

1 AN ACT in relation to horse racing.

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

4 Section 5. The Illinois Horse Racing Act of 1975 is  
5 amended by changing Section 31 as follows:

6 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

7 Sec. 31. Illinois Standardbred Breeders Fund.

8 (a) The General Assembly declares that it is the policy  
9 of this State to encourage the breeding of standardbred  
10 horses in this State and the ownership of such horses by  
11 residents of this State in order to provide for: sufficient  
12 numbers of high quality standardbred horses to participate in  
13 harness racing meetings in this State, and to establish and  
14 preserve the agricultural and commercial benefits of such  
15 breeding and racing industries to the State of Illinois. It  
16 is the intent of the General Assembly to further this policy  
17 by the provisions of this Section of this Act.

18 (b) Each organization licensee conducting a harness  
19 racing meeting pursuant to this Act shall provide for at  
20 least two races each race program limited to Illinois  
21 conceived and foaled horses. A minimum of 6 races shall be  
22 conducted each week limited to Illinois conceived and foaled  
23 horses. No horses shall be permitted to start in such races  
24 unless duly registered under the rules of the Department of  
25 Agriculture.

26 (c) Conditions of races under subsection (b) shall be  
27 commensurate with past performance, quality and class of  
28 Illinois conceived and foaled horses available. If, however,  
29 sufficient competition cannot be had among horses of that  
30 class on any day, the races may, with consent of the Board,  
31 be eliminated for that day and substitute races provided.

1           (d) There is hereby created a special fund of the State  
2 Treasury to be known as the Illinois Standardbred Breeders  
3 Fund.

4           During the calendar year 1981, and each year thereafter,  
5 except as provided in subsection (g) of Section 27 of this  
6 Act, eight and one-half per cent of all the monies received  
7 by the State as privilege taxes on harness racing meetings  
8 shall be paid into the Illinois Standardbred Breeders Fund.

9           (e) The Illinois Standardbred Breeders Fund shall be  
10 administered by the Department of Agriculture with the  
11 assistance and advice of the Advisory Board created in  
12 subsection (f) of this Section.

13           (f) The Illinois Standardbred Breeders Fund Advisory  
14 Board is hereby created. The Advisory Board shall consist of  
15 the Director of the Department of Agriculture, who shall  
16 serve as Chairman; the Superintendent of the Illinois State  
17 Fair; a member of the Illinois Racing Board, designated by  
18 it; a representative of the Illinois Standardbred Owners and  
19 Breeders Association, recommended by it; a representative of  
20 the Illinois Association of Agricultural Fairs, recommended  
21 by it, such representative to be from a fair at which  
22 Illinois conceived and foaled racing is conducted; a  
23 representative of the organization licensees conducting  
24 harness racing meetings, recommended by them and a  
25 representative of the Illinois Harness Horsemen's  
26 Association, recommended by it. Advisory Board members shall  
27 serve for 2 years commencing January 1, of each odd numbered  
28 year. If representatives of the Illinois Standardbred Owners  
29 and Breeders Associations, the Illinois Association of  
30 Agricultural Fairs, the Illinois Harness Horsemen's  
31 Association, and the organization licensees conducting  
32 harness racing meetings have not been recommended by January  
33 1, of each odd numbered year, the Director of the Department  
34 of Agriculture shall make an appointment for the organization

1 failing to so recommend a member of the Advisory Board.  
2 Advisory Board members shall receive no compensation for  
3 their services as members but shall be reimbursed for all  
4 actual and necessary expenses and disbursements incurred in  
5 the execution of their official duties.

6 (g) No monies shall be expended from the Illinois  
7 Standardbred Breeders Fund except as appropriated by the  
8 General Assembly. Monies appropriated from the Illinois  
9 Standardbred Breeders Fund shall be expended by the  
10 Department of Agriculture, with the assistance and advice of  
11 the Illinois Standardbred Breeders Fund Advisory Board for  
12 the following purposes only:

13 1. To provide purses for races limited to Illinois  
14 conceived and foaled horses at the State Fair.

15 2. To provide purses for races limited to Illinois  
16 conceived and foaled horses at county fairs.

17 3. To provide purse supplements for races limited  
18 to Illinois conceived and foaled horses conducted by  
19 associations conducting harness racing meetings.

20 4. No less than 75% of all monies in the Illinois  
21 Standardbred Breeders Fund shall be expended for purses  
22 in 1, 2 and 3 as shown above.

23 5. In the discretion of the Department of  
24 Agriculture to provide awards to harness breeders of  
25 Illinois conceived and foaled horses which win races  
26 conducted by organization licensees conducting harness  
27 racing meetings. A breeder is the owner of a mare at the  
28 time of conception. No more than 10% of all monies  
29 appropriated from the Illinois Standardbred Breeders Fund  
30 shall be expended for such harness breeders awards. No  
31 more than 25% of the amount expended for harness breeders  
32 awards shall be expended for expenses incurred in the  
33 administration of such harness breeders awards.

34 6. To pay for the improvement of racing facilities

1 located at the State Fair and County fairs.

2 7. To pay the expenses incurred in the  
3 administration of the Illinois Standardbred Breeders  
4 Fund.

5 8. To promote the sport of harness racing.

6 (h) Whenever the Governor finds that the amount in the  
7 Illinois Standardbred Breeders Fund is more than the total of  
8 the outstanding appropriations from such fund, the Governor  
9 shall notify the State Comptroller and the State Treasurer of  
10 such fact. The Comptroller and the State Treasurer, upon  
11 receipt of such notification, shall transfer such excess  
12 amount from the Illinois Standardbred Breeders Fund to the  
13 General Revenue Fund.

