



Rep. Robert Rita

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1 AMENDMENT TO SENATE BILL 3387

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3387 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is  
5 amended by changing Section 26 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

1 the provisions of this Act, be held or construed to be  
2 unlawful, other statutes of this State to the contrary  
3 notwithstanding. Subject to rules for advance wagering  
4 promulgated by the Board, any licensee may accept wagers in  
5 advance of the day of the race wagered upon occurs.

6 (b) No other method of betting, pool making, wagering or  
7 gambling shall be used or permitted by the licensee. Each  
8 licensee may retain, subject to the payment of all applicable  
9 taxes and purses, an amount not to exceed 17% of all money  
10 wagered under subsection (a) of this Section, except as may  
11 otherwise be permitted under this Act.

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

19 (c) Until January 1, 2000, the sum held by any licensee for  
20 payment of outstanding pari-mutuel tickets, if unclaimed prior  
21 to December 31 of the next year, shall be retained by the  
22 licensee for payment of such tickets until that date. Within 10  
23 days thereafter, the balance of such sum remaining unclaimed,  
24 less any uncashed supplements contributed by such licensee for  
25 the purpose of guaranteeing minimum distributions of any  
26 pari-mutuel pool, shall be paid to the Illinois Veterans'

1 Rehabilitation Fund of the State treasury, except as provided  
2 in subsection (g) of Section 27 of this Act.

3 (c-5) Beginning January 1, 2000, the sum held by any  
4 licensee for payment of outstanding pari-mutuel tickets, if  
5 unclaimed prior to December 31 of the next year, shall be  
6 retained by the licensee for payment of such tickets until that  
7 date. Within 10 days thereafter, the balance of such sum  
8 remaining unclaimed, less any uncashed supplements contributed  
9 by such licensee for the purpose of guaranteeing minimum  
10 distributions of any pari-mutuel pool, shall be evenly  
11 distributed to the purse account of the organization licensee  
12 and the organization licensee.

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

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

1           (f) Notwithstanding the other provisions of this Act, an  
2 organization licensee may contract with an entity in another  
3 state or country to permit any legal wagering entity in another  
4 state or country to accept wagers solely within such other  
5 state or country on races conducted by the organization  
6 licensee in this State. Beginning January 1, 2000, these wagers  
7 shall not be subject to State taxation. Until January 1, 2000,  
8 when the out-of-State entity conducts a pari-mutuel pool  
9 separate from the organization licensee, a privilege tax equal  
10 to 7 1/2% of all monies received by the organization licensee  
11 from entities in other states or countries pursuant to such  
12 contracts is imposed on the organization licensee, and such  
13 privilege tax shall be remitted to the Department of Revenue  
14 within 48 hours of receipt of the moneys from the simulcast.  
15 When the out-of-State entity conducts a combined pari-mutuel  
16 pool with the organization licensee, the tax shall be 10% of  
17 all monies received by the organization licensee with 25% of  
18 the receipts from this 10% tax to be distributed to the county  
19 in which the race was conducted.

20           An organization licensee may permit one or more of its  
21 races to be utilized for pari-mutuel wagering at one or more  
22 locations in other states and may transmit audio and visual  
23 signals of races the organization licensee conducts to one or  
24 more locations outside the State or country and may also permit  
25 pari-mutuel pools in other states or countries to be combined  
26 with its gross or net wagering pools or with wagering pools

1 established by other states.

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

1 effective date of Public Act 98-968), non-host licensees may  
2 carry the host track simulcast program and shall accept wagers  
3 on all races included as part of the simulcast program upon  
4 which wagering is permitted. All organization licensees shall  
5 provide their live signal to all advance deposit wagering  
6 licensees for a simulcast commission fee not to exceed 6% of  
7 the advance deposit wagering licensee's Illinois handle on the  
8 organization licensee's signal without prior approval by the  
9 Board. The Board may adopt rules under which it may permit  
10 simulcast commission fees in excess of 6%. The Board shall  
11 adopt rules limiting the interstate commission fees charged to  
12 an advance deposit wagering licensee. The Board shall adopt  
13 rules regarding advance deposit wagering on interstate  
14 simulcast races that shall reflect, among other things, the  
15 General Assembly's desire to maximize revenues to the State,  
16 horsemen purses, and organizational licensees. However,  
17 organization licensees providing live signals pursuant to the  
18 requirements of this subsection (g) may petition the Board to  
19 withhold their live signals from an advance deposit wagering  
20 licensee if the organization licensee discovers and the Board  
21 finds reputable or credible information that the advance  
22 deposit wagering licensee is under investigation by another  
23 state or federal governmental agency, the advance deposit  
24 wagering licensee's license has been suspended in another  
25 state, or the advance deposit wagering licensee's license is in  
26 revocation proceedings in another state. The organization

1 licensee's provision of their live signal to an advance deposit  
2 wagering licensee under this subsection (g) pertains to wagers  
3 placed from within Illinois. Advance deposit wagering  
4 licensees may place advance deposit wagering terminals at  
5 wagering facilities as a convenience to customers. The advance  
6 deposit wagering licensee shall not charge or collect any fee  
7 from purses for the placement of the advance deposit wagering  
8 terminals. The costs and expenses of the host track and  
9 non-host licensees associated with interstate simulcast  
10 wagering, other than the interstate commission fee, shall be  
11 borne by the host track and all non-host licensees incurring  
12 these costs. The interstate commission fee shall not exceed 5%  
13 of Illinois handle on the interstate simulcast race or races  
14 without prior approval of the Board. The Board shall promulgate  
15 rules under which it may permit interstate commission fees in  
16 excess of 5%. The interstate commission fee and other fees  
17 charged by the sending racetrack, including, but not limited  
18 to, satellite decoder fees, shall be uniformly applied to the  
19 host track and all non-host licensees.

20 Notwithstanding any other provision of this Act, through  
21 December 31, 2018, an organization licensee, with the consent  
22 of the horsemen association representing the largest number of  
23 owners, trainers, jockeys, or standardbred drivers who race  
24 horses at that organization licensee's racing meeting, may  
25 maintain a system whereby advance deposit wagering may take  
26 place or an organization licensee, with the consent of the

1 horsemen association representing the largest number of  
2 owners, trainers, jockeys, or standardbred drivers who race  
3 horses at that organization licensee's racing meeting, may  
4 contract with another person to carry out a system of advance  
5 deposit wagering. Such consent may not be unreasonably  
6 withheld. Only with respect to an appeal to the Board that  
7 consent for an organization licensee that maintains its own  
8 advance deposit wagering system is being unreasonably  
9 withheld, the Board shall issue a final order within 30 days  
10 after initiation of the appeal, and the organization licensee's  
11 advance deposit wagering system may remain operational during  
12 that 30-day period. The actions of any organization licensee  
13 who conducts advance deposit wagering or any person who has a  
14 contract with an organization licensee to conduct advance  
15 deposit wagering who conducts advance deposit wagering on or  
16 after January 1, 2013 and prior to June 7, 2013 (the effective  
17 date of Public Act 98-18) taken in reliance on the changes made  
18 to this subsection (g) by Public Act 98-18 are hereby  
19 validated, provided payment of all applicable pari-mutuel  
20 taxes are remitted to the Board. All advance deposit wagers  
21 placed from within Illinois must be placed through a  
22 Board-approved advance deposit wagering licensee; no other  
23 entity may accept an advance deposit wager from a person within  
24 Illinois. All advance deposit wagering is subject to any rules  
25 adopted by the Board. The Board may adopt rules necessary to  
26 regulate advance deposit wagering through the use of emergency



