7.3) shall be
20 paid to purses for standardbred races for Illinois
21 conceived and foaled horses conducted at any county
22 fairgrounds. Moneys paid into the Illinois Colt Stakes
23 Purse Distribution Fund pursuant to this paragraph (7.3)
24 shall be used as determined by the Department of
25 Agriculture, with the advice and assistance of the Illinois
26 Standardbred Breeders Fund Advisory Board, shall be in

1 addition to and not in lieu of any other moneys paid to
2 standardbred purses under this Act, and shall not be
3 commingled with any other moneys paid into that Fund.

4 (7.4) If live standardbred racing is conducted at a
5 racetrack located in Madison County at any time in calendar
6 year 2001 before the payment required under paragraph (7.3)
7 has been made, the organization licensee who is licensed to
8 conduct racing at that racetrack shall pay all moneys
9 derived by that racetrack from simulcast wagering and
10 inter-track wagering during calendar years 2000 and 2001
11 that (1) are to be used for purses and (2) are generated
12 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
13 2001 to the standardbred purse account at that racetrack to
14 be used for standardbred purses.

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

22 (8.1) Notwithstanding any provisions in this Act to the
23 contrary, if 2 organization licensees are conducting
24 standardbred race meetings concurrently between the hours
25 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
26 State and local taxes and interstate commission fees, the

1 remainder of the amount retained from simulcast wagering
2 otherwise attributable to the host track and to host track
3 purses shall be split daily between the 2 organization
4 licensees and the purses at the tracks of the 2
5 organization licensees, respectively, based on each
6 organization licensee's share of the total live handle for
7 that day, provided that this provision shall not apply to
8 any non-host licensee that derives its license from a track
9 located in a county with a population in excess of 230,000
10 and that borders the Mississippi River.

11 (9) (Blank).

12 (10) (Blank).

13 (11) (Blank).

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

19 (13) Notwithstanding any other provision of this Act,
20 in the event that the total Illinois pari-mutuel handle on
21 Illinois horse races at all wagering facilities in any
22 calendar year is less than 75% of the total Illinois
23 pari-mutuel handle on Illinois horse races at all such
24 wagering facilities for calendar year 1994, then each
25 wagering facility that has an annual total Illinois
26 pari-mutuel handle on Illinois horse races that is less

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

1 between each purse account pro rata, based on the amount of
2 Illinois handle on Illinois standardbred and thoroughbred
3 racing respectively at the wagering facility during the
4 previous calendar year. Annually, the General Assembly
5 shall appropriate sufficient funds from the General
6 Revenue Fund to the Department of Agriculture for payment
7 into the thoroughbred and standardbred horse racing purse
8 accounts at Illinois pari-mutuel tracks. The amount paid to
9 each purse account shall be the amount certified by the
10 Illinois Racing Board in January to be transferred from
11 each account to each eligible racing facility in accordance
12 with the provisions of this Section.

13 (h) The Board may approve and license the conduct of
14 inter-track wagering and simulcast wagering by inter-track
15 wagering licensees and inter-track wagering location licensees
16 subject to the following terms and conditions:

17 (1) Any person licensed to conduct a race meeting (i)
18 at a track where 60 or more days of racing were conducted
19 during the immediately preceding calendar year or where
20 over the 5 immediately preceding calendar years an average
21 of 30 or more days of racing were conducted annually may be
22 issued an inter-track wagering license; (ii) at a track
23 located in a county that is bounded by the Mississippi
24 River, which has a population of less than 150,000
25 according to the 1990 decennial census, and an average of
26 at least 60 days of racing per year between 1985 and 1993

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

1 there shall be delivered to the Board a certified check or
2 bank draft payable to the order of the Board for an amount
3 equal to \$500. The application shall be on forms prescribed
4 and furnished by the Board. The application shall comply
5 with all other rules, regulations and conditions imposed by
6 the Board in connection therewith.

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

16 (3) In granting licenses to conduct inter-track
17 wagering and simulcast wagering, the Board shall give due
18 consideration to the best interests of the public, of horse
19 racing, and of maximizing revenue to the State.

20 (4) Prior to the issuance of a license to conduct
21 inter-track wagering and simulcast wagering, the applicant
22 shall file with the Board a bond payable to the State of
23 Illinois in the sum of \$50,000, executed by the applicant
24 and a surety company or companies authorized to do business
25 in this State, and conditioned upon (i) the payment by the
26 licensee of all taxes due under Section 27 or 27.1 and any

1 other monies due and payable under this Act, and (ii)
2 distribution by the licensee, upon presentation of the
3 winning ticket or tickets, of all sums payable to the
4 patrons of pari-mutuel pools.

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

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

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

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

21 (8.1) Inter-track wagering location licensees who
22 derive their licenses from a particular organization
23 licensee shall conduct inter-track wagering and simulcast
24 wagering only at locations that are within 160 miles of
25 that race track where the particular organization licensee
26 is licensed to conduct racing. However, inter-track

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

20 (8.2) Inter-track wagering or simulcast wagering shall
21 not be conducted by an inter-track wagering location
22 licensee at any location within 500 feet of an existing
23 church or existing school, nor within 500 feet of the
24 residences of more than 50 registered voters without
25 receiving written permission from a majority of the
26 registered voters at such residences. Such written

1 permission statements shall be filed with the Board. The
2 distance of 500 feet shall be measured to the nearest part
3 of any building used for worship services, education
4 programs, residential purposes, or conducting inter-track
5 wagering by an inter-track wagering location licensee, and
6 not to property boundaries. However, inter-track wagering
7 or simulcast wagering may be conducted at a site within 500
8 feet of a church, school or residences of 50 or more
9 registered voters if such church, school or residences have
10 been erected or established, or such voters have been
11 registered, after the Board issues the original
12 inter-track wagering location license at the site in
13 question. Inter-track wagering location licensees may
14 conduct inter-track wagering and simulcast wagering only
15 in areas that are zoned for commercial or manufacturing
16 purposes or in areas for which a special use has been
17 approved by the local zoning authority. However, no license
18 to conduct inter-track wagering and simulcast wagering
19 shall be granted by the Board with respect to any
20 inter-track wagering location within the jurisdiction of
21 any local zoning authority which has, by ordinance or by
22 resolution, prohibited the establishment of an inter-track
23 wagering location within its jurisdiction. However,
24 inter-track wagering and simulcast wagering may be
25 conducted at a site if such ordinance or resolution is
26 enacted after the Board licenses the original inter-track

1 wagering location licensee for the site in question.

2 (9) (Blank).

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

13 (10.1) Except as provided in subsection (g) of Section
14 27 of this Act, inter-track wagering location licensees
15 shall pay 1% of the pari-mutuel handle at each location to
16 the municipality in which such location is situated and 1%
17 of the pari-mutuel handle at each location to the county in
18 which such location is situated. In the event that an
19 inter-track wagering location licensee is situated in an
20 unincorporated area of a county, such licensee shall pay 2%
21 of the pari-mutuel handle from such location to such
22 county.

