



Rep. Lou Lang

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1 AMENDMENT TO HOUSE BILL 480

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 480 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Intercity Development Act.

6 Section 5. Findings and purpose.

7 (a) The General Assembly finds that:

8 (1) There is a great need for economic revitalization  
9 in many communities throughout this State.

10 (2) Each community has valuable resources at its  
11 fingertips that can be tapped in the revitalization  
12 process.

13 (3) With adequate support and assistance from the State  
14 and other resources, each community can participate in and  
15 shepherd its own economic renewal.

16 (4) Successful redevelopment plans are based on policy

1 that is responsive to the existing composition and  
2 character of the economically distressed community and  
3 that allows and compels the community to participate in the  
4 redevelopment planning process.

5 (5) A successful redevelopment initiative creates and  
6 maintains a capable and adaptable workforce, has access to  
7 capital, has a sound fiscal base, has adequate  
8 infrastructure, has well-managed natural resources, and  
9 has an attractive quality of life.

10 (b) It is the purpose of this legislation to provide a  
11 mechanism for an economically distressed community to use in  
12 its efforts to revitalize the community.

13 Section 10. Definitions. As used in this Section:

14 "Community" means a municipality, a county with respect to  
15 the unincorporated areas of a county, and any combination of  
16 municipalities and counties acting jointly.

17 "Department" means the Department of Commerce and Economic  
18 Opportunity.

19 "Economically distressed community" means any community  
20 that is certified by the Department as being in the highest 3%  
21 of all communities in the State in its rate of unemployment,  
22 its poverty rate, and the rate of bankruptcy petitions filed.

23 Section 15. Certification; Board of Economic Advisors.

24 (a) In order to receive the assistance as provided in this

1 Act, a community shall first, by ordinance passed by its  
2 corporate authorities, request that the Department certify  
3 that it is an economically distressed community. The community  
4 must submit a certified copy of the ordinance to the  
5 Department. After review of the ordinance, if the Department  
6 determines that the community meets the requirements for  
7 certification, the Department shall certify the community as an  
8 economically distressed community.

9 (b) A community that is certified by the Department as an  
10 economically distressed community may appoint a Board of  
11 Economic Advisors to create and implement a revitalization plan  
12 for the community. The Board shall consist of 12 members of the  
13 community, appointed by the mayor or the presiding officer of  
14 the county or jointly by the presiding officers of each  
15 municipality and county that have joined to form a community  
16 for the purposes of this Act. The Board members shall be  
17 appointed from the 12 sectors vital to community redevelopment  
18 as follows:

19 (1) A member representing households and families.

20 (2) A member representing religious organizations.

21 (3) A member representing educational institutions.

22 (4) A member representing daycare centers, care  
23 centers for the handicapped, and care centers for the  
24 disadvantaged.

25 (5) A member representing community based  
26 organizations such as neighborhood improvement

1 associations.

2 (6) A member representing federal and State employment  
3 service systems, skill training centers, and placement  
4 referrals.

5 (7) A member representing Masonic organizations,  
6 fraternities, sororities, and social clubs.

7 (8) A member representing hospitals, nursing homes,  
8 senior citizens, public health agencies, and funeral  
9 homes.

10 (9) A member representing organized sports, parks,  
11 parties, and games of chance.

12 (10) A member representing political parties, clubs,  
13 and affiliations, and election related matters concerning  
14 voter education and participation.

15 (11) A member representing the cultural aspects of the  
16 community, including cultural events, lifestyles,  
17 languages, music, visual and performing arts, and  
18 literature.

19 (12) A member representing police and fire protection  
20 agencies, prisons, weapons systems, and the military  
21 industrial complex.

22 The Board shall meet initially within 30 days of its  
23 appointment, shall select one member as chairperson at its  
24 initial meeting, and shall thereafter meet at the call of the  
25 chairperson. Members of the Board shall serve without  
26 compensation but shall be reimbursed for their reasonable and

1 necessary expenses from funds available for that purpose.