1 rulemaking in accordance with Section 5-45 of the Illinois  
2 Administrative Procedure Act. The General Assembly finds that  
3 the adoption of rules to regulate advance deposit wagering is  
4 deemed an emergency and necessary for the public interest,  
5 safety, and welfare. An advance deposit wagering licensee may  
6 retain all moneys as agreed to by contract with an organization  
7 licensee. Any moneys retained by the organization licensee from  
8 advance deposit wagering, not including moneys retained by the  
9 advance deposit wagering licensee, shall be paid 50% to the  
10 organization licensee's purse account and 50% to the  
11 organization licensee. With the exception of any organization  
12 licensee that is owned by a publicly traded company that is  
13 incorporated in a state other than Illinois and advance deposit  
14 wagering licensees under contract with such organization  
15 licensees, organization licensees that maintain advance  
16 deposit wagering systems and advance deposit wagering  
17 licensees that contract with organization licensees shall  
18 provide sufficiently detailed monthly accountings to the  
19 horsemen association representing the largest number of  
20 owners, trainers, jockeys, or standardbred drivers who race  
21 horses at that organization licensee's racing meeting so that  
22 the horsemen association, as an interested party, can confirm  
23 the accuracy of the amounts paid to the purse account at the  
24 horsemen association's affiliated organization licensee from  
25 advance deposit wagering. If more than one breed races at the  
26 same race track facility, then the 50% of the moneys to be paid

1 to an organization licensee's purse account shall be allocated  
2 among all organization licensees' purse accounts operating at  
3 that race track facility proportionately based on the actual  
4 number of host days that the Board grants to that breed at that  
5 race track facility in the current calendar year. To the extent  
6 any fees from advance deposit wagering conducted in Illinois  
7 for wagers in Illinois or other states have been placed in  
8 escrow or otherwise withheld from wagers pending a  
9 determination of the legality of advance deposit wagering, no  
10 action shall be brought to declare such wagers or the  
11 disbursement of any fees previously escrowed illegal.

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

1 non-host licensee and its affiliated non-host licensees  
2 receiving the simulcast.

3 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
4 inter-track wagering licensee other than the host track may  
5 receive supplemental interstate simulcasts only with the  
6 consent of the host track, except when the Board finds that  
7 the simulcast is clearly adverse to the integrity of  
8 racing. Consent granted under this paragraph (2) to any  
9 inter-track wagering licensee shall be deemed consent to  
10 all non-host licensees. The interstate commission fee for  
11 the supplemental interstate simulcast shall be paid by all  
12 participating non-host licensees.

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

1 to the provisions of subparagraph (B) of paragraph (11) of  
2 subsection (h) of Section 26 of this Act.

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

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

23 (A) For interstate simulcast wagers made at a host  
24 track, 50% to the host track and 50% to purses at the  
25 host track.

26 (B) For wagers placed on interstate simulcast

1 races, supplemental simulcasts as defined in  
2 subparagraphs (1) and (2), and separately pooled races  
3 conducted outside of the State of Illinois made at a  
4 non-host licensee, 25% to the host track, 25% to the  
5 non-host licensee, and 50% to the purses at the host  
6 track.

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

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

25 (A) When the interstate simulcast purse is  
26 generated between the hours of 6:30 p.m. and 6:30 a.m.,

1           80% of the purse share shall be distributed to its  
2           thoroughbred purse account and 20% of the purse share  
3           shall be deposited into the Illinois Colt Stakes Purse  
4           Distribution Fund and shall be paid to purses for  
5           standardbred races for Illinois conceived and foaled  
6           horses conducted at any county fairgrounds. The moneys  
7           deposited into the Fund pursuant to this subparagraph  
8           (A) shall be deposited within 2 weeks after the day  
9           they were generated. The moneys deposited pursuant to  
10           this subparagraph (A) shall be allocated as provided by  
11           the Department of Agriculture, with the advice and  
12           assistance of the Illinois Standardbred Breeders Fund  
13           Advisory Board.

14           (B) When the interstate simulcast purse is  
15           generated between the hours of 6:30 a.m. and 6:30 p.m.,  
16           the purse share shall be distributed to its  
17           thoroughbred purse account.

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

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

1 ~~share to its interstate simulcast purse pool to be~~  
2 ~~distributed under paragraph (10) of this subsection~~  
3 ~~(g);~~

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

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

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

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

1 ~~p.m. and 6:30 a.m. during that calendar year shall be paid~~  
2 ~~as follows:~~

3 ~~(A) If the licensee that conducts horse racing at~~  
4 ~~that racetrack requests from the Board at least as many~~  
5 ~~racing dates as were conducted in calendar year 2000,~~  
6 ~~80% shall be paid to its thoroughbred purse account,~~  
7 ~~and~~

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

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



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

6 ~~(A) If the licensee that conducts horse racing at~~  
7 ~~that racetrack requests from the Board at least as many~~  
8 ~~racing dates as were conducted in calendar year 2000,~~  
9 ~~80% shall be deposited into its standardbred purse~~  
10 ~~account; and~~

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

1 ~~not be commingled with other moneys deposited into that~~  
2 ~~Fund.~~

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

11 ~~(A) Eighty percent to that licensee's thoroughbred~~  
12 ~~purse account to be used for thoroughbred purses; and~~

13 ~~(B) Twenty percent to the Illinois Colt Stakes~~  
14 ~~Purse Distribution Fund.~~

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

20 ~~Moneys paid into the Illinois Colt Stakes Purse~~  
21 ~~Distribution Fund pursuant to this paragraph (7.3) shall be~~  
22 ~~paid to purses for standardbred races for Illinois~~  
23 ~~conceived and foaled horses conducted at any county~~  
24 ~~fairgrounds. Moneys paid into the Illinois Colt Stakes~~  
25 ~~Purse Distribution Fund pursuant to this paragraph (7.3)~~  
26 ~~shall be used as determined by the Department of~~

1 ~~Agriculture, with the advice and assistance of the Illinois~~  
2 ~~Standardbred Breeders Fund Advisory Board, shall be in~~  
3 ~~addition to and not in lieu of any other moneys paid to~~  
4 ~~standardbred purses under this Act, and shall not be~~  
5 ~~commingled with any other moneys paid into that Fund.~~

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

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

26 (8.1) (Blank). ~~Notwithstanding any provisions in this~~

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

15 (9) (Blank).

16 (10) (Blank).

17 (11) (Blank).

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

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

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

1 facility entitled to a payment under this paragraph (13) is  
2 affiliated with a race track that maintains purse accounts  
3 for both standardbred and thoroughbred racing, the amount  
4 to be paid to the wagering facility shall be divided  
5 between each purse account pro rata, based on the amount of  
6 Illinois handle on Illinois standardbred and thoroughbred  
7 racing respectively at the wagering facility during the  
8 previous calendar year. Annually, the General Assembly  
9 shall appropriate sufficient funds from the General  
10 Revenue Fund to the Department of Agriculture for payment  
11 into the thoroughbred and standardbred horse racing purse  
12 accounts at Illinois pari-mutuel tracks. The amount paid to  
13 each purse account shall be the amount certified by the  
14 Illinois Racing Board in January to be transferred from  
15 each account to each eligible racing facility in accordance  
16 with the provisions of this Section.

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

21 (1) Any person licensed to conduct a race meeting (i)  
22 at a track where 60 or more days of racing were conducted  
23 during the immediately preceding calendar year or where  
24 over the 5 immediately preceding calendar years an average  
25 of 30 or more days of racing were conducted annually may be  
26 issued an inter-track wagering license; (ii) at a track

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

1 establish up to 18 inter-track wagering locations. An  
2 application for said license shall be filed with the Board  
3 prior to such dates as may be fixed by the Board. With an  
4 application for an inter-track wagering location license  
5 there shall be delivered to the Board a certified check or  
6 bank draft payable to the order of the Board for an amount  
7 equal to \$500. The application shall be on forms prescribed  
8 and furnished by the Board. The application shall comply  
9 with all other rules, regulations and conditions imposed by  
10 the Board in connection therewith.

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

20 (3) In granting licenses to conduct inter-track  
21 wagering and simulcast wagering, the Board shall give due  
22 consideration to the best interests of the public, of horse  
23 racing, and of maximizing revenue to the State.

