



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by Robert S. Molaro

SYNOPSIS AS INTRODUCED:

230 ILCS 5/34.2 new

Amends the Horse Racing Act of 1975. Provides that if 2 or more organization licensees integrated into a single integrated organization licensee after January 1, 2000, then the integrated organization licensee shall be entitled to the same number of inter-track wagering licenses and inter-track wagering location licenses and the same recapture payments as the pre-integration organization licensees would have been able to obtain if they had not integrated. Effective immediately.

LRB093 15396 LRD 47199 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to gaming.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is amended
5 by adding Section 34.2 as follows:

6 (230 ILCS 5/34.2 new)

7 Sec. 34.2. Racetrack integration.

8 (a) Notwithstanding any provision of this Act to the
9 contrary, if, after January 1, 2000, 2 or more existing
10 organization licensees which, prior to January 1, 2000,
11 operated at race tracks located within 5 miles of each other
12 and held inter-track wagering location licenses on January 1,
13 2000, integrate into a single organization licensee or
14 otherwise form a joint venture, corporation, limited liability
15 company, or similar integrated enterprise (integrated
16 organization licensee) whereby the integrated organization
17 licensee makes application or joint application, as the case
18 may be, as a single organization licensee, or the existing
19 licensees, after integration, make separate applications in
20 the names of the pre-existing licensees, the newly integrated
21 organization license or each separate pre-existing licensee
22 shall thereafter have the right to retain all of the
23 inter-track wagering licenses and inter-track wagering
24 location licenses of the individual pre-integration
25 organization licensees that existed before the integration and
26 the authority to obtain the number of inter-track wagering
27 location licenses that then or thereafter would have been
28 available to the pre-integration race tracks if they had not
29 integrated, notwithstanding the sale or non-use of one of the
30 racetracks to which the inter-track wagering licenses and
31 inter-track wagering location licenses were originally issued.

32 (b) If the on track and inter-track pari-mutuel wagering

1 handle of any integrated organization license, or separate
2 licensee that is a member of an integrated organization, was
3 included in the amount the Board certified for recapture under
4 Section 26(g)(13) of this Act in the year 2001 or thereafter
5 based on the licensee's pari-mutuel handle for any year
6 beginning after December 31, 1999, the licensee's right to
7 recapture, in the event the licensee conducts racing at a race
8 track other than the race track at which it conducted racing in
9 1994, but within the 5 mile radius referred to in subsection
10 (a), shall remain in full force and effect and the amount of
11 its recapture payment shall be computed on the difference
12 between its handle at its previous location in 1994 and its
13 handle in the year for which recapture is sought. The recapture
14 amount shall be based upon the licensee's handle on live
15 racing, inter-track wagering, and inter-track location
16 wagering. This subsection (b) is declarative of existing law.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.