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

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

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

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

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

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

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

1 licensee located in a county with a population in excess of
2 230,000 and that borders the Mississippi River shall
3 distribute all purse moneys to purses at the operating host
4 track; (iii) until January 1, 2000, except as provided in
5 subsection (g) of Section 27 of this Act, 1% of the
6 pari-mutuel handle wagered on inter-track wagering and
7 simulcast wagering at each inter-track wagering location
8 licensee facility to the Horse Racing Tax Allocation Fund,
9 provided that, to the extent the total amount collected and
10 distributed to the Horse Racing Tax Allocation Fund under
11 this subsection (h) during any calendar year exceeds the
12 amount collected and distributed to the Horse Racing Tax
13 Allocation Fund during calendar year 1994, that excess
14 amount shall be redistributed (I) to all inter-track
15 wagering location licensees, based on each licensee's
16 pro-rata share of the total handle from inter-track
17 wagering and simulcast wagering for all inter-track
18 wagering location licensees during the calendar year in
19 which this provision is applicable; then (II) the amounts
20 redistributed to each inter-track wagering location
21 licensee as described in subpart (I) shall be further
22 redistributed as provided in subparagraph (B) of paragraph
23 (5) of subsection (g) of this Section 26 provided first,
24 that the shares of those amounts, which are to be
25 redistributed to the host track or to purses at the host
26 track under subparagraph (B) of paragraph (5) of subsection

1 (g) of this Section 26 shall be redistributed based on each
2 host track's pro rata share of the total inter-track
3 wagering and simulcast wagering handle at all host tracks
4 during the calendar year in question, and second, that any
5 amounts redistributed as described in part (I) to an
6 inter-track wagering location licensee that accepts wagers
7 on races conducted by an organization licensee that
8 conducts a race meet in a county with a population in
9 excess of 230,000 and that borders the Mississippi River
10 shall be further redistributed as provided in
11 subparagraphs (D) and (E) of paragraph (7) of subsection
12 (g) of this Section 26, with the portion of that further
13 redistribution allocated to purses at that organization
14 licensee to be divided between standardbred purses and
15 thoroughbred purses based on the amounts otherwise
16 allocated to purses at that organization licensee during
17 the calendar year in question; and (iv) 8% of the
18 pari-mutuel handle on inter-track wagering wagered at such
19 location to satisfy all costs and expenses of conducting
20 its wagering. The remainder of the monies retained by the
21 inter-track wagering location licensee shall be allocated
22 40% to the location licensee and 60% to the organization
23 licensee which provides the Illinois races to the location,
24 except that an inter-track wagering location licensee that
25 derives its license from a track located in a county with a
26 population in excess of 230,000 and that borders the

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

1 purses for the first 12 months the licensee is in operation
2 shall be 5.75% of the pari-mutuel wagered at the location,
3 purses for the second 12 months the licensee is in
4 operation shall be 6.25%, and purses thereafter shall be
5 6.75%. For additional inter-track location licensees
6 authorized under Public Act 89-16, the licensee shall be
7 allowed to retain to satisfy all costs and expenses: 7.75%
8 of the pari-mutuel handle wagered at the location during
9 its first 12 months of operation, 7.25% during its second
10 12 months of operation, and 6.75% thereafter.

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

26 Two-sevenths to the Department of Agriculture.

1 Fifty percent of this two-sevenths shall be used to
2 promote the Illinois horse racing and breeding
3 industry, and shall be distributed by the Department of
4 Agriculture upon the advice of a 9-member committee
5 appointed by the Governor consisting of the following
6 members: the Director of Agriculture, who shall serve
7 as chairman; 2 representatives of organization
8 licensees conducting thoroughbred race meetings in
9 this State, recommended by those licensees; 2
10 representatives of organization licensees conducting
11 standardbred race meetings in this State, recommended
12 by those licensees; a representative of the Illinois
13 Thoroughbred Breeders and Owners Foundation,
14 recommended by that Foundation; a representative of
15 the Illinois Standardbred Owners and Breeders
16 Association, recommended by that Association; a
17 representative of the Horsemen's Benevolent and
18 Protective Association or any successor organization
19 thereto established in Illinois comprised of the
20 largest number of owners and trainers, recommended by
21 that Association or that successor organization; and a
22 representative of the Illinois Harness Horsemen's
23 Association, recommended by that Association.
24 Committee members shall serve for terms of 2 years,
25 commencing January 1 of each even-numbered year. If a
26 representative of any of the above-named entities has

1 not been recommended by January 1 of any even-numbered
2 year, the Governor shall appoint a committee member to
3 fill that position. Committee members shall receive no
4 compensation for their services as members but shall be
5 reimbursed for all actual and necessary expenses and
6 disbursements incurred in the performance of their
7 official duties. The remaining 50% of this
8 two-sevenths shall be distributed to county fairs for
9 premiums and rehabilitation as set forth in the
10 Agricultural Fair Act;

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

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

1 for general purposes; and

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

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

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

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

23 Four-sevenths to museums and aquariums located in
24 park districts of over 500,000 population; provided
25 that the monies are distributed in accordance with the
26 previous year's distribution of the maintenance tax

1 for such museums and aquariums as provided in Section 2
2 of the Park District Aquarium and Museum Act; and

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

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

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

25 (ii) If the inter-track wagering licensee,
26 except an inter-track wagering licensee that

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

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

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

25 (A) The Board is vested with power to promulgate
26 reasonable rules and regulations for the purpose of

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

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

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

24 (D) (Blank).

25 (E) The Board is vested with the power to appoint
26 delegates to execute any of the powers granted to it

1 under this Section for the purpose of administering
2 this wagering and any rules and regulations
3 promulgated in accordance with this Act.

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

12 (G) The Board is vested with the power to impose
13 civil penalties of up to \$5,000 against individuals and
14 up to \$10,000 against licensees for each violation of
15 any provision of this Act relating to the conduct of
16 this wagering, any rules adopted by the Board, any
17 order of the Board or any other action which in the
18 Board's discretion, is a detriment or impediment to
19 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 Fair
3 which are in addition to the licensee's previously approved
4 racing program, those races shall be considered a separate
5 racing day for the purpose of determining the daily handle
6 and computing the privilege or pari-mutuel tax on that
7 daily handle as provided in Sections 27 and 27.1. Such
8 agreements shall be approved by the Board before such
9 wagering may be conducted. In determining whether to grant
10 approval, the Board shall give due consideration to the
11 best interests of the public and of horse racing. The
12 provisions of paragraphs (1), (8), (8.1), and (8.2) of
13 subsection (h) of this Section which are not specified in
14 this paragraph (13) shall not apply to licensed race
15 meetings conducted by the Department of Agriculture at the
16 Illinois State Fair in Sangamon County or the DuQuoin State
17 Fair in Perry County, or to any wagering conducted on those
18 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 all
7 days, except as limited by subsection (b) of Section 19 of this
8 Act.

9 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;
10 100-201, eff. 8-18-17.)

11 (230 ILCS 5/26.8)

12 Sec. 26.8. Beginning on February 1, 2014 and through
13 December 31, 2021 ~~2018~~, each wagering licensee may impose a
14 surcharge of up to 0.5% on winning wagers and winnings from
15 wagers. The surcharge shall be deducted from winnings prior to
16 payout. All amounts collected from the imposition of this
17 surcharge shall be evenly distributed to the organization
18 licensee and the purse account of the organization licensee
19 with which the licensee is affiliated. The amounts distributed
20 under this Section shall be in addition to the amounts paid
21 pursuant to paragraph (10) of subsection (h) of Section 26,
22 Section 26.3, Section 26.4, Section 26.5, and Section 26.7.