2 (b) The Board shall create a 3-year to 5-year  
3 revitalization plan for the community. The plan shall contain  
4 distinct, measurable objectives for revitalization. The  
5 objectives shall be used to guide ongoing implementation of the  
6 plan and to measure progress during the 3-year to 5-year  
7 period. The Board shall work in a dynamic manner defining goals  
8 for the community based on the strengths and weaknesses of the  
9 individual sectors of the community as presented by each member  
10 of the Board. The Board shall meet periodically and revise the  
11 plan in light of the input from each member of the Board  
12 concerning his or her respective sector of expertise. The  
13 process shall be a community driven revitalization process,  
14 with community-specific data determining the direction and  
15 scope of the revitalization.

16 Section 20. Action by the Board.

17 (a) Organize. The Board shall first assess the needs and  
18 the resources of the community operating from the basic premise  
19 that the family unit is the primary unit of community and that  
20 the demand for goods and services from this residential sector  
21 is the main source of recovery and growth for the redevelopment  
22 of a community. The Board shall inventory community assets,  
23 including the condition of the family with respect to the role  
24 of the family as workers, consumers, and investors. The Board  
25 shall inventory the type and viability of businesses and

1 industries currently in the community. In compiling the  
2 inventory, the Board shall rely on the input of each Board  
3 member with respect to his or her expertise in a given sector  
4 of the revitalization plan.

5 (b) Revitalize. In implementing the revitalization plan,  
6 the Board shall focus on and build from existing resources in  
7 the community, growing existing businesses rather than luring  
8 business into the community from the outside. The Board shall  
9 also focus on the residents themselves rather than jobs. The  
10 Board shall promote investment in training residents in areas  
11 that will lead to employment and in turn will bring revenue  
12 into the community.

13 (c) Mobilize. The Board shall engage in the dynamic process  
14 of community self-revitalization through a continuous  
15 reassessment of the needs of the community in the  
16 revitalization process. As each goal of the 3-year to 5-year  
17 plan is achieved, the Board shall draw from the resources of  
18 its members to establish new goals and implement new strategies  
19 employing the lessons learned in the earlier stages of  
20 revitalization.

21 (d) Advise. The Board shall Act as the liaison between the  
22 community and the local, county, and State Government. The  
23 Board shall make use of the resources of these governmental  
24 entities and shall provide counsel to each of these bodies with  
25 respect to economic development.

26 The Board shall also act as a liaison between private

1 business entities located in the community and the community  
2 itself. The Board shall offer advice and assistance to these  
3 entities when requested and provide incentives and support,  
4 both economic and otherwise, to facilitate expansion and  
5 further investment in the community by the businesses.

6 The Board shall annually submit a report to the General  
7 Assembly and the Governor summarizing the accomplishments of  
8 the community concerning revitalization and the goals of the  
9 community for future revitalization.

10 Section 25. Funding sources.

11 (a) The moneys appropriated into the Intercity Development  
12 Fund, which is hereby created as a special fund in the State  
13 Treasury, shall be allocated as follows:

14 (1) 50% shall be paid to the Department to be used to make  
15 grants as follows:

16 (A) 25% shall be allocated for use within the City of  
17 Chicago;

18 (B) 25% shall be allocated for use within Cook County,  
19 but outside of the City of Chicago; and

20 (C) 50% shall be allocated to communities that are  
21 located outside of Cook County and are certified as  
22 economically distressed communities and that have created  
23 Boards of Economic Advisors under this Act for the  
24 operational expenses of the Boards.

25 The procedures for grant applications shall be established

1 by the Department by rule.

2 (2) The remaining 50% of the moneys shall be allocated as  
3 follows:

4 (A) 25% shall be paid, subject to appropriation, to the  
5 general fund of the City of Chicago;

6 (B) 25% shall be paid, subject to appropriation, to the  
7 general fund of Cook County; and

8 (C) 50% shall be paid, subject to appropriation, to the  
9 general funds of communities that are located outside of  
10 Cook County and are certified as economically distressed  
11 communities and that have created Boards of Economic  
12 Advisors under this Act for the operational expenses of the  
13 Boards.

14 (b) The Board, as a vital part of its function, shall seek  
15 funding sources to enhance economic development. The Board  
16 shall seek funding from the local, State, and federal  
17 government as well as from private funding sources, whether in  
18 the form of grants, loans, or otherwise. The Department shall  
19 advise the Boards of Economic Advisors created under this Act  
20 of all available sources of funding for economic development  
21 that it is aware of and shall assist the Boards in securing  
22 this funding.