24 (4) Prior to the issuance of a license to conduct  
25 inter-track wagering and simulcast wagering, the applicant  
26 shall file with the Board a bond payable to the State of



1 Illinois in the sum of \$50,000, executed by the applicant  
2 and a surety company or companies authorized to do business  
3 in this State, and conditioned upon (i) the payment by the  
4 licensee of all taxes due under Section 27 or 27.1 and any  
5 other monies due and payable under this Act, and (ii)  
6 distribution by the licensee, upon presentation of the  
7 winning ticket or tickets, of all sums payable to the  
8 patrons of pari-mutuel pools.

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

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

18 (7) An inter-track wagering licensee or inter-track  
19 wagering location licensee may accept wagers at the track  
20 or location where it is licensed, or as otherwise provided  
21 under this Act.

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

25 (8.1) Inter-track wagering location licensees who  
26 derive their licenses from a particular organization

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

24 (8.2) Inter-track wagering or simulcast wagering shall  
25 not be conducted by an inter-track wagering location  
26 licensee at any location within 500 feet of an existing

1 church or existing school, nor within 500 feet of the  
2 residences of more than 50 registered voters without  
3 receiving written permission from a majority of the  
4 registered voters at such residences. Such written  
5 permission statements shall be filed with the Board. The  
6 distance of 500 feet shall be measured to the nearest part  
7 of any building used for worship services, education  
8 programs, residential purposes, or conducting inter-track  
9 wagering by an inter-track wagering location licensee, and  
10 not to property boundaries. However, inter-track wagering  
11 or simulcast wagering may be conducted at a site within 500  
12 feet of a church, school or residences of 50 or more  
13 registered voters if such church, school or residences have  
14 been erected or established, or such voters have been  
15 registered, after the Board issues the original  
16 inter-track wagering location license at the site in  
17 question. Inter-track wagering location licensees may  
18 conduct inter-track wagering and simulcast wagering only  
19 in areas that are zoned for commercial or manufacturing  
20 purposes or in areas for which a special use has been  
21 approved by the local zoning authority. However, no license  
22 to conduct inter-track wagering and simulcast wagering  
23 shall be granted by the Board with respect to any  
24 inter-track wagering location within the jurisdiction of  
25 any local zoning authority which has, by ordinance or by  
26 resolution, prohibited the establishment of an inter-track

1           wagering location within its jurisdiction. However,  
2           inter-track wagering and simulcast wagering may be  
3           conducted at a site if such ordinance or resolution is  
4           enacted after the Board licenses the original inter-track  
5           wagering location licensee for the site in question.

6           (9) (Blank).

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

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

1           (10.2) Notwithstanding any other provision of this  
2 Act, with respect to inter-track wagering at a race track  
3 located in a county that has a population of more than  
4 230,000 and that is bounded by the Mississippi River ("the  
5 first race track"), or at a facility operated by an  
6 inter-track wagering licensee or inter-track wagering  
7 location licensee that derives its license from the  
8 organization licensee that operates the first race track,  
9 on races conducted at the first race track or on races  
10 conducted at another Illinois race track and  
11 simultaneously televised to the first race track or to a  
12 facility operated by an inter-track wagering licensee or  
13 inter-track wagering location licensee that derives its  
14 license from the organization licensee that operates the  
15 first race track, those moneys shall be allocated as  
16 follows:

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

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

25           (11) (A) After payment of the privilege or pari-mutuel  
26 tax, any other applicable taxes, and the costs and expenses

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

19 (B) From the sums permitted to be retained pursuant to  
20 this Act each inter-track wagering location licensee shall  
21 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
22 4.75% of the pari-mutuel handle on inter-track wagering at  
23 such location on races as purses, except that an  
24 inter-track wagering location licensee that derives its  
25 license from a track located in a county with a population  
26 in excess of 230,000 and that borders the Mississippi River

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

1 (5) of subsection (g) of this Section 26 provided first,  
2 that the shares of those amounts, which are to be  
3 redistributed to the host track or to purses at the host  
4 track under subparagraph (B) of paragraph (5) of subsection  
5 (g) of this Section 26 shall be redistributed based on each  
6 host track's pro rata share of the total inter-track  
7 wagering and simulcast wagering handle at all host tracks  
8 during the calendar year in question, and second, that any  
9 amounts redistributed as described in part (I) to an  
10 inter-track wagering location licensee that accepts wagers  
11 on races conducted by an organization licensee that  
12 conducts a race meet in a county with a population in  
13 excess of 230,000 and that borders the Mississippi River  
14 shall be further redistributed, effective January 1, 2017,  
15 as provided in subparagraphs (A) ~~(D)~~ and (B) ~~(E)~~ of  
16 paragraph (7) of subsection (g) of this Section 26, with  
17 the portion of that further redistribution allocated to  
18 purses at that organization licensee to be divided between  
19 standardbred purses and thoroughbred purses based on the  
20 amounts otherwise allocated to purses at that organization  
21 licensee during the calendar year in question; and (iv) 8%  
22 of the pari-mutuel handle on inter-track wagering wagered  
23 at such location to satisfy all costs and expenses of  
24 conducting its wagering. The remainder of the monies  
25 retained by the inter-track wagering location licensee  
26 shall be allocated 40% to the location licensee and 60% to



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

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

16 (C) There is hereby created the Horse Racing Tax  
17 Allocation Fund which shall remain in existence until  
18 December 31, 1999. Moneys remaining in the Fund after  
19 December 31, 1999 shall be paid into the General Revenue  
20 Fund. Until January 1, 2000, all monies paid into the Horse  
21 Racing Tax Allocation Fund pursuant to this paragraph (11)  
22 by inter-track wagering location licensees located in park  
23 districts of 500,000 population or less, or in a  
24 municipality that is not included within any park district  
25 but is included within a conservation district and is the  
26 county seat of a county that (i) is contiguous to the state

1 of Indiana and (ii) has a 1990 population of 88,257  
2 according to the United States Bureau of the Census, and  
3 operating on May 1, 1994 shall be allocated by  
4 appropriation as follows:

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

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

16 Four-sevenths to park districts or municipalities  
17 that do not have a park district of 500,000 population  
18 or less for museum purposes (if an inter-track wagering  
19 location licensee is located in such a park district)  
20 or to conservation districts for museum purposes (if an  
21 inter-track wagering location licensee is located in a  
22 municipality that is not included within any park  
23 district but is included within a conservation  
24 district and is the county seat of a county that (i) is  
25 contiguous to the state of Indiana and (ii) has a 1990  
26 population of 88,257 according to the United States

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

1 conservation district as provided in this paragraph.  
2 Any park district or municipality not maintaining a  
3 museum may deposit the monies in the corporate fund of  
4 the park district or municipality where the  
5 inter-track wagering location is located, to be used  
6 for general purposes; and

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

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

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

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

1           Agricultural Fair Act;

2           Four-sevenths to museums and aquariums located in  
3 park districts of over 500,000 population; provided  
4 that the monies are distributed in accordance with the  
5 previous year's distribution of the maintenance tax  
6 for such museums and aquariums as provided in Section 2  
7 of the Park District Aquarium and Museum Act; and

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

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

21           (i) If the inter-track wagering licensee,  
22 except an inter-track wagering licensee that  
23 derives its license from an organization licensee  
24 located in a county with a population in excess of  
25 230,000 and bounded by the Mississippi River, is  
26 not conducting its own race meeting during the same



1           dates, then the entire purse allocation shall be to  
2           purses at the track where the races wagered on are  
3           being conducted.

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

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

25          (12) The Board shall have all powers necessary and  
26          proper to fully supervise and control the conduct of

1 inter-track wagering and simulcast wagering by inter-track  
2 wagering licensees and inter-track wagering location  
3 licensees, including, but not limited to the following:

4 (A) The Board is vested with power to promulgate  
5 reasonable rules and regulations for the purpose of  
6 administering the conduct of this wagering and to  
7 prescribe reasonable rules, regulations and conditions  
8 under which such wagering shall be held and conducted.  
9 Such rules and regulations are to provide for the  
10 prevention of practices detrimental to the public  
11 interest and for the best interests of said wagering  
12 and to impose penalties for violations thereof.