23 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

24 (230 ILCS 5/26.9)

1 Sec. 26.9. Beginning on February 1, 2014 and through
2 December 31, 2021 ~~2018~~, in addition to the surcharge imposed in
3 Sections 26.3, 26.4, 26.5, 26.7, and 26.8 of this Act, each
4 licensee shall impose a surcharge of 0.2% on winning wagers and
5 winnings from wagers. The surcharge shall be deducted from
6 winnings prior to payout. All amounts collected from the
7 surcharges imposed under this Section shall be remitted to the
8 Board. From amounts collected under this Section, the Board
9 shall deposit an amount not to exceed \$100,000 annually into
10 the Quarter Horse Purse Fund and all remaining amounts into the
11 Horse Racing Fund.

12 (Source: P.A. 98-624, eff. 1-29-14; 99-756, eff. 8-12-16.)

13 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

14 Sec. 27. (a) In addition to the organization license fee
15 provided by this Act, until January 1, 2000, a graduated
16 privilege tax is hereby imposed for conducting the pari-mutuel
17 system of wagering permitted under this Act. Until January 1,
18 2000, except as provided in subsection (g) of Section 27 of
19 this Act, all of the breakage of each racing day held by any
20 licensee in the State shall be paid to the State. Until January
21 1, 2000, such daily graduated privilege tax shall be paid by
22 the licensee from the amount permitted to be retained under
23 this Act. Until January 1, 2000, each day's graduated privilege
24 tax, breakage, and Horse Racing Tax Allocation funds shall be
25 remitted to the Department of Revenue within 48 hours after the

1 close of the racing day upon which it is assessed or within
2 such other time as the Board prescribes. The privilege tax
3 hereby imposed, until January 1, 2000, shall be a flat tax at
4 the rate of 2% of the daily pari-mutuel handle except as
5 provided in Section 27.1.

6 In addition, every organization licensee, except as
7 provided in Section 27.1 of this Act, which conducts multiple
8 wagering shall pay, until January 1, 2000, as a privilege tax
9 on multiple wagers an amount equal to 1.25% of all moneys
10 wagered each day on such multiple wagers, plus an additional
11 amount equal to 3.5% of the amount wagered each day on any
12 other multiple wager which involves a single betting interest
13 on 3 or more horses. The licensee shall remit the amount of
14 such taxes to the Department of Revenue within 48 hours after
15 the close of the racing day on which it is assessed or within
16 such other time as the Board prescribes.

17 This subsection (a) shall be inoperative and of no force
18 and effect on and after January 1, 2000.

19 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
20 at the rate of 1.5% of the daily pari-mutuel handle is imposed
21 at all pari-mutuel wagering facilities and on advance deposit
22 wagering from a location other than a wagering facility, except
23 as otherwise provided for in this subsection (a-5). In addition
24 to the pari-mutuel tax imposed on advance deposit wagering
25 pursuant to this subsection (a-5), beginning on August 24, 2012
26 (the effective date of Public Act 97-1060) and through December

1 31, 2021 ~~2018~~, an additional pari-mutuel tax at the rate of
2 0.25% shall be imposed on advance deposit wagering. Until
3 August 25, 2012, the additional 0.25% pari-mutuel tax imposed
4 on advance deposit wagering by Public Act 96-972 shall be
5 deposited into the Quarter Horse Purse Fund, which shall be
6 created as a non-appropriated trust fund administered by the
7 Board for grants to thoroughbred organization licensees for
8 payment of purses for quarter horse races conducted by the
9 organization licensee. Beginning on August 26, 2012, the
10 additional 0.25% pari-mutuel tax imposed on advance deposit
11 wagering shall be deposited into the Standardbred Purse Fund,
12 which shall be created as a non-appropriated trust fund
13 administered by the Board, for grants to the standardbred
14 organization licensees for payment of purses for standardbred
15 horse races conducted by the organization licensee.
16 Thoroughbred organization licensees may petition the Board to
17 conduct quarter horse racing and receive purse grants from the
18 Quarter Horse Purse Fund. The Board shall have complete
19 discretion in distributing the Quarter Horse Purse Fund to the
20 petitioning organization licensees. Beginning on July 26, 2010
21 (the effective date of Public Act 96-1287), a pari-mutuel tax
22 at the rate of 0.75% of the daily pari-mutuel handle is imposed
23 at a pari-mutuel facility whose license is derived from a track
24 located in a county that borders the Mississippi River and
25 conducted live racing in the previous year. The pari-mutuel tax
26 imposed by this subsection (a-5) shall be remitted to the

1 Department of Revenue within 48 hours after the close of the
2 racing day upon which it is assessed or within such other time
3 as the Board prescribes.

4 (b) On or before December 31, 1999, in the event that any
5 organization licensee conducts 2 separate programs of races on
6 any day, each such program shall be considered a separate
7 racing day for purposes of determining the daily handle and
8 computing the privilege tax on such daily handle as provided in
9 subsection (a) of this Section.

10 (c) Licensees shall at all times keep accurate books and
11 records of all monies wagered on each day of a race meeting and
12 of the taxes paid to the Department of Revenue under the
13 provisions of this Section. The Board or its duly authorized
14 representative or representatives shall at all reasonable
15 times have access to such records for the purpose of examining
16 and checking the same and ascertaining whether the proper
17 amount of taxes is being paid as provided. The Board shall
18 require verified reports and a statement of the total of all
19 monies wagered daily at each wagering facility upon which the
20 taxes are assessed and may prescribe forms upon which such
21 reports and statement shall be made.

22 (d) Any licensee failing or refusing to pay the amount of
23 any tax due under this Section shall be guilty of a business
24 offense and upon conviction shall be fined not more than \$5,000
25 in addition to the amount found due as tax under this Section.
26 Each day's violation shall constitute a separate offense. All

1 fines paid into Court by a licensee hereunder shall be
2 transmitted and paid over by the Clerk of the Court to the
3 Board.

4 (e) No other license fee, privilege tax, excise tax, or
5 racing fee, except as provided in this Act, shall be assessed
6 or collected from any such licensee by the State.

7 (f) No other license fee, privilege tax, excise tax or
8 racing fee shall be assessed or collected from any such
9 licensee by units of local government except as provided in
10 paragraph 10.1 of subsection (h) and subsection (f) of Section
11 26 of this Act. However, any municipality that has a Board
12 licensed horse race meeting at a race track wholly within its
13 corporate boundaries or a township that has a Board licensed
14 horse race meeting at a race track wholly within the
15 unincorporated area of the township may charge a local
16 amusement tax not to exceed 10¢ per admission to such horse
17 race meeting by the enactment of an ordinance. However, any
18 municipality or county that has a Board licensed inter-track
19 wagering location facility wholly within its corporate
20 boundaries may each impose an admission fee not to exceed \$1.00
21 per admission to such inter-track wagering location facility,
22 so that a total of not more than \$2.00 per admission may be
23 imposed. Except as provided in subparagraph (g) of Section 27
24 of this Act, the inter-track wagering location licensee shall
25 collect any and all such fees and within 48 hours remit the
26 fees to the Board, which shall, pursuant to rule, cause the

1 fees to be distributed to the county or municipality.