23 (c) To the extent that there is a gap in funding for  
24 economic development, the Board shall recommend possible  
25 solutions to be undertaken by the State in addressing this  
26 issue to fill the funding gap.



1           (d) The Intercity Development Fund shall not be subject to  
2 sweeps, administrative charges, or charge backs, including but  
3 not limited to, those authorized under Section 8h of the State  
4 Finance Act or any other fiscal or budgetary maneuver that  
5 would in any way transfer any funds from the Intercity  
6 Development Fund into any other fund of the State.

7           Section 900. The Alcoholism and Other Drug Abuse and  
8 Dependency Act is amended by changing Section 5-20 as follows:

9           (20 ILCS 301/5-20)

10          Sec. 5-20. Compulsive gambling program.

11          (a) Subject to appropriation, the Department shall  
12 establish a program for public education, research, and  
13 training regarding problem and compulsive gambling and the  
14 treatment and prevention of problem and compulsive gambling.  
15 Subject to specific appropriation for these stated purposes,  
16 the program must include all of the following:

17           (1) Establishment and maintenance of a toll-free "800"  
18 telephone number to provide crisis counseling and referral  
19 services to families experiencing difficulty as a result of  
20 problem or compulsive gambling.

21           (2) Promotion of public awareness regarding the  
22 recognition and prevention of problem and compulsive  
23 gambling.

24           (3) Facilitation, through in-service training and

1 other means, of the availability of effective assistance  
2 programs for problem and compulsive gamblers.

3 (4) Conducting studies to identify adults and  
4 juveniles in this State who are, or who are at risk of  
5 becoming, problem or compulsive gamblers.

6 (b) Subject to appropriation, the Department shall either  
7 establish and maintain the program or contract with a private  
8 or public entity for the establishment and maintenance of the  
9 program. Subject to appropriation, either the Department or the  
10 private or public entity shall implement the toll-free  
11 telephone number, promote public awareness, and conduct  
12 in-service training concerning problem and compulsive  
13 gambling.

14 (c) Subject to appropriation, the Department shall produce  
15 and supply the signs specified in Section 10.7 of the Illinois  
16 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of  
17 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1  
18 of the Charitable Games Act, and Section 13.1 of the Riverboat  
19 and Casino Gambling Act.

20 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

21 Section 905. The Department of Revenue Law of the Civil  
22 Administrative Code of Illinois is amended by changing Section  
23 2505-305 as follows:

24 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

1           Sec. 2505-305. Investigators.

2           (a) The Department has the power to appoint investigators  
3 to conduct all investigations, searches, seizures, arrests,  
4 and other duties imposed under the provisions of any law  
5 administered by the Department or the Illinois Gaming Board.  
6 Except as provided in subsection (c), these investigators have  
7 and may exercise all the powers of peace officers solely for  
8 the purpose of enforcing taxing measures administered by the  
9 Department or the Illinois Gaming Board.

10          (b) The Director must authorize to each investigator  
11 employed under this Section and to any other employee of the  
12 Department exercising the powers of a peace officer a distinct  
13 badge that, on its face, (i) clearly states that the badge is  
14 authorized by the Department and (ii) contains a unique  
15 identifying number. No other badge shall be authorized by the  
16 Department.

17          (c) Investigators appointed under this Section who are  
18 assigned to the Illinois Gaming Board have and may exercise all  
19 the rights and powers of peace officers, provided that these  
20 powers shall be limited to offenses or violations occurring or  
21 committed on a riverboat or dock or in a casino, as defined in  
22 ~~subsections (d) and (f) of~~ Section 4 of the Riverboat and  
23 Casino Gambling Act.

24          (Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01; 92-493,  
25 eff. 1-1-02.)