14 (i) A sum equal to 12 1/2% of the first prize money of  
15 every purse won by an Illinois conceived and foaled horse  
16 shall be paid by the organization licensee conducting the  
17 horse race meeting to the breeder of such winning horse from  
18 the organization licensee's share of the money wagered. Such  
19 payment shall not reduce any award to the owner of the horse  
20 or reduce the taxes payable under this Act. Such payment  
21 shall be delivered by the organization licensee at the end of  
22 each race meeting.

23 (j) The Department of Agriculture shall, by rule, with  
24 the assistance and advice of the Illinois Standardbred  
25 Breeders Fund Advisory Board:

26 1. Qualify stallions for Illinois Standardbred Breeders  
27 Fund breeding; such stallion shall be owned by a resident of  
28 the State of Illinois or by an Illinois corporation all of  
29 whose shareholders, directors, officers and incorporators are  
30 residents of the State of Illinois. Such stallion shall  
31 stand for service at and within the State of Illinois at the  
32 time of a foal's conception, and such stallion must not stand  
33 for service at any place, nor may semen from such stallion be  
34 transported, outside the State of Illinois during that

1 calendar year in which the foal is conceived and that the  
2 owner of the stallion was for the 12 months prior, a resident  
3 of Illinois. The articles of agreement of any partnership,  
4 joint venture, limited partnership, syndicate, association or  
5 corporation and any bylaws and stock certificates must  
6 contain a restriction that provides that the ownership or  
7 transfer of interest by any one of the persons a party to the  
8 agreement can only be made to a person who qualifies as an  
9 Illinois resident.

10 2. Provide for the registration of Illinois conceived  
11 and foaled horses and no such horse shall compete in the  
12 races limited to Illinois conceived and foaled horses unless  
13 registered with the Department of Agriculture. The  
14 Department of Agriculture may prescribe such forms as may be  
15 necessary to determine the eligibility of such horses. No  
16 person shall knowingly prepare or cause preparation of an  
17 application for registration of such foals containing false  
18 information. A mare (dam) must be in the state at least 30  
19 days prior to foaling or remain in the State at least 30 days  
20 at the time of foaling. Beginning with the 1996 breeding  
21 season and for foals of 1997 and thereafter, a foal conceived  
22 by transported fresh semen may be eligible for Illinois  
23 conceived and foaled registration provided all breeding and  
24 foaling requirements are met. The stallion must be qualified  
25 for Illinois Standardbred Breeders Fund breeding at the time  
26 of conception and the mare must be inseminated within the  
27 State of Illinois. The foal must be dropped in Illinois and  
28 properly registered with the Department of Agriculture in  
29 accordance with this Act.

30 3. Provide that at least a 5 day racing program shall be  
31 conducted at the State Fair each year, which program shall  
32 include at least the following races limited to Illinois  
33 conceived and foaled horses: (a) a two year old Trot and  
34 Pace, and Filly Division of each; (b) a three year old Trot

1 and Pace, and Filly Division of each; (c) an aged Trot and  
2 Pace, and Mare Division of each.

3 4. Provide for the payment of nominating, sustaining and  
4 starting fees for races promoting the sport of harness racing  
5 and for the races to be conducted at the State Fair as  
6 provided in subsection (j) 3 of this Section provided that  
7 the nominating, sustaining and starting payment required from  
8 an entrant shall not exceed 2% of the purse of such race.  
9 All nominating, sustaining and starting payments shall be  
10 held for the benefit of entrants and shall be paid out as  
11 part of the respective purses for such races. Nominating,  
12 sustaining and starting fees shall be held in trust accounts  
13 for the purposes as set forth in this Act and in accordance  
14 with Section 205-15 of the Department of Agriculture Law (20  
15 ILCS 205/205-15).

16 5. Provide for the registration with the Department of  
17 Agriculture of Colt Associations or county fairs desiring to  
18 sponsor races at county fairs.

19 (k) The Department of Agriculture, with the advice and  
20 assistance of the Illinois Standardbred Breeders Fund  
21 Advisory Board, may allocate monies for purse supplements for  
22 such races. In determining whether to allocate money and the  
23 amount, the Department of Agriculture shall consider factors,  
24 including but not limited to, the amount of money  
25 appropriated for the Illinois Standardbred Breeders Fund  
26 program, the number of races that may occur, and an  
27 organizational licensee's purse structure. The  
28 organizational licensee shall notify the Department of  
29 Agriculture of the conditions and minimum purses for races  
30 limited to Illinois conceived and foaled horses to be  
31 conducted by each organizational licensee conducting a  
32 harness racing meeting for which purse supplements have been  
33 negotiated.

34 (l) All races held at county fairs and the State Fair

1 which receive funds from the Illinois Standardbred Breeders  
2 Fund shall be conducted in accordance with the rules of the  
3 United States Trotting Association unless otherwise modified  
4 by the Department of Agriculture.

5 (m) At all standardbred race meetings held or conducted  
6 under authority of a license granted by the Board, and at all  
7 standardbred races held at county fairs which are approved by  
8 the Department of Agriculture or at the Illinois or DuQuoin  
9 State Fairs, no one shall jog, train, warm up or drive a  
10 standardbred horse unless he or she is wearing a protective  
11 safety helmet, with the chin strap fastened and in place,  
12 which meets the standards and requirements as set forth in  
13 the 1984 Standard for Protective Headgear for Use in Harness  
14 Racing and Other Equestrian Sports published by the Snell  
15 Memorial Foundation, or any standards and requirements for  
16 headgear the Illinois Racing Board may approve. Any other  
17 standards and requirements so approved by the Board shall  
18 equal or exceed those published by the Snell Memorial  
19 Foundation. Any equestrian helmet bearing the Snell label  
20 shall be deemed to have met those standards and requirements.  
21 (Source: P.A. 91-239, eff. 1-1-00.)