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

19 (C) The Board, and any person or persons to whom it  
20 delegates this power, may eject or exclude from any  
21 licensee's facilities, any person whose conduct or  
22 reputation is such that his presence on such premises  
23 may, in the opinion of the Board, call into the  
24 question the honesty and integrity of, or interfere  
25 with the orderly conduct of such wagering; provided,  
26 however, that no person shall be excluded or ejected

1 from such premises solely on the grounds of race,  
2 color, creed, national origin, ancestry, or sex.

3 (D) (Blank).

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

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

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

25 (13) The Department of Agriculture may enter into  
26 agreements with licensees authorizing such licensees to

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

24           (14) An inter-track wagering location license  
25      authorized by the Board in 2016 that is owned and operated  
26      by a race track in Rock Island County shall be transferred

1 to a commonly owned race track in Cook County on August 12,  
2 2016 (the effective date of Public Act 99-757). The  
3 licensee shall retain its status in relation to purse  
4 distribution under paragraph (11) of this subsection (h)  
5 following the transfer to the new entity. The pari-mutuel  
6 tax credit under Section 32.1 shall not be applied toward  
7 any pari-mutuel tax obligation of the inter-track wagering  
8 location licensee of the license that is transferred under  
9 this paragraph (14).

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

14 (Source: P.A. 99-756, eff. 8-12-16; 99-757, eff. 8-12-16;  
15 100-201, eff. 8-18-17.)

16 Section 10. The Riverboat Gambling Act is amended by  
17 changing Sections 5, 7, and 7.6 as follows:

18 (230 ILCS 10/5) (from Ch. 120, par. 2405)

19 Sec. 5. Gaming Board.

20 (a) (1) There is hereby established the Illinois Gaming  
21 Board, which shall have the powers and duties specified in this  
22 Act, and all other powers necessary and proper to fully and  
23 effectively execute this Act for the purpose of administering,  
24 regulating, and enforcing the system of riverboat gambling

1 established by this Act. Its jurisdiction shall extend under  
2 this Act to every person, association, corporation,  
3 partnership and trust involved in riverboat gambling  
4 operations in the State of Illinois.

5 (2) The Board shall consist of 5 members to be appointed by  
6 the Governor with the advice and consent of the Senate, one of  
7 whom shall be designated by the Governor to be chairman. Each  
8 member shall have a reasonable knowledge of the practice,  
9 procedure and principles of gambling operations. Each member  
10 shall either be a resident of Illinois or shall certify that he  
11 will become a resident of Illinois before taking office. At  
12 least one member shall be experienced in law enforcement and  
13 criminal investigation, at least one member shall be a  
14 certified public accountant experienced in accounting and  
15 auditing, and at least one member shall be a lawyer licensed to  
16 practice law in Illinois.

17 (3) The terms of office of the Board members shall be 3  
18 years, except that the terms of office of the initial Board  
19 members appointed pursuant to this Act will commence from the  
20 effective date of this Act and run as follows: one for a term  
21 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
22 a term ending July 1, 1993. Upon the expiration of the  
23 foregoing terms, the successors of such members shall serve a  
24 term for 3 years and until their successors are appointed and  
25 qualified for like terms. Vacancies in the Board shall be  
26 filled for the unexpired term in like manner as original

1 appointments. Each member of the Board shall be eligible for  
2 reappointment at the discretion of the Governor with the advice  
3 and consent of the Senate.

4 (4) Each member of the Board shall receive \$300 for each  
5 day the Board meets and for each day the member conducts any  
6 hearing pursuant to this Act. Each member of the Board shall  
7 also be reimbursed for all actual and necessary expenses and  
8 disbursements incurred in the execution of official duties.

9 (5) No person shall be appointed a member of the Board or  
10 continue to be a member of the Board who is, or whose spouse,  
11 child or parent is, a member of the board of directors of, or a  
12 person financially interested in, any gambling operation  
13 subject to the jurisdiction of this Board, or any race track,  
14 race meeting, racing association or the operations thereof  
15 subject to the jurisdiction of the Illinois Racing Board. No  
16 Board member shall hold any other public office. No person  
17 shall be a member of the Board who is not of good moral  
18 character or who has been convicted of, or is under indictment  
19 for, a felony under the laws of Illinois or any other state, or  
20 the United States.

21 (5.5) No member of the Board shall engage in any political  
22 activity. For the purposes of this Section, "political" means  
23 any activity in support of or in connection with any campaign  
24 for federal, State, or local elective office or any political  
25 organization, but does not include activities (i) relating to  
26 the support or opposition of any executive, legislative, or

1 administrative action (as those terms are defined in Section 2  
2 of the Lobbyist Registration Act), (ii) relating to collective  
3 bargaining, or (iii) that are otherwise in furtherance of the  
4 person's official State duties or governmental and public  
5 service functions.

6 (6) Any member of the Board may be removed by the Governor  
7 for neglect of duty, misfeasance, malfeasance, or nonfeasance  
8 in office or for engaging in any political activity.

9 (7) Before entering upon the discharge of the duties of his  
10 office, each member of the Board shall take an oath that he  
11 will faithfully execute the duties of his office according to  
12 the laws of the State and the rules and regulations adopted  
13 therewith and shall give bond to the State of Illinois,  
14 approved by the Governor, in the sum of \$25,000. Every such  
15 bond, when duly executed and approved, shall be recorded in the  
16 office of the Secretary of State. Whenever the Governor  
17 determines that the bond of any member of the Board has become  
18 or is likely to become invalid or insufficient, he shall  
19 require such member forthwith to renew his bond, which is to be  
20 approved by the Governor. Any member of the Board who fails to  
21 take oath and give bond within 30 days from the date of his  
22 appointment, or who fails to renew his bond within 30 days  
23 after it is demanded by the Governor, shall be guilty of  
24 neglect of duty and may be removed by the Governor. The cost of  
25 any bond given by any member of the Board under this Section  
26 shall be taken to be a part of the necessary expenses of the



1 Board.

2 (7.5) For the examination of all mechanical,  
3 electromechanical, or electronic table games, slot machines,  
4 slot accounting systems, and other electronic gaming equipment  
5 for compliance with this Act, the Board may utilize the  
6 services of one or more independent outside testing  
7 laboratories that have been accredited by a national  
8 accreditation body and that, in the judgment of the Board, are  
9 qualified to perform such examinations.

10 (8) The Board shall employ such personnel as may be  
11 necessary to carry out its functions and shall determine the  
12 salaries of all personnel, except those personnel whose  
13 salaries are determined under the terms of a collective  
14 bargaining agreement. No person shall be employed to serve the  
15 Board who is, or whose spouse, parent or child is, an official  
16 of, or has a financial interest in or financial relation with,  
17 any operator engaged in gambling operations within this State  
18 or any organization engaged in conducting horse racing within  
19 this State. Any employee violating these prohibitions shall be  
20 subject to termination of employment.