1 Section 907. The State Finance Act is amended by changing  
2 Section 8h as follows:

3 (30 ILCS 105/8h)

4 Sec. 8h. Transfers to General Revenue Fund.

5 (a) Except as otherwise provided in this Section and  
6 Section 8n of this Act, and ~~(e), (d), or (e)~~, notwithstanding  
7 any other State law to the contrary, the Governor may, through  
8 June 30, 2007, from time to time direct the State Treasurer and  
9 Comptroller to transfer a specified sum from any fund held by  
10 the State Treasurer to the General Revenue Fund in order to  
11 help defray the State's operating costs for the fiscal year.  
12 The total transfer under this Section from any fund in any  
13 fiscal year shall not exceed the lesser of (i) 8% of the  
14 revenues to be deposited into the fund during that fiscal year  
15 or (ii) an amount that leaves a remaining fund balance of 25%  
16 of the July 1 fund balance of that fiscal year. In fiscal year  
17 2005 only, prior to calculating the July 1, 2004 final  
18 balances, the Governor may calculate and direct the State  
19 Treasurer with the Comptroller to transfer additional amounts  
20 determined by applying the formula authorized in Public Act  
21 93-839 to the funds balances on July 1, 2003. No transfer may  
22 be made from a fund under this Section that would have the  
23 effect of reducing the available balance in the fund to an  
24 amount less than the amount remaining unexpended and unreserved  
25 from the total appropriation from that fund estimated to be

1 expended for that fiscal year. This Section does not apply to  
2 any funds that are restricted by federal law to a specific use,  
3 to any funds in the Motor Fuel Tax Fund, the Intercity  
4 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid  
5 Provider Relief Fund, the Teacher Health Insurance Security  
6 Fund, the Reviewing Court Alternative Dispute Resolution Fund,  
7 the Voters' Guide Fund, the Foreign Language Interpreter Fund,  
8 the Lawyers' Assistance Program Fund, the Supreme Court Federal  
9 Projects Fund, the Supreme Court Special State Projects Fund,  
10 the Supplemental Low-Income Energy Assistance Fund, the Good  
11 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste  
12 Facility Development and Operation Fund, the Horse Racing  
13 Equity Trust Fund, the Intercity Development Fund, the  
14 Agricultural Premium Fund, the Illinois Colt Stakes Purse  
15 Distribution Fund, the Horse Racing Fund, the Illinois  
16 Thoroughbred Breeders Fund, the Illinois Racing Quarter Horse  
17 Breeders Fund, the Illinois Standardbred Breeders Fund, or the  
18 Hospital Basic Services Preservation Fund, or to any funds to  
19 which subsection (f) of Section 20-40 of the Nursing and  
20 Advanced Practice Nursing Act applies. No transfers may be made  
21 under this Section from the Pet Population Control Fund.  
22 Notwithstanding any other provision of this Section, for fiscal  
23 year 2004, the total transfer under this Section from the Road  
24 Fund or the State Construction Account Fund shall not exceed  
25 the lesser of (i) 5% of the revenues to be deposited into the  
26 fund during that fiscal year or (ii) 25% of the beginning

1 balance in the fund. For fiscal year 2005 through fiscal year  
2 2007, no amounts may be transferred under this Section from the  
3 Road Fund, the State Construction Account Fund, the Criminal  
4 Justice Information Systems Trust Fund, the Wireless Service  
5 Emergency Fund, or the Mandatory Arbitration Fund.

6 In determining the available balance in a fund, the  
7 Governor may include receipts, transfers into the fund, and  
8 other resources anticipated to be available in the fund in that  
9 fiscal year.

10 The State Treasurer and Comptroller shall transfer the  
11 amounts designated under this Section as soon as may be  
12 practicable after receiving the direction to transfer from the  
13 Governor.

14 (a-5) Transfers directed to be made under this Section on  
15 or before February 28, 2006 that are still pending on May 19,  
16 2006 (the effective date of Public Act 94-774) ~~this amendatory~~  
17 ~~Act of the 94th General Assembly~~ shall be redirected as  
18 provided in Section 8n of this Act.

19 (b) This Section does not apply to: (i) the Ticket For The  
20 Cure Fund; (ii) any fund established under the Community Senior  
21 Services and Resources Act; or (iii) on or after January 1,  
22 2006 (the effective date of Public Act 94-511), the Child Labor  
23 and Day and Temporary Labor Enforcement Fund.

24 (c) This Section does not apply to the Demutualization  
25 Trust Fund established under the Uniform Disposition of  
26 Unclaimed Property Act.