2 (g) Notwithstanding any provision in this Act to the
3 contrary, if in any calendar year the total taxes and fees
4 required to be collected from licensees and distributed under
5 this Act to all State and local governmental authorities
6 exceeds the amount of such taxes and fees distributed to each
7 State and local governmental authority to which each State and
8 local governmental authority was entitled under this Act for
9 calendar year 1994, then the first \$11 million of that excess
10 amount shall be allocated at the earliest possible date for
11 distribution as purse money for the succeeding calendar year.
12 Upon reaching the 1994 level, and until the excess amount of
13 taxes and fees exceeds \$11 million, the Board shall direct all
14 licensees to cease paying the subject taxes and fees and the
15 Board shall direct all licensees to allocate any such excess
16 amount for purses as follows:

17 (i) the excess amount shall be initially divided
18 between thoroughbred and standardbred purses based on the
19 thoroughbred's and standardbred's respective percentages
20 of total Illinois live wagering in calendar year 1994;

21 (ii) each thoroughbred and standardbred organization
22 licensee issued an organization licensee in that
23 succeeding allocation year shall be allocated an amount
24 equal to the product of its percentage of total Illinois
25 live thoroughbred or standardbred wagering in calendar
26 year 1994 (the total to be determined based on the sum of

1 1994 on-track wagering for all organization licensees
2 issued organization licenses in both the allocation year
3 and the preceding year) multiplied by the total amount
4 allocated for standardbred or thoroughbred purses,
5 provided that the first \$1,500,000 of the amount allocated
6 to standardbred purses under item (i) shall be allocated to
7 the Department of Agriculture to be expended with the
8 assistance and advice of the Illinois Standardbred
9 Breeders Funds Advisory Board for the purposes listed in
10 subsection (g) of Section 31 of this Act, before the amount
11 allocated to standardbred purses under item (i) is
12 allocated to standardbred organization licensees in the
13 succeeding allocation year.

14 To the extent the excess amount of taxes and fees to be
15 collected and distributed to State and local governmental
16 authorities exceeds \$11 million, that excess amount shall be
17 collected and distributed to State and local authorities as
18 provided for under this Act.

19 (Source: P.A. 98-18, eff. 6-7-13; 98-624, eff. 1-29-14; 99-756,
20 eff. 8-12-16.)

21 Section 10. The Video Gaming Act is amended by changing the
22 Sections 5, 25, 30, 35, 45, 55, 58, and 60 as follows:

23 (230 ILCS 40/5)

24 Sec. 5. Definitions. As used in this Act:

1 "Board" means the Illinois Gaming Board.

2 "Credit" means one, 5, 10, or 25 cents either won or
3 purchased by a player.

4 "Distributor" means an individual, partnership,
5 corporation, or limited liability company licensed under this
6 Act to buy, sell, lease, or distribute video gaming terminals
7 or major components or parts of video gaming terminals to or
8 from terminal operators.

9 "Electronic card" means a card purchased from a licensed
10 establishment, licensed fraternal establishment, licensed
11 veterans establishment, or licensed truck stop establishment
12 for use in that establishment as a substitute for cash in the
13 conduct of gaming on a video gaming terminal.

14 "Electronic voucher" means a voucher printed by an
15 electronic video game machine that is redeemable in the
16 licensed establishment for which it was issued.

17 "Terminal operator" means an individual, partnership,
18 corporation, or limited liability company that is licensed
19 under this Act and that owns, services, and maintains video
20 gaming terminals for placement in licensed establishments,
21 licensed truck stop establishments, licensed fraternal
22 establishments, licensed horse racing establishments, or
23 licensed veterans establishments.

24 "Licensed technician" means an individual who is licensed
25 under this Act to repair, service, and maintain video gaming
26 terminals.

1 "Licensed terminal handler" means a person, including but
2 not limited to an employee or independent contractor working
3 for a manufacturer, distributor, supplier, technician, or
4 terminal operator, who is licensed under this Act to possess or
5 control a video gaming terminal or to have access to the inner
6 workings of a video gaming terminal. A licensed terminal
7 handler does not include an individual, partnership,
8 corporation, or limited liability company defined as a
9 manufacturer, distributor, supplier, technician, or terminal
10 operator under this Act.

11 "Manufacturer" means an individual, partnership,
12 corporation, or limited liability company that is licensed
13 under this Act and that manufactures or assembles video gaming
14 terminals.

15 "Supplier" means an individual, partnership, corporation,
16 or limited liability company that is licensed under this Act to
17 supply major components or parts to video gaming terminals to
18 licensed terminal operators.

19 "Net terminal income" means money put into a video gaming
20 terminal minus credits paid out to players.

21 "Video gaming terminal" means any electronic video game
22 machine that, upon insertion of cash, electronic cards or
23 vouchers, or any combination thereof, is available to play or
24 simulate the play of a video game, including but not limited to
25 video poker, line up, and blackjack, as authorized by the Board
26 utilizing a video display and microprocessors in which the

1 player may receive free games or credits that can be redeemed
2 for cash. The term does not include a machine that directly
3 dispenses coins, cash, or tokens or is for amusement purposes
4 only.

5 "Licensed establishment" means any licensed retail
6 establishment where alcoholic liquor is drawn, poured, mixed,
7 or otherwise served for consumption on the premises, whether
8 the establishment operates on a nonprofit or for-profit basis.

9 "Licensed establishment" includes any such establishment that
10 has a contractual relationship with an inter-track wagering
11 location licensee licensed under the Illinois Horse Racing Act
12 of 1975 that derives its license from an organization licensee
13 whose handle from wagering on Illinois races for 2016 was
14 \$32,000,000 or more, provided any contractual relationship
15 shall not include any transfer or offer of revenue from the
16 operation of video gaming under this Act to any licensee
17 licensed under the Illinois Horse Racing Act of 1975. Provided,
18 however, that the licensed establishment that has such a
19 contractual relationship with an inter-track wagering location
20 licensee may not, itself, be (i) an inter-track wagering
21 location licensee, (ii) the corporate parent or subsidiary of
22 any licensee licensed under the Illinois Horse Racing Act of
23 1975, or (iii) the corporate subsidiary of a corporation that
24 is also the corporate parent or subsidiary of any licensee
25 licensed under the Illinois Horse Racing Act of 1975. "Licensed
26 establishment" does not include a facility operated by an

1 organization licensee, an inter-track wagering licensee, or an
2 inter-track wagering location licensee licensed under the
3 Illinois Horse Racing Act of 1975 or a riverboat licensed under
4 the Riverboat Gambling Act, except as provided in this
5 paragraph. The changes made to this definition by Public Act
6 98-587 are declarative of existing law.

7 "Licensed fraternal establishment" means the location
8 where a qualified fraternal organization that derives its
9 charter from a national fraternal organization regularly
10 meets.

11 "Licensed horse racing establishment" means a facility
12 operated by an organization licensee whose handle from wagering
13 on Illinois races for 2016 was less than \$32,000,000 or by an
14 inter-track wagering location licensee that derives its
15 license from such an organization licensee.

16 "Licensed veterans establishment" means the location where
17 a qualified veterans organization that derives its charter from
18 a national veterans organization regularly meets.

19 "Licensed truck stop establishment" means a facility (i)
20 that is at least a 3-acre facility with a convenience store,
21 (ii) with separate diesel islands for fueling commercial motor
22 vehicles, (iii) that sells at retail more than 10,000 gallons
23 of diesel or biodiesel fuel per month, and (iv) with parking
24 spaces for commercial motor vehicles. "Commercial motor
25 vehicles" has the same meaning as defined in Section 18b-101 of
26 the Illinois Vehicle Code. The requirement of item (iii) of

1 this paragraph may be met by showing that estimated future
2 sales or past sales average at least 10,000 gallons per month.

3 "Organization licensee" means an organization licensee as
4 defined in the Illinois Horse Racing Act of 1975.

5 "Inter-track wagering location licensee" means an
6 inter-track wagering location licensee as defined in the
7 Illinois Horse Racing Act of 1975.

8 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
9 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.
10 7-16-14.)