21 (9) An Administrator shall perform any and all duties that  
22 the Board shall assign him. The salary of the Administrator  
23 shall be determined by the Board and, in addition, he shall be  
24 reimbursed for all actual and necessary expenses incurred by  
25 him in discharge of his official duties. The Administrator  
26 shall keep records of all proceedings of the Board and shall

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

5 (b) The Board shall have general responsibility for the  
6 implementation of this Act. Its duties include, without  
7 limitation, the following:

8 (1) To decide promptly and in reasonable order all  
9 license applications. Any party aggrieved by an action of  
10 the Board denying, suspending, revoking, restricting or  
11 refusing to renew a license may request a hearing before  
12 the Board. A request for a hearing must be made to the  
13 Board in writing within 5 days after service of notice of  
14 the action of the Board. Notice of the action of the Board  
15 shall be served either by personal delivery or by certified  
16 mail, postage prepaid, to the aggrieved party. Notice  
17 served by certified mail shall be deemed complete on the  
18 business day following the date of such mailing. The Board  
19 shall conduct all requested hearings promptly and in  
20 reasonable order;

21 (2) To conduct all hearings pertaining to civil  
22 violations of this Act or rules and regulations promulgated  
23 hereunder;

24 (3) To promulgate such rules and regulations as in its  
25 judgment may be necessary to protect or enhance the  
26 credibility and integrity of gambling operations

1 authorized by this Act and the regulatory process  
2 hereunder;

3 (4) To provide for the establishment and collection of  
4 all license and registration fees and taxes imposed by this  
5 Act and the rules and regulations issued pursuant hereto.  
6 All such fees and taxes shall be deposited into the State  
7 Gaming Fund;

8 (5) To provide for the levy and collection of penalties  
9 and fines for the violation of provisions of this Act and  
10 the rules and regulations promulgated hereunder. All such  
11 fines and penalties shall be deposited into the Education  
12 Assistance Fund, created by Public Act 86-0018, of the  
13 State of Illinois;

14 (6) To be present through its inspectors and agents any  
15 time gambling operations are conducted on any riverboat for  
16 the purpose of certifying the revenue thereof, receiving  
17 complaints from the public, and conducting such other  
18 investigations into the conduct of the gambling games and  
19 the maintenance of the equipment as from time to time the  
20 Board may deem necessary and proper;

21 (7) To review and rule upon any complaint by a licensee  
22 regarding any investigative procedures of the State which  
23 are unnecessarily disruptive of gambling operations. The  
24 need to inspect and investigate shall be presumed at all  
25 times. The disruption of a licensee's operations shall be  
26 proved by clear and convincing evidence, and establish

1 that: (A) the procedures had no reasonable law enforcement  
2 purposes, and (B) the procedures were so disruptive as to  
3 unreasonably inhibit gambling operations;

4 (8) To hold at least one meeting each quarter of the  
5 fiscal year. In addition, special meetings may be called by  
6 the Chairman or any 2 Board members upon 72 hours written  
7 notice to each member. All Board meetings shall be subject  
8 to the Open Meetings Act. Three members of the Board shall  
9 constitute a quorum, and 3 votes shall be required for any  
10 final determination by the Board. The Board shall keep a  
11 complete and accurate record of all its meetings. A  
12 majority of the members of the Board shall constitute a  
13 quorum for the transaction of any business, for the  
14 performance of any duty, or for the exercise of any power  
15 which this Act requires the Board members to transact,  
16 perform or exercise en banc, except that, upon order of the  
17 Board, one of the Board members or an administrative law  
18 judge designated by the Board may conduct any hearing  
19 provided for under this Act or by Board rule and may  
20 recommend findings and decisions to the Board. The Board  
21 member or administrative law judge conducting such hearing  
22 shall have all powers and rights granted to the Board in  
23 this Act. The record made at the time of the hearing shall  
24 be reviewed by the Board, or a majority thereof, and the  
25 findings and decision of the majority of the Board shall  
26 constitute the order of the Board in such case;

1           (9) To maintain records which are separate and distinct  
2 from the records of any other State board or commission.  
3 Such records shall be available for public inspection and  
4 shall accurately reflect all Board proceedings;

5           (10) To file a written annual report with the Governor  
6 on or before July 1 ~~March 1~~ each year and such additional  
7 reports as the Governor may request. The annual report  
8 shall include a statement of receipts and disbursements by  
9 the Board, actions taken by the Board, and any additional  
10 information and recommendations which the Board may deem  
11 valuable or which the Governor may request;

12           (11) (Blank);

13           (12) (Blank);

14           (13) To assume responsibility for administration and  
15 enforcement of the Video Gaming Act; and

16           (14) To adopt, by rule, a code of conduct governing  
17 Board members and employees that ensure, to the maximum  
18 extent possible, that persons subject to this Code avoid  
19 situations, relationships, or associations that may  
20 represent or lead to a conflict of interest.

21           (c) The Board shall have jurisdiction over and shall  
22 supervise all gambling operations governed by this Act. The  
23 Board shall have all powers necessary and proper to fully and  
24 effectively execute the provisions of this Act, including, but  
25 not limited to, the following:

26           (1) To investigate applicants and determine the

1 eligibility of applicants for licenses and to select among  
2 competing applicants the applicants which best serve the  
3 interests of the citizens of Illinois.

4 (2) To have jurisdiction and supervision over all  
5 riverboat gambling operations in this State and all persons  
6 on riverboats where gambling operations are conducted.

7 (3) To promulgate rules and regulations for the purpose  
8 of administering the provisions of this Act and to  
9 prescribe rules, regulations and conditions under which  
10 all riverboat gambling in the State shall be conducted.  
11 Such rules and regulations are to provide for the  
12 prevention of practices detrimental to the public interest  
13 and for the best interests of riverboat gambling, including  
14 rules and regulations regarding the inspection of such  
15 riverboats and the review of any permits or licenses  
16 necessary to operate a riverboat under any laws or  
17 regulations applicable to riverboats, and to impose  
18 penalties for violations thereof.

19 (4) To enter the office, riverboats, facilities, or  
20 other places of business of a licensee, where evidence of  
21 the compliance or noncompliance with the provisions of this  
22 Act is likely to be found.

23 (5) To investigate alleged violations of this Act or  
24 the rules of the Board and to take appropriate disciplinary  
25 action against a licensee or a holder of an occupational  
26 license for a violation, or institute appropriate legal

1 action for enforcement, or both.

2 (6) To adopt standards for the licensing of all persons  
3 under this Act, as well as for electronic or mechanical  
4 gambling games, and to establish fees for such licenses.

5 (7) To adopt appropriate standards for all riverboats  
6 and facilities.

7 (8) To require that the records, including financial or  
8 other statements of any licensee under this Act, shall be  
9 kept in such manner as prescribed by the Board and that any  
10 such licensee involved in the ownership or management of  
11 gambling operations submit to the Board an annual balance  
12 sheet and profit and loss statement, list of the  
13 stockholders or other persons having a 1% or greater  
14 beneficial interest in the gambling activities of each  
15 licensee, and any other information the Board deems  
16 necessary in order to effectively administer this Act and  
17 all rules, regulations, orders and final decisions  
18 promulgated under this Act.

19 (9) To conduct hearings, issue subpoenas for the  
20 attendance of witnesses and subpoenas duces tecum for the  
21 production of books, records and other pertinent documents  
22 in accordance with the Illinois Administrative Procedure  
23 Act, and to administer oaths and affirmations to the  
24 witnesses, when, in the judgment of the Board, it is  
25 necessary to administer or enforce this Act or the Board  
26 rules.

1           (10) To prescribe a form to be used by any licensee  
2 involved in the ownership or management of gambling  
3 operations as an application for employment for their  
4 employees.

5           (11) To revoke or suspend licenses, as the Board may  
6 see fit and in compliance with applicable laws of the State  
7 regarding administrative procedures, and to review  
8 applications for the renewal of licenses. The Board may  
9 suspend an owners license, without notice or hearing upon a  
10 determination that the safety or health of patrons or  
11 employees is jeopardized by continuing a riverboat's  
12 operation. The suspension may remain in effect until the  
13 Board determines that the cause for suspension has been  
14 abated. The Board may revoke the owners license upon a  
15 determination that the owner has not made satisfactory  
16 progress toward abating the hazard.

17           (12) To eject or exclude or authorize the ejection or  
18 exclusion of, any person from riverboat gambling  
19 facilities where such person is in violation of this Act,  
20 rules and regulations thereunder, or final orders of the  
21 Board, or where such person's conduct or reputation is such  
22 that his presence within the riverboat gambling facilities  
23 may, in the opinion of the Board, call into question the  
24 honesty and integrity of the gambling operations or  
25 interfere with orderly conduct thereof; provided that the  
26 propriety of such ejection or exclusion is subject to



1 subsequent hearing by the Board.

2 (13) To require all licensees of gambling operations to  
3 utilize a cashless wagering system whereby all players'  
4 money is converted to tokens, electronic cards, or chips  
5 which shall be used only for wagering in the gambling  
6 establishment.

7 (14) (Blank).