1 (d) This Section does not apply to moneys set aside in the  
2 Illinois State Podiatric Disciplinary Fund for podiatric  
3 scholarships and residency programs under the Podiatric  
4 Scholarship and Residency Act.

5 (e) Subsection (a) does not apply to, and no transfer may  
6 be made under this Section from, the Pension Stabilization  
7 Fund.

8 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,  
9 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;  
10 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.  
11 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.  
12 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,  
13 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;  
14 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.  
15 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,  
16 eff. 6-6-06; revised 6-19-06.)

17 Section 910. The Property Tax Code is amended by changing  
18 Section 18-165 as follows:

19 (35 ILCS 200/18-165)

20 Sec. 18-165. Abatement of taxes.

21 (a) Any taxing district, upon a majority vote of its  
22 governing authority, may, after the determination of the  
23 assessed valuation of its property, order the clerk of that  
24 county to abate any portion of its taxes on the following types

1 of property:

2 (1) Commercial and industrial.

3 (A) The property of any commercial or industrial  
4 firm, including but not limited to the property of (i)  
5 any firm that is used for collecting, separating,  
6 storing, or processing recyclable materials, locating  
7 within the taxing district during the immediately  
8 preceding year from another state, territory, or  
9 country, or having been newly created within this State  
10 during the immediately preceding year, or expanding an  
11 existing facility, or (ii) any firm that is used for  
12 the generation and transmission of electricity  
13 locating within the taxing district during the  
14 immediately preceding year or expanding its presence  
15 within the taxing district during the immediately  
16 preceding year by construction of a new electric  
17 generating facility that uses natural gas as its fuel,  
18 or any firm that is used for production operations at a  
19 new, expanded, or reopened coal mine within the taxing  
20 district, that has been certified as a High Impact  
21 Business by the Illinois Department of Commerce and  
22 Economic Opportunity. The property of any firm used for  
23 the generation and transmission of electricity shall  
24 include all property of the firm used for transmission  
25 facilities as defined in Section 5.5 of the Illinois  
26 Enterprise Zone Act. The abatement shall not exceed a



1 period of 10 years and the aggregate amount of abated  
2 taxes for all taxing districts combined shall not  
3 exceed \$4,000,000.

4 (A-5) Any property in the taxing district of a new  
5 electric generating facility, as defined in Section  
6 605-332 of the Department of Commerce and Economic  
7 Opportunity Law of the Civil Administrative Code of  
8 Illinois. The abatement shall not exceed a period of 10  
9 years. The abatement shall be subject to the following  
10 limitations:

11 (i) if the equalized assessed valuation of the  
12 new electric generating facility is equal to or  
13 greater than \$25,000,000 but less than  
14 \$50,000,000, then the abatement may not exceed (i)  
15 over the entire term of the abatement, 5% of the  
16 taxing district's aggregate taxes from the new  
17 electric generating facility and (ii) in any one  
18 year of abatement, 20% of the taxing district's  
19 taxes from the new electric generating facility;

20 (ii) if the equalized assessed valuation of  
21 the new electric generating facility is equal to or  
22 greater than \$50,000,000 but less than  
23 \$75,000,000, then the abatement may not exceed (i)  
24 over the entire term of the abatement, 10% of the  
25 taxing district's aggregate taxes from the new  
26 electric generating facility and (ii) in any one

1 year of abatement, 35% of the taxing district's  
2 taxes from the new electric generating facility;

3 (iii) if the equalized assessed valuation of  
4 the new electric generating facility is equal to or  
5 greater than \$75,000,000 but less than  
6 \$100,000,000, then the abatement may not exceed  
7 (i) over the entire term of the abatement, 20% of  
8 the taxing district's aggregate taxes from the new  
9 electric generating facility and (ii) in any one  
10 year of abatement, 50% of the taxing district's  
11 taxes from the new electric generating facility;

12 (iv) if the equalized assessed valuation of  
13 the new electric generating facility is equal to or  
14 greater than \$100,000,000 but less than  
15 \$125,000,000, then the abatement may not exceed  
16 (i) over the entire term of the abatement, 30% of  
17 the taxing district's aggregate taxes from the new  
18 electric generating facility and (ii) in any one  
19 year of abatement, 60% of the taxing district's  
20 taxes from the new electric generating facility;