11 (230 ILCS 40/25)

12 Sec. 25. Restriction of licensees.

13 (a) Manufacturer. A person may not be licensed as a
14 manufacturer of a video gaming terminal in Illinois unless the
15 person has a valid manufacturer's license issued under this
16 Act. A manufacturer may only sell video gaming terminals for
17 use in Illinois to persons having a valid distributor's
18 license.

19 (b) Distributor. A person may not sell, distribute, or
20 lease or market a video gaming terminal in Illinois unless the
21 person has a valid distributor's license issued under this Act.
22 A distributor may only sell video gaming terminals for use in
23 Illinois to persons having a valid distributor's or terminal
24 operator's license.

25 (c) Terminal operator. A person may not own, maintain, or

1 place a video gaming terminal unless he has a valid terminal
2 operator's license issued under this Act. A terminal operator
3 may only place video gaming terminals for use in Illinois in
4 licensed establishments, licensed truck stop establishments,
5 licensed fraternal establishments, licensed horse racing
6 establishments, and licensed veterans establishments. No
7 terminal operator may give anything of value, including but not
8 limited to a loan or financing arrangement, to a licensed
9 establishment, licensed truck stop establishment, licensed
10 fraternal establishment, licensed horse racing establishment,
11 or licensed veterans establishment as any incentive or
12 inducement to locate video terminals in that establishment. Of
13 the after-tax profits from a video gaming terminal, 50% shall
14 be paid to the terminal operator and 50% shall be paid to the
15 licensed establishment, licensed truck stop establishment,
16 licensed fraternal establishment, licensed horse racing
17 establishment, or licensed veterans establishment,
18 notwithstanding any agreement to the contrary. Licensed horse
19 racing establishments shall deposit 50% of their share of the
20 net terminal income into the horsemen purse accounts associated
21 with their respective race track. If a race track located in
22 Cook County races multiple breeds, then the share of net
23 terminal income deposited into the horsemen purse account shall
24 be distributed equally among the breeds unless the organization
25 licensee and the horsemen associations representing the
26 largest number of owners, trainers, jockeys, or standardbred

1 drivers who race horses at that organization licensee's racing
2 meetings agree to a different distribution. A video terminal
3 operator that violates one or more requirements of this
4 subsection is guilty of a Class 4 felony and is subject to
5 termination of his or her license by the Board.

6 (d) Licensed technician. A person may not service,
7 maintain, or repair a video gaming terminal in this State
8 unless he or she (1) has a valid technician's license issued
9 under this Act, (2) is a terminal operator, or (3) is employed
10 by a terminal operator, distributor, or manufacturer.

11 (d-5) Licensed terminal handler. No person, including, but
12 not limited to, an employee or independent contractor working
13 for a manufacturer, distributor, supplier, technician, or
14 terminal operator licensed pursuant to this Act, shall have
15 possession or control of a video gaming terminal, or access to
16 the inner workings of a video gaming terminal, unless that
17 person possesses a valid terminal handler's license issued
18 under this Act.

19 (e) Licensed establishment. No video gaming terminal may be
20 placed in any licensed establishment, licensed veterans
21 establishment, licensed truck stop establishment, licensed
22 horse racing establishment, or licensed fraternal
23 establishment unless the owner or agent of the owner of the
24 licensed establishment, licensed veterans establishment,
25 licensed truck stop establishment, licensed horse racing
26 establishment, or licensed fraternal establishment has entered

1 into a written use agreement with the terminal operator for
2 placement of the terminals. A copy of the use agreement shall
3 be on file in the terminal operator's place of business and
4 available for inspection by individuals authorized by the
5 Board. A licensed establishment, licensed truck stop
6 establishment, licensed veterans establishment, or licensed
7 fraternal establishment may operate up to 5 video gaming
8 terminals on its premises at any time, except that a licensed
9 horse racing establishment that is an organization licensee who
10 held that license in 2016 may operate up to 150 video gaming
11 terminals at its organization licensee location at any time and
12 a licensed horse racing establishment that is an inter-track
13 wagering location licensee may operate up to 5 video gaming
14 terminals at the inter-track wagering location licensee's
15 location or on the premises of the organization licensee with
16 which it is affiliated. An organization licensee may enter into
17 a written use agreement with multiple terminal operators for
18 placement of terminals on the organization licensee's
19 premises.

20 (f) (Blank).

21 (g) Financial interest restrictions. As used in this Act,
22 "substantial interest" in a partnership, a corporation, an
23 organization, an association, a business, or a limited
24 liability company means:

25 (A) When, with respect to a sole proprietorship, an
26 individual or his or her spouse owns, operates, manages, or

1 conducts, directly or indirectly, the organization,
2 association, or business, or any part thereof; or

3 (B) When, with respect to a partnership, the individual
4 or his or her spouse shares in any of the profits, or
5 potential profits, of the partnership activities; or

6 (C) When, with respect to a corporation, an individual
7 or his or her spouse is an officer or director, or the
8 individual or his or her spouse is a holder, directly or
9 beneficially, of 5% or more of any class of stock of the
10 corporation; or

11 (D) When, with respect to an organization not covered
12 in (A), (B) or (C) above, an individual or his or her
13 spouse is an officer or manages the business affairs, or
14 the individual or his or her spouse is the owner of or
15 otherwise controls 10% or more of the assets of the
16 organization; or

17 (E) When an individual or his or her spouse furnishes
18 5% or more of the capital, whether in cash, goods, or
19 services, for the operation of any business, association,
20 or organization during any calendar year; or

21 (F) When, with respect to a limited liability company,
22 an individual or his or her spouse is a member, or the
23 individual or his or her spouse is a holder, directly or
24 beneficially, of 5% or more of the membership interest of
25 the limited liability company.

26 For purposes of this subsection (g), "individual" includes

1 all individuals or their spouses whose combined interest would
2 qualify as a substantial interest under this subsection (g) and
3 whose activities with respect to an organization, association,
4 or business are so closely aligned or coordinated as to
5 constitute the activities of a single entity.

6 (h) Location restriction. A licensed establishment,
7 licensed truck stop establishment, licensed fraternal
8 establishment, or licensed veterans establishment that is (i)
9 located within 1,000 feet of a facility operated by an
10 organization licensee licensed under the Illinois Horse Racing
11 Act of 1975 or the home dock of a riverboat licensed under the
12 Riverboat Gambling Act or (ii) located within 100 feet of a
13 school or a place of worship under the Religious Corporation
14 Act, is ineligible to operate a video gaming terminal. The
15 location restrictions in this subsection (h) do not apply if
16 (A) a facility operated by an organization licensee, a school,
17 or a place of worship moves to or is established within the
18 restricted area after a licensed establishment, licensed truck
19 stop establishment, licensed fraternal establishment, or
20 licensed veterans establishment becomes licensed under this
21 Act or (B) a school or place of worship moves to or is
22 established within the restricted area after a licensed
23 establishment, licensed truck stop establishment, licensed
24 fraternal establishment, or licensed veterans establishment
25 obtains its original liquor license. For the purpose of this
26 subsection, "school" means an elementary or secondary public

1 school, or an elementary or secondary private school registered
2 with or recognized by the State Board of Education.

3 Notwithstanding the provisions of this subsection (h), the
4 Board may waive the requirement that a licensed establishment,
5 licensed truck stop establishment, licensed fraternal
6 establishment, or licensed veterans establishment not be
7 located within 1,000 feet from a facility operated by an
8 organization licensee licensed under the Illinois Horse Racing
9 Act of 1975 or the home dock of a riverboat licensed under the
10 Riverboat Gambling Act. The Board shall not grant such waiver
11 if there is any common ownership or control, shared business
12 activity, or contractual arrangement of any type between the
13 establishment and the organization licensee or owners licensee
14 of a riverboat. The Board shall adopt rules to implement the
15 provisions of this paragraph.