8 (15) To suspend, revoke or restrict licenses, to  
9 require the removal of a licensee or an employee of a  
10 licensee for a violation of this Act or a Board rule or for  
11 engaging in a fraudulent practice, and to impose civil  
12 penalties of up to \$5,000 against individuals and up to  
13 \$10,000 or an amount equal to the daily gross receipts,  
14 whichever is larger, against licensees for each violation  
15 of any provision of the Act, any rules adopted by the  
16 Board, any order of the Board or any other action which, in  
17 the Board's discretion, is a detriment or impediment to  
18 riverboat gambling operations.

19 (16) To hire employees to gather information, conduct  
20 investigations and carry out any other tasks contemplated  
21 under this Act.

22 (17) To establish minimum levels of insurance to be  
23 maintained by licensees.

24 (18) To authorize a licensee to sell or serve alcoholic  
25 liquors, wine or beer as defined in the Liquor Control Act  
26 of 1934 on board a riverboat and to have exclusive

1 authority to establish the hours for sale and consumption  
2 of alcoholic liquor on board a riverboat, notwithstanding  
3 any provision of the Liquor Control Act of 1934 or any  
4 local ordinance, and regardless of whether the riverboat  
5 makes excursions. The establishment of the hours for sale  
6 and consumption of alcoholic liquor on board a riverboat is  
7 an exclusive power and function of the State. A home rule  
8 unit may not establish the hours for sale and consumption  
9 of alcoholic liquor on board a riverboat. This amendatory  
10 Act of 1991 is a denial and limitation of home rule powers  
11 and functions under subsection (h) of Section 6 of Article  
12 VII of the Illinois Constitution.

13 (19) After consultation with the U.S. Army Corps of  
14 Engineers, to establish binding emergency orders upon the  
15 concurrence of a majority of the members of the Board  
16 regarding the navigability of water, relative to  
17 excursions, in the event of extreme weather conditions,  
18 acts of God or other extreme circumstances.

19 (20) To delegate the execution of any of its powers  
20 under this Act for the purpose of administering and  
21 enforcing this Act and its rules and regulations hereunder.

22 (20.5) To approve any contract entered into on its  
23 behalf.

24 (20.6) To appoint investigators to conduct  
25 investigations, searches, seizures, arrests, and other  
26 duties imposed under this Act, as deemed necessary by the

1 Board. These investigators have and may exercise all of the  
2 rights and powers of peace officers, provided that these  
3 powers shall be limited to offenses or violations occurring  
4 or committed on a riverboat or dock, as defined in  
5 subsections (d) and (f) of Section 4, or as otherwise  
6 provided by this Act or any other law.

7 (20.7) To contract with the Department of State Police  
8 for the use of trained and qualified State police officers  
9 and with the Department of Revenue for the use of trained  
10 and qualified Department of Revenue investigators to  
11 conduct investigations, searches, seizures, arrests, and  
12 other duties imposed under this Act and to exercise all of  
13 the rights and powers of peace officers, provided that the  
14 powers of Department of Revenue investigators under this  
15 subdivision (20.7) shall be limited to offenses or  
16 violations occurring or committed on a riverboat or dock,  
17 as defined in subsections (d) and (f) of Section 4, or as  
18 otherwise provided by this Act or any other law. In the  
19 event the Department of State Police or the Department of  
20 Revenue is unable to fill contracted police or  
21 investigative positions, the Board may appoint  
22 investigators to fill those positions pursuant to  
23 subdivision (20.6).

24 (21) To take any other action as may be reasonable or  
25 appropriate to enforce this Act and rules and regulations  
26 hereunder.

1 (d) The Board may seek and shall receive the cooperation of  
2 the Department of State Police in conducting background  
3 investigations of applicants and in fulfilling its  
4 responsibilities under this Section. Costs incurred by the  
5 Department of State Police as a result of such cooperation  
6 shall be paid by the Board in conformance with the requirements  
7 of Section 2605-400 of the Department of State Police Law (20  
8 ILCS 2605/2605-400).

9 (e) The Board must authorize to each investigator and to  
10 any other employee of the Board exercising the powers of a  
11 peace officer a distinct badge that, on its face, (i) clearly  
12 states that the badge is authorized by the Board and (ii)  
13 contains a unique identifying number. No other badge shall be  
14 authorized by the Board.

15 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

16 (230 ILCS 10/7) (from Ch. 120, par. 2407)

17 Sec. 7. Owners licenses.

18 (a) The Board shall issue owners licenses to persons, firms  
19 or corporations which apply for such licenses upon payment to  
20 the Board of the non-refundable license fee set by the Board,  
21 upon payment of a \$25,000 license fee for the first year of  
22 operation and a \$5,000 license fee for each succeeding year and  
23 upon a determination by the Board that the applicant is  
24 eligible for an owners license pursuant to this Act and the  
25 rules of the Board. From the effective date of this amendatory

1 Act of the 95th General Assembly until (i) 3 years after the  
2 effective date of this amendatory Act of the 95th General  
3 Assembly, (ii) the date any organization licensee begins to  
4 operate a slot machine or video game of chance under the  
5 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
6 that payments begin under subsection (c-5) of Section 13 of the  
7 Act, or (iv) the wagering tax imposed under Section 13 of this  
8 Act is increased by law to reflect a tax rate that is at least  
9 as stringent or more stringent than the tax rate contained in  
10 subsection (a-3) of Section 13, whichever occurs first, as a  
11 condition of licensure and as an alternative source of payment  
12 for those funds payable under subsection (c-5) of Section 13 of  
13 the Riverboat Gambling Act, any owners licensee that holds or  
14 receives its owners license on or after the effective date of  
15 this amendatory Act of the 94th General Assembly, other than an  
16 owners licensee operating a riverboat with adjusted gross  
17 receipts in calendar year 2004 of less than \$200,000,000, must  
18 pay into the Horse Racing Equity Trust Fund, in addition to any  
19 other payments required under this Act, an amount equal to 3%  
20 of the adjusted gross receipts received by the owners licensee.  
21 The payments required under this Section shall be made by the  
22 owners licensee to the State Treasurer no later than 3:00  
23 o'clock p.m. of the day after the day when the adjusted gross  
24 receipts were received by the owners licensee. A person, firm  
25 or corporation is ineligible to receive an owners license if:

26 (1) the person has been convicted of a felony under the

1 laws of this State, any other state, or the United States;

2 (2) the person has been convicted of any violation of  
3 Article 28 of the Criminal Code of 1961 or the Criminal  
4 Code of 2012, or substantially similar laws of any other  
5 jurisdiction;

6 (3) the person has submitted an application for a  
7 license under this Act which contains false information;

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

9 (5) a person defined in (1), (2), (3) or (4) is an  
10 officer, director or managerial employee of the firm or  
11 corporation;

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

16 (7) (blank); or

17 (8) a license of the person, firm or corporation issued  
18 under this Act, or a license to own or operate gambling  
19 facilities in any other jurisdiction, has been revoked.

20 The Board is expressly prohibited from making changes to  
21 the requirement that licensees make payment into the Horse  
22 Racing Equity Trust Fund without the express authority of the  
23 Illinois General Assembly and making any other rule to  
24 implement or interpret this amendatory Act of the 95th General  
25 Assembly. For the purposes of this paragraph, "rules" is given  
26 the meaning given to that term in Section 1-70 of the Illinois

1 Administrative Procedure Act.

2 (b) In determining whether to grant an owners license to an  
3 applicant, the Board shall consider:

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

7 (A) controls, directly or indirectly, such  
8 applicant, or

9 (B) is controlled, directly or indirectly, by such  
10 applicant or by a person which controls, directly or  
11 indirectly, such applicant;

12 (2) the facilities or proposed facilities for the  
13 conduct of riverboat gambling;

14 (3) the highest prospective total revenue to be derived  
15 by the State from the conduct of riverboat gambling;

16 (4) the extent to which the ownership of the applicant  
17 reflects the diversity of the State by including minority  
18 persons, women, and persons with a disability and the good  
19 faith affirmative action plan of each applicant to recruit,  
20 train and upgrade minority persons, women, and persons with  
21 a disability in all employment classifications;

22 (4.5) the extent to which the ownership of the  
23 applicant includes veterans of service in the armed forces  
24 of the United States, and the good faith affirmative action  
25 plan of each applicant to recruit, train, and upgrade  
26 veterans of service in the armed forces of the United

1       States in all employment classifications;

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

4           (6) whether the applicant has adequate capitalization  
5       to provide and maintain, for the duration of a license, a  
6       riverboat;

7           (7) the extent to which the applicant exceeds or meets  
8       other standards for the issuance of an owners license which  
9       the Board may adopt by rule; and

10          (8) The amount of the applicant's license bid.