16 (i) Undue economic concentration. In addition to
17 considering all other requirements under this Act, in deciding
18 whether to approve the operation of video gaming terminals by a
19 terminal operator in a location, the Board shall consider the
20 impact of any economic concentration of such operation of video
21 gaming terminals. The Board shall not allow a terminal operator
22 to operate video gaming terminals if the Board determines such
23 operation will result in undue economic concentration. For
24 purposes of this Section, "undue economic concentration" means
25 that a terminal operator would have such actual or potential
26 influence over video gaming terminals in Illinois as to:

1 (1) substantially impede or suppress competition among
2 terminal operators;

3 (2) adversely impact the economic stability of the
4 video gaming industry in Illinois; or

5 (3) negatively impact the purposes of the Video Gaming
6 Act.

7 The Board shall adopt rules concerning undue economic
8 concentration with respect to the operation of video gaming
9 terminals in Illinois. The rules shall include, but not be
10 limited to, (i) limitations on the number of video gaming
11 terminals operated by any terminal operator within a defined
12 geographic radius and (ii) guidelines on the discontinuation of
13 operation of any such video gaming terminals the Board
14 determines will cause undue economic concentration.

15 (j) The provisions of the Illinois Antitrust Act are fully
16 and equally applicable to the activities of any licensee under
17 this Act.

18 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,
19 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

20 (230 ILCS 40/30)

21 Sec. 30. Multiple types of licenses prohibited. A video
22 gaming terminal manufacturer may not be licensed as a video
23 gaming terminal operator or own, manage, or control a licensed
24 establishment, licensed truck stop establishment, licensed
25 fraternal establishment, licensed horse racing establishment,

1 or licensed veterans establishment~~7~~ and shall be licensed to
2 sell only to persons having a valid distributor's license or,
3 if the manufacturer also holds a valid distributor's license,
4 to sell, distribute, lease, or market to persons having a valid
5 terminal operator's license. A video gaming terminal
6 distributor may not be licensed as a video gaming terminal
7 operator or own, manage, or control a licensed establishment,
8 licensed truck stop establishment, licensed fraternal
9 establishment, or licensed veterans establishment, and shall
10 only contract with a licensed terminal operator. A video gaming
11 terminal operator may not be licensed as a video gaming
12 terminal manufacturer or distributor or own, manage, or control
13 a licensed establishment, licensed truck stop establishment,
14 licensed fraternal establishment, or licensed veterans
15 establishment, and shall be licensed only to contract with
16 licensed distributors and licensed establishments, licensed
17 truck stop establishments, licensed fraternal establishments,
18 and licensed veterans establishments. An owner or manager of a
19 licensed establishment, licensed truck stop establishment,
20 licensed fraternal establishment, or licensed veterans
21 establishment may not be licensed as a video gaming terminal
22 manufacturer, distributor, or operator, and shall only
23 contract with a licensed operator to place and service this
24 equipment.

25 (Source: P.A. 96-34, eff. 7-13-09; 96-1410, eff. 7-30-10.)

1 (230 ILCS 40/35)

2 Sec. 35. Display of license; confiscation; violation as
3 felony.

4 (a) Each video gaming terminal shall be licensed by the
5 Board before placement or operation on the premises of a
6 licensed establishment, licensed truck stop establishment,
7 licensed fraternal establishment, licensed horse racing
8 establishment, or licensed veterans establishment. The license
9 of each video gaming terminal shall be maintained at the
10 location where the video gaming terminal is operated. Failure
11 to do so is a petty offense with a fine not to exceed \$100. Any
12 licensed establishment, licensed truck stop establishment,
13 licensed fraternal establishment, licensed horse racing
14 establishment, or licensed veterans establishment used for the
15 conduct of gambling games in violation of this Act shall be
16 considered a gambling place in violation of Section 28-3 of the
17 Criminal Code of 2012. Every gambling device found in a
18 licensed establishment, licensed truck stop establishment,
19 licensed fraternal establishment, licensed horse racing
20 establishment, or licensed veterans establishment operating
21 gambling games in violation of this Act shall be subject to
22 seizure, confiscation, and destruction as provided in Section
23 28-5 of the Criminal Code of 2012. Any license issued under the
24 Liquor Control Act of 1934 to any owner or operator of a
25 licensed establishment, licensed truck stop establishment,
26 licensed fraternal establishment, licensed horse racing

1 establishment, or licensed veterans establishment that
2 operates or permits the operation of a video gaming terminal
3 within its establishment in violation of this Act shall be
4 immediately revoked. No person may own, operate, have in his or
5 her possession or custody or under his or her control, or
6 permit to be kept in any place under his or her possession or
7 control, any device that awards credits and contains a circuit,
8 meter, or switch capable of removing and recording the removal
9 of credits when the award of credits is dependent upon chance.

10 Nothing in this Section shall be deemed to prohibit the use
11 of a game device only if the game device is used in an activity
12 that is not gambling under subsection (b) of Section 28-1 of
13 the Criminal Code of 2012.

14 A violation of this Section is a Class 4 felony. All
15 devices that are owned, operated, or possessed in violation of
16 this Section are hereby declared to be public nuisances and
17 shall be subject to seizure, confiscation, and destruction as
18 provided in Section 28-5 of the Criminal Code of 2012.

19 The provisions of this Section do not apply to devices or
20 electronic video game terminals licensed pursuant to this Act.
21 A video gaming terminal operated for amusement only and bearing
22 a valid amusement tax sticker shall not be subject to this
23 Section until 30 days after the Board establishes that the
24 central communications system is functional.

25 (b) (1) The odds of winning each video game shall be posted
26 on or near each video gaming terminal. The manner in which the

1 odds are calculated and how they are posted shall be determined
2 by the Board by rule.

3 (2) No video gaming terminal licensed under this Act may be
4 played except during the legal hours of operation allowed for
5 the consumption of alcoholic beverages at the licensed
6 establishment, licensed fraternal establishment, or licensed
7 veterans establishment. No video gaming terminal licensed
8 under this Act at a licensed horse racing establishment may be
9 played except during the legal hours of operation allowed in
10 the Illinois Horse Racing Act of 1975. A licensed
11 establishment, licensed fraternal establishment, licensed
12 horse racing establishment, or licensed veterans establishment
13 that violates this subsection is subject to termination of its
14 license by the Board.

15 (Source: P.A. 97-1150, eff. 1-25-13; 98-111, eff. 1-1-14.)

16 (230 ILCS 40/45)

17 Sec. 45. Issuance of license.

18 (a) The burden is upon each applicant to demonstrate his
19 suitability for licensure. Each video gaming terminal
20 manufacturer, distributor, supplier, operator, handler,
21 licensed establishment, licensed truck stop establishment,
22 licensed fraternal establishment, licensed horse racing
23 establishment, and licensed veterans establishment shall be
24 licensed by the Board. The Board may issue or deny a license
25 under this Act to any person pursuant to the same criteria set

1 forth in Section 9 of the Riverboat Gambling Act.