11          (c) Each owners license shall specify the place where  
12       riverboats shall operate and dock.

13          (d) Each applicant shall submit with his application, on  
14       forms provided by the Board, 2 sets of his fingerprints.

15          (e) The Board may issue up to 10 licenses authorizing the  
16       holders of such licenses to own riverboats. In the application  
17       for an owners license, the applicant shall state the dock at  
18       which the riverboat is based and the water on which the  
19       riverboat will be located. The Board shall issue 5 licenses to  
20       become effective not earlier than January 1, 1991. Three of  
21       such licenses shall authorize riverboat gambling on the  
22       Mississippi River, or, with approval by the municipality in  
23       which the riverboat was docked on August 7, 2003 and with Board  
24       approval, be authorized to relocate to a new location, in a  
25       municipality that (1) borders on the Mississippi River or is  
26       within 5 miles of the city limits of a municipality that



1 borders on the Mississippi River and (2), on August 7, 2003,  
2 had a riverboat conducting riverboat gambling operations  
3 pursuant to a license issued under this Act; one of which shall  
4 authorize riverboat gambling from a home dock in the city of  
5 East St. Louis. One other license shall authorize riverboat  
6 gambling on the Illinois River south of Marshall County. The  
7 Board shall issue one additional license to become effective  
8 not earlier than March 1, 1992, which shall authorize riverboat  
9 gambling on the Des Plaines River in Will County. The Board may  
10 issue 4 additional licenses to become effective not earlier  
11 than March 1, 1992. In determining the water upon which  
12 riverboats will operate, the Board shall consider the economic  
13 benefit which riverboat gambling confers on the State, and  
14 shall seek to assure that all regions of the State share in the  
15 economic benefits of riverboat gambling.

16 In granting all licenses, the Board may give favorable  
17 consideration to economically depressed areas of the State, to  
18 applicants presenting plans which provide for significant  
19 economic development over a large geographic area, and to  
20 applicants who currently operate non-gambling riverboats in  
21 Illinois. The Board shall review all applications for owners  
22 licenses, and shall inform each applicant of the Board's  
23 decision. The Board may grant an owners license to an applicant  
24 that has not submitted the highest license bid, but if it does  
25 not select the highest bidder, the Board shall issue a written  
26 decision explaining why another applicant was selected and

1 identifying the factors set forth in this Section that favored  
2 the winning bidder.

3 In addition to any other revocation powers granted to the  
4 Board under this Act, the Board may revoke the owners license  
5 of a licensee which fails to begin conducting gambling within  
6 15 months of receipt of the Board's approval of the application  
7 if the Board determines that license revocation is in the best  
8 interests of the State.

9 (f) The first 10 owners licenses issued under this Act  
10 shall permit the holder to own up to 2 riverboats and equipment  
11 thereon for a period of 3 years after the effective date of the  
12 license. Holders of the first 10 owners licenses must pay the  
13 annual license fee for each of the 3 years during which they  
14 are authorized to own riverboats.

15 (g) Upon the termination, expiration, or revocation of each  
16 of the first 10 licenses, which shall be issued for a 3 year  
17 period, all licenses are renewable annually upon payment of the  
18 fee and a determination by the Board that the licensee  
19 continues to meet all of the requirements of this Act and the  
20 Board's rules. However, for licenses renewed on or after May 1,  
21 1998, renewal shall be for a period of 4 years, unless the  
22 Board sets a shorter period.

23 (h) An owners license shall entitle the licensee to own up  
24 to 2 riverboats. A licensee shall limit the number of gambling  
25 participants to 1,200 for any such owners license. A licensee  
26 may operate both of its riverboats concurrently, provided that

1 the total number of gambling participants on both riverboats  
2 does not exceed 1,200. Riverboats licensed to operate on the  
3 Mississippi River and the Illinois River south of Marshall  
4 County shall have an authorized capacity of at least 500  
5 persons. Any other riverboat licensed under this Act shall have  
6 an authorized capacity of at least 400 persons.

7 (i) A licensed owner is authorized to apply to the Board  
8 for and, if approved therefor, to receive all licenses from the  
9 Board necessary for the operation of a riverboat, including a  
10 liquor license, a license to prepare and serve food for human  
11 consumption, and other necessary licenses. All use, occupation  
12 and excise taxes which apply to the sale of food and beverages  
13 in this State and all taxes imposed on the sale or use of  
14 tangible personal property apply to such sales aboard the  
15 riverboat.

16 (j) The Board may issue or re-issue a license authorizing a  
17 riverboat to dock in a municipality or approve a relocation  
18 under Section 11.2 only if, prior to the issuance or  
19 re-issuance of the license or approval, the governing body of  
20 the municipality in which the riverboat will dock has by a  
21 majority vote approved the docking of riverboats in the  
22 municipality. The Board may issue or re-issue a license  
23 authorizing a riverboat to dock in areas of a county outside  
24 any municipality or approve a relocation under Section 11.2  
25 only if, prior to the issuance or re-issuance of the license or  
26 approval, the governing body of the county has by a majority

1 vote approved of the docking of riverboats within such areas.

2 (Source: P.A. 100-391, eff. 8-25-17.)

3 (230 ILCS 10/7.6)

4 Sec. 7.6. Business enterprise program.

5 (a) For the purposes of this Section, the terms "minority",  
6 "minority-owned business", "woman", "women-owned business",  
7 "person with a disability", and "business owned by a person  
8 with a disability" have the meanings ascribed to them in the  
9 Business Enterprise for Minorities, Women, and Persons with  
10 Disabilities Act.

11 (b) The Board shall, by rule, establish goals for the award  
12 of contracts by each owners licensee to businesses owned by  
13 minorities, women, and persons with disabilities, expressed as  
14 percentages of an owners licensee's total dollar amount of  
15 contracts awarded during each calendar year. Each owners  
16 licensee must make every effort to meet the goals established  
17 by the Board pursuant to this Section. When setting the goals  
18 for the award of contracts, the Board shall not include  
19 contracts where: (1) any purchasing mandates would be dependent  
20 upon the availability of minority-owned businesses,  
21 women-owned businesses, and businesses owned by persons with  
22 disabilities ready, willing, and able with capacity to provide  
23 quality goods and services to a gaming operation at reasonable  
24 prices; (2) there are no or a limited number of licensed  
25 suppliers as defined by this Act for the goods or services

1 provided to the licensee; (3) the licensee or its parent  
2 company owns a company that provides the goods or services; or  
3 (4) the goods or services are provided to the licensee by a  
4 publicly traded company.

5 (c) Each owners licensee shall file with the Board an  
6 annual report of its utilization of minority-owned businesses,  
7 women-owned businesses, and businesses owned by persons with  
8 disabilities during the preceding calendar year. The reports  
9 shall include a self-evaluation of the efforts of the owners  
10 licensee to meet its goals under this Section.

11 (c-5) The Board shall, by rule, establish goals for the  
12 award of contracts by each owners licensee to businesses owned  
13 by veterans of service in the armed forces of the United  
14 States, expressed as percentages of an owners licensee's total  
15 dollar amount of contracts awarded during each calendar year.  
16 When setting the goals for the award of contracts, the Board  
17 shall not include contracts where: (1) any purchasing mandates  
18 would be dependent upon the availability of veteran-owned  
19 businesses ready, willing, and able with capacity to provide  
20 quality goods and services to a gaming operation at reasonable  
21 prices; (2) there are no or a limited number of licensed  
22 suppliers as defined in this Act for the goods or services  
23 provided to the licensee; (3) the licensee or its parent  
24 company owns a company that provides the goods or services; or  
25 (4) the goods or services are provided to the licensee by a  
26 publicly traded company.