2 (a-5) The Board shall not grant a license to a person who
3 has facilitated, enabled, or participated in the use of
4 coin-operated devices for gambling purposes or who is under the
5 significant influence or control of such a person. For the
6 purposes of this Act, "facilitated, enabled, or participated in
7 the use of coin-operated amusement devices for gambling
8 purposes" means that the person has been convicted of any
9 violation of Article 28 of the Criminal Code of 1961 or the
10 Criminal Code of 2012. If there is pending legal action against
11 a person for any such violation, then the Board shall delay the
12 licensure of that person until the legal action is resolved.

13 (b) Each person seeking and possessing a license as a video
14 gaming terminal manufacturer, distributor, supplier, operator,
15 handler, licensed establishment, licensed truck stop
16 establishment, licensed fraternal establishment, licensed
17 horse racing establishment, or licensed veterans establishment
18 shall submit to a background investigation conducted by the
19 Board with the assistance of the State Police or other law
20 enforcement. To the extent that the corporate structure of the
21 applicant allows, the background investigation shall include
22 any or all of the following as the Board deems appropriate or
23 as provided by rule for each category of licensure: (i) each
24 beneficiary of a trust, (ii) each partner of a partnership,
25 (iii) each member of a limited liability company, (iv) each
26 director and officer of a publicly or non-publicly held

1 corporation, (v) each stockholder of a non-publicly held
2 corporation, (vi) each stockholder of 5% or more of a publicly
3 held corporation, or (vii) each stockholder of 5% or more in a
4 parent or subsidiary corporation.

5 (c) Each person seeking and possessing a license as a video
6 gaming terminal manufacturer, distributor, supplier, operator,
7 handler, licensed establishment, licensed truck stop
8 establishment, licensed fraternal establishment, licensed
9 horse racing establishment, or licensed veterans establishment
10 shall disclose the identity of every person, association,
11 trust, corporation, or limited liability company having a
12 greater than 1% direct or indirect pecuniary interest in the
13 video gaming terminal operation for which the license is
14 sought. If the disclosed entity is a trust, the application
15 shall disclose the names and addresses of the beneficiaries; if
16 a corporation, the names and addresses of all stockholders and
17 directors; if a limited liability company, the names and
18 addresses of all members; or if a partnership, the names and
19 addresses of all partners, both general and limited.

20 (d) No person may be licensed as a video gaming terminal
21 manufacturer, distributor, supplier, operator, handler,
22 licensed establishment, licensed truck stop establishment,
23 licensed fraternal establishment, licensed horse racing
24 establishment, or licensed veterans establishment if that
25 person has been found by the Board to:

26 (1) have a background, including a criminal record,

1 reputation, habits, social or business associations, or
 2 prior activities that pose a threat to the public interests
 3 of the State or to the security and integrity of video
 4 gaming;

5 (2) create or enhance the dangers of unsuitable,
 6 unfair, or illegal practices, methods, and activities in
 7 the conduct of video gaming; or

8 (3) present questionable business practices and
 9 financial arrangements incidental to the conduct of video
 10 gaming activities.

11 (e) Any applicant for any license under this Act has the
 12 burden of proving his or her qualifications to the satisfaction
 13 of the Board. The Board may adopt rules to establish additional
 14 qualifications and requirements to preserve the integrity and
 15 security of video gaming in this State.

16 (f) A non-refundable application fee shall be paid at the
 17 time an application for a license is filed with the Board in
 18 the following amounts:

- 19 (1) Manufacturer \$5,000
- 20 (2) Distributor..... \$5,000
- 21 (3) Terminal operator..... \$5,000
- 22 (4) Supplier \$2,500
- 23 (5) Technician \$100
- 24 (6) Terminal Handler \$50

25 (g) The Board shall establish an annual fee for each
 26 license not to exceed the following:

- 1 (1) Manufacturer \$10,000
- 2 (2) Distributor..... \$10,000
- 3 (3) Terminal operator..... \$5,000
- 4 (4) Supplier \$2,000
- 5 (5) Technician \$100
- 6 (6) Licensed establishment, licensed truck stop
- 7 establishment, licensed fraternal establishment,
- 8 licensed horse racing establishment,
- 9 or licensed veterans establishment..... \$100
- 10 (7) Video gaming terminal..... \$100
- 11 (8) Terminal Handler \$50
- 12 (h) A terminal operator and a licensed establishment,
- 13 licensed truck stop establishment, licensed fraternal
- 14 establishment, licensed horse racing establishment, or
- 15 licensed veterans establishment shall equally split the fees
- 16 specified in item (7) of subsection (g).
- 17 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
- 18 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

19 (230 ILCS 40/55)

20 Sec. 55. Precondition for licensed location. In all cases
21 of application for a licensed location, to operate a video
22 gaming terminal, each licensed establishment, licensed
23 fraternal establishment, or licensed veterans establishment
24 shall possess a valid liquor license issued by the Illinois
25 Liquor Control Commission in effect at the time of application

1 and at all times thereafter during which a video gaming
2 terminal is made available to the public for play at that
3 location. Video gaming terminals in a licensed location shall
4 be operated only during the same hours of operation generally
5 permitted to holders of a license under the Liquor Control Act
6 of 1934 within the unit of local government in which they are
7 located. Licensed horse racing establishments may operate
8 video gaming terminals if they hold an organization license or
9 inter-track wagering location license issued by the Illinois
10 Racing Board. A licensed truck stop establishment that does not
11 hold a liquor license may operate video gaming terminals on a
12 continuous basis. A licensed fraternal establishment or
13 licensed veterans establishment that does not hold a liquor
14 license may operate video gaming terminals if (i) the
15 establishment is located in a county with a population between
16 6,500 and 7,000, based on the 2000 U.S. Census, (ii) the county
17 prohibits by ordinance the sale of alcohol, and (iii) the
18 establishment is in a portion of the county where the sale of
19 alcohol is prohibited. A licensed fraternal establishment or
20 licensed veterans establishment that does not hold a liquor
21 license may operate video gaming terminals if (i) the
22 establishment is located in a municipality within a county with
23 a population between 8,500 and 9,000 based on the 2000 U.S.
24 Census and (ii) the municipality or county prohibits or limits
25 the sale of alcohol by ordinance in a way that prohibits the
26 establishment from selling alcohol.

1 (Source: P.A. 96-34, eff. 7-13-09; 96-1410, eff. 7-30-10;
2 97-594, eff. 8-26-11.)

3 (230 ILCS 40/58)

4 Sec. 58. Location of terminals. Video gaming terminals
5 must be located in an area restricted to persons over 21 years
6 of age the entrance to which is within the view of at least one
7 employee, who is over 21 years of age, of the establishment in
8 which they are located. The placement of video gaming terminals
9 in licensed establishments, licensed truck stop
10 establishments, licensed fraternal establishments, licensed
11 horse racing establishment, and licensed veterans
12 establishments shall be subject to the rules promulgated by the
13 Board pursuant to the Illinois Administrative Procedure Act.

14 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

15 (230 ILCS 40/60)

16 Sec. 60. Imposition and distribution of tax.

17 (a) A tax of 30% is imposed on net terminal income and
18 shall be collected by the Board.

19 (b) Of the tax collected under this Section, five-sixths
20 shall be deposited into the Capital Projects Fund and one-sixth
21 shall be deposited into the Local Government Video Gaming
22 Distributive Fund.

23 (c) Revenues generated from the play of video gaming
24 terminals shall be deposited by the terminal operator, who is

1 responsible for tax payments, in a specially created, separate
2 bank account maintained by the video gaming terminal operator
3 to allow for electronic fund transfers of moneys for tax
4 payment.

5 (d) Each licensed establishment, licensed truck stop
6 establishment, licensed fraternal establishment, licensed
7 horse racing establishment, and licensed veterans
8 establishment shall maintain an adequate video gaming fund,
9 with the amount to be determined by the Board.

10 (e) The State's percentage of net terminal income shall be
11 reported and remitted to the Board within 15 days after the
12 15th day of each month and within 15 days after the end of each
13 month by the video terminal operator. A video terminal operator
14 who falsely reports or fails to report the amount due required
15 by this Section is guilty of a Class 4 felony and is subject to
16 termination of his or her license by the Board. Each video
17 terminal operator shall keep a record of net terminal income in
18 such form as the Board may require. All payments not remitted
19 when due shall be paid together with a penalty assessment on
20 the unpaid balance at a rate of 1.5% per month.

21 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

22 Section 15. The Criminal Code of 2012 is amended by
23 changing Section 28-1 as follows:

24 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

1 Sec. 28-1. Gambling.

2 (a) A person commits gambling when he or she:

3 (1) knowingly plays a game of chance or skill for money
4 or other thing of value, unless excepted in subsection (b)
5 of this Section;

6 (2) knowingly makes a wager upon the result of any
7 game, contest, or any political nomination, appointment or
8 election;

9 (3) knowingly operates, keeps, owns, uses, purchases,
10 exhibits, rents, sells, bargains for the sale or lease of,
11 manufactures or distributes any gambling device;

12 (4) contracts to have or give himself or herself or
13 another the option to buy or sell, or contracts to buy or
14 sell, at a future time, any grain or other commodity
15 whatsoever, or any stock or security of any company, where
16 it is at the time of making such contract intended by both
17 parties thereto that the contract to buy or sell, or the
18 option, whenever exercised, or the contract resulting
19 therefrom, shall be settled, not by the receipt or delivery
20 of such property, but by the payment only of differences in
21 prices thereof; however, the issuance, purchase, sale,
22 exercise, endorsement or guarantee, by or through a person
23 registered with the Secretary of State pursuant to Section
24 8 of the Illinois Securities Law of 1953, or by or through
25 a person exempt from such registration under said Section
26 8, of a put, call, or other option to buy or sell

1 securities which have been registered with the Secretary of
2 State or which are exempt from such registration under
3 Section 3 of the Illinois Securities Law of 1953 is not
4 gambling within the meaning of this paragraph (4);

5 (5) knowingly owns or possesses any book, instrument or
6 apparatus by means of which bets or wagers have been, or
7 are, recorded or registered, or knowingly possesses any
8 money which he has received in the course of a bet or
9 wager;

10 (6) knowingly sells pools upon the result of any game
11 or contest of skill or chance, political nomination,
12 appointment or election;

13 (7) knowingly sets up or promotes any lottery or sells,
14 offers to sell or transfers any ticket or share for any
15 lottery;

16 (8) knowingly sets up or promotes any policy game or
17 sells, offers to sell or knowingly possesses or transfers
18 any policy ticket, slip, record, document or other similar
19 device;

20 (9) knowingly drafts, prints or publishes any lottery
21 ticket or share, or any policy ticket, slip, record,
22 document or similar device, except for such activity
23 related to lotteries, bingo games and raffles authorized by
24 and conducted in accordance with the laws of Illinois or
25 any other state or foreign government;

26 (10) knowingly advertises any lottery or policy game,

1 except for such activity related to lotteries, bingo games
2 and raffles authorized by and conducted in accordance with
3 the laws of Illinois or any other state;

4 (11) knowingly transmits information as to wagers,
5 betting odds, or changes in betting odds by telephone,
6 telegraph, radio, semaphore or similar means; or knowingly
7 installs or maintains equipment for the transmission or
8 receipt of such information; except that nothing in this
9 subdivision (11) prohibits transmission or receipt of such
10 information for use in news reporting of sporting events or
11 contests; or

12 (12) knowingly establishes, maintains, or operates an
13 Internet site that permits a person to play a game of
14 chance or skill for money or other thing of value by means
15 of the Internet or to make a wager upon the result of any
16 game, contest, political nomination, appointment, or
17 election by means of the Internet. This item (12) does not
18 apply to activities referenced in items (6) and (6.1) of
19 subsection (b) of this Section.

20 (b) Participants in any of the following activities shall
21 not be convicted of gambling:

22 (1) Agreements to compensate for loss caused by the
23 happening of chance including without limitation contracts
24 of indemnity or guaranty and life or health or accident
25 insurance.

26 (2) Offers of prizes, award or compensation to the

1 actual contestants in any bona fide contest for the
2 determination of skill, speed, strength or endurance or to
3 the owners of animals or vehicles entered in such contest.

4 (3) Pari-mutuel betting as authorized by the law of
5 this State.

6 (4) Manufacture of gambling devices, including the
7 acquisition of essential parts therefor and the assembly
8 thereof, for transportation in interstate or foreign
9 commerce to any place outside this State when such
10 transportation is not prohibited by any applicable Federal
11 law; or the manufacture, distribution, or possession of
12 video gaming terminals, as defined in the Video Gaming Act,
13 by manufacturers, distributors, and terminal operators
14 licensed to do so under the Video Gaming Act.

15 (5) The game commonly known as "bingo", when conducted
16 in accordance with the Bingo License and Tax Act.

17 (6) Lotteries when conducted by the State of Illinois
18 in accordance with the Illinois Lottery Law. This exemption
19 includes any activity conducted by the Department of
20 Revenue to sell lottery tickets pursuant to the provisions
21 of the Illinois Lottery Law and its rules.

22 (6.1) The purchase of lottery tickets through the
23 Internet for a lottery conducted by the State of Illinois
24 under the program established in Section 7.12 of the
25 Illinois Lottery Law.

26 (7) Possession of an antique slot machine that is

1 neither used nor intended to be used in the operation or
2 promotion of any unlawful gambling activity or enterprise.
3 For the purpose of this subparagraph (b)(7), an antique
4 slot machine is one manufactured 25 years ago or earlier.

5 (8) Raffles and poker runs when conducted in accordance
6 with the Raffles and Poker Runs Act.

7 (9) Charitable games when conducted in accordance with
8 the Charitable Games Act.

9 (10) Pull tabs and jar games when conducted under the
10 Illinois Pull Tabs and Jar Games Act.

11 (11) Gambling games conducted on riverboats when
12 authorized by the Riverboat Gambling Act.

13 (12) Video gaming terminal games at a licensed
14 establishment, licensed truck stop establishment, licensed
15 fraternal establishment, licensed horse racing
16 establishment, or licensed veterans establishment when
17 conducted in accordance with the Video Gaming Act.

18 (13) Games of skill or chance where money or other
19 things of value can be won but no payment or purchase is
20 required to participate.

21 (14) Savings promotion raffles authorized under
22 Section 5g of the Illinois Banking Act, Section 7008 of the
23 Savings Bank Act, Section 42.7 of the Illinois Credit Union
24 Act, Section 5136B of the National Bank Act (12 U.S.C.
25 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
26 1463).

1 (c) Sentence.

2 Gambling is a Class A misdemeanor. A second or subsequent
3 conviction under subsections (a) (3) through (a) (12), is a Class
4 4 felony.

5 (d) Circumstantial evidence.

6 In prosecutions under this Section circumstantial evidence
7 shall have the same validity and weight as in any criminal
8 prosecution.

9 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

10 Section 99. Effective date. This Section and Section 5 take
11 effect upon becoming law.

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