1       Each owners licensee shall file with the Board an annual  
2 report of its utilization of veteran-owned businesses during  
3 the preceding calendar year. The reports shall include a  
4 self-evaluation of the efforts of the owners licensee to meet  
5 its goals under this Section.

6       (d) The owners licensee shall have the right to request a  
7 waiver from the requirements of this Section. The Board shall  
8 grant the waiver where the owners licensee demonstrates that  
9 there has been made a good faith effort to comply with the  
10 goals for participation by minority-owned businesses,  
11 women-owned businesses, ~~and~~ businesses owned by persons with  
12 disabilities, and veteran-owned businesses.

13       (e) If the Board determines that its goals and policies are  
14 not being met by any owners licensee, then the Board may:

15           (1) adopt remedies for such violations; and

16           (2) recommend that the owners licensee provide  
17 additional opportunities for participation by  
18 minority-owned businesses, women-owned businesses, ~~and~~  
19 businesses owned by persons with disabilities, and  
20 veteran-owned businesses; such recommendations may  
21 include, but shall not be limited to:

22           (A) assurances of stronger and better focused  
23 solicitation efforts to obtain more minority-owned  
24 businesses, women-owned businesses, ~~and~~ businesses  
25 owned by persons with disabilities, and veteran-owned  
26 businesses as potential sources of supply;

1 (B) division of job or project requirements, when  
2 economically feasible, into tasks or quantities to  
3 permit participation of minority-owned businesses,  
4 women-owned businesses, ~~and~~ businesses owned by  
5 persons with disabilities, and veteran-owned  
6 businesses;

7 (C) elimination of extended experience or  
8 capitalization requirements, when programmatically  
9 feasible, to permit participation of minority-owned  
10 businesses, women-owned businesses, ~~and~~ businesses  
11 owned by persons with disabilities, and veteran-owned  
12 businesses;

13 (D) identification of specific proposed contracts  
14 as particularly attractive or appropriate for  
15 participation by minority-owned businesses,  
16 women-owned businesses, ~~and~~ businesses owned by  
17 persons with disabilities, and veteran-owned  
18 businesses, such identification to result from and be  
19 coupled with the efforts of items (A) through (C); and

20 (E) implementation of regulations established for  
21 the use of the sheltered market process.

22 (f) The Board shall file, no later than March 1 of each  
23 year, an annual report that shall detail the level of  
24 achievement toward the goals specified in this Section over the  
25 3 most recent fiscal years. The annual report shall include,  
26 but need not be limited to:

1 (1) a summary detailing expenditures subject to the  
2 goals, the actual goals specified, and the goals attained  
3 by each owners licensee; and

4 (2) an analysis of the level of overall goal  
5 achievement concerning purchases from minority-owned  
6 businesses, women-owned businesses, ~~and~~ businesses owned  
7 by persons with disabilities, and veteran-owned  
8 businesses.

9 (Source: P.A. 99-78, eff. 7-20-15; 100-391, eff. 8-25-17.)

10 Section 15. The Video Gaming Act is amended by changing  
11 Sections 45 and 80 as follows:

12 (230 ILCS 40/45)

13 Sec. 45. Issuance of license.

14 (a) The burden is upon each applicant to demonstrate his  
15 suitability for licensure. Each video gaming terminal  
16 manufacturer, distributor, supplier, operator, handler,  
17 licensed establishment, licensed truck stop establishment,  
18 licensed fraternal establishment, and licensed veterans  
19 establishment shall be licensed by the Board. The Board may  
20 issue or deny a license under this Act to any person pursuant  
21 to the same criteria set forth in Section 9 of the Riverboat  
22 Gambling Act.

23 (a-5) The Board shall not grant a license to a person who  
24 has facilitated, enabled, or participated in the use of



1 coin-operated devices for gambling purposes or who is under the  
2 significant influence or control of such a person. For the  
3 purposes of this Act, "facilitated, enabled, or participated in  
4 the use of coin-operated amusement devices for gambling  
5 purposes" means that the person has been convicted of any  
6 violation of Article 28 of the Criminal Code of 1961 or the  
7 Criminal Code of 2012. If there is pending legal action against  
8 a person for any such violation, then the Board shall delay the  
9 licensure of that person until the legal action is resolved.

10 (b) Each person seeking and possessing a license as a video  
11 gaming terminal manufacturer, distributor, supplier, operator,  
12 handler, licensed establishment, licensed truck stop  
13 establishment, licensed fraternal establishment, or licensed  
14 veterans establishment shall submit to a background  
15 investigation conducted by the Board with the assistance of the  
16 State Police or other law enforcement. To the extent that the  
17 corporate structure of the applicant allows, the background  
18 investigation shall include any or all of the following as the  
19 Board deems appropriate or as provided by rule for each  
20 category of licensure: (i) each beneficiary of a trust, (ii)  
21 each partner of a partnership, (iii) each member of a limited  
22 liability company, (iv) each director and officer of a publicly  
23 or non-publicly held corporation, (v) each stockholder of a  
24 non-publicly held corporation, (vi) each stockholder of 5% or  
25 more of a publicly held corporation, or (vii) each stockholder  
26 of 5% or more in a parent or subsidiary corporation.

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

15           (d) No person may be licensed as a video gaming terminal  
16 manufacturer, distributor, supplier, operator, handler,  
17 licensed establishment, licensed truck stop establishment,  
18 licensed fraternal establishment, or licensed veterans  
19 establishment if that person has been found by the Board to:

20           (1) have a background, including a criminal record,  
21 reputation, habits, social or business associations, or  
22 prior activities that pose a threat to the public interests  
23 of the State or to the security and integrity of video  
24 gaming;

25           (2) create or enhance the dangers of unsuitable,  
26 unfair, or illegal practices, methods, and activities in

1 the conduct of video gaming; or

2 (3) present questionable business practices and  
3 financial arrangements incidental to the conduct of video  
4 gaming activities.

5 (e) Any applicant for any license under this Act has the  
6 burden of proving his or her qualifications to the satisfaction  
7 of the Board. The Board may adopt rules to establish additional  
8 qualifications and requirements to preserve the integrity and  
9 security of video gaming in this State.

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

- 13 (1) Manufacturer ..... \$5,000
- 14 (2) Distributor..... \$5,000
- 15 (3) Terminal operator..... \$5,000
- 16 (4) Supplier ..... \$2,500
- 17 (5) Technician ..... \$100
- 18 (6) Terminal Handler ..... \$100 ~~\$50~~
- 19 (7) Licensed establishment, licensed truck stop  
20 establishment, licensed fraternal establishment,  
21 or licensed veterans establishment ..... \$100

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

- 24 (1) Manufacturer ..... \$10,000
- 25 (2) Distributor..... \$10,000
- 26 (3) Terminal operator..... \$5,000

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

14 (230 ILCS 40/80)

15 Sec. 80. Applicability of Illinois Riverboat Gambling Act.

16 The provisions of the Illinois Riverboat Gambling Act, and all

17 rules promulgated thereunder, shall apply to the Video Gaming

18 Act, except where there is a conflict between the 2 Acts. All

19 current supplier licensees under the Riverboat Gambling Act

20 shall be entitled to licensure under the Video Gaming Act as

21 manufacturers, distributors, or suppliers without additional

22 Board investigation or approval, except by vote of the Board;

23 however, they are required to pay application and annual fees

24 under this Act. All provisions of the Uniform Penalty and

25 Interest Act shall apply, as far as practicable, to the subject

1 matter of this Act to the same extent as if such provisions  
2 were included herein.

3 (Source: P.A. 96-37, eff. 7-13-09.)

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.".