21 (v) if the equalized assessed valuation of the  
22 new electric generating facility is equal to or  
23 greater than \$125,000,000 but less than  
24 \$150,000,000, then the abatement may not exceed  
25 (i) over the entire term of the abatement, 40% of  
26 the taxing district's aggregate taxes from the new

1 electric generating facility and (ii) in any one  
2 year of abatement, 60% of the taxing district's  
3 taxes from the new electric generating facility;

4 (vi) if the equalized assessed valuation of  
5 the new electric generating facility is equal to or  
6 greater than \$150,000,000, then the abatement may  
7 not exceed (i) over the entire term of the  
8 abatement, 50% of the taxing district's aggregate  
9 taxes from the new electric generating facility  
10 and (ii) in any one year of abatement, 60% of the  
11 taxing district's taxes from the new electric  
12 generating facility.

13 The abatement is not effective unless the owner of  
14 the new electric generating facility agrees to repay to  
15 the taxing district all amounts previously abated,  
16 together with interest computed at the rate and in the  
17 manner provided for delinquent taxes, in the event that  
18 the owner of the new electric generating facility  
19 closes the new electric generating facility before the  
20 expiration of the entire term of the abatement.

21 The authorization of taxing districts to abate  
22 taxes under this subdivision (a)(1)(A-5) expires on  
23 January 1, 2010.

24 (B) The property of any commercial or industrial  
25 development of at least 500 acres having been created  
26 within the taxing district. The abatement shall not

1           exceed a period of 20 years and the aggregate amount of  
2           abated taxes for all taxing districts combined shall  
3           not exceed \$12,000,000.

4           (C) The property of any commercial or industrial  
5           firm currently located in the taxing district that  
6           expands a facility or its number of employees. The  
7           abatement shall not exceed a period of 10 years and the  
8           aggregate amount of abated taxes for all taxing  
9           districts combined shall not exceed \$4,000,000. The  
10          abatement period may be renewed at the option of the  
11          taxing districts.

12          (2) Horse racing. Through the 2006 taxable year, any  
13          ~~Any~~ property in the taxing district which is used for the  
14          racing of horses and upon which capital improvements  
15          consisting of expansion, improvement or replacement of  
16          existing facilities have been made since July 1, 1987. The  
17          combined abatements for such property from all taxing  
18          districts in any county shall not exceed \$5,000,000  
19          annually and shall not exceed a period of 10 years.

20          (3) Auto racing. Any property designed exclusively for  
21          the racing of motor vehicles. Such abatement shall not  
22          exceed a period of 10 years.

23          (4) Academic or research institute. The property of any  
24          academic or research institute in the taxing district that  
25          (i) is an exempt organization under paragraph (3) of  
26          Section 501(c) of the Internal Revenue Code, (ii) operates

1 for the benefit of the public by actually and exclusively  
2 performing scientific research and making the results of  
3 the research available to the interested public on a  
4 non-discriminatory basis, and (iii) employs more than 100  
5 employees. An abatement granted under this paragraph shall  
6 be for at least 15 years and the aggregate amount of abated  
7 taxes for all taxing districts combined shall not exceed  
8 \$5,000,000.

9 (5) Housing for older persons. Any property in the  
10 taxing district that is devoted exclusively to affordable  
11 housing for older households. For purposes of this  
12 paragraph, "older households" means those households (i)  
13 living in housing provided under any State or federal  
14 program that the Department of Human Rights determines is  
15 specifically designed and operated to assist elderly  
16 persons and is solely occupied by persons 55 years of age  
17 or older and (ii) whose annual income does not exceed 80%  
18 of the area gross median income, adjusted for family size,  
19 as such gross income and median income are determined from  
20 time to time by the United States Department of Housing and  
21 Urban Development. The abatement shall not exceed a period  
22 of 15 years, and the aggregate amount of abated taxes for  
23 all taxing districts shall not exceed \$3,000,000.

24 (6) Historical society. For assessment years 1998  
25 through 2008, the property of an historical society  
26 qualifying as an exempt organization under Section

1 501(c)(3) of the federal Internal Revenue Code.

2 (7) Recreational facilities. Any property in the  
3 taxing district (i) that is used for a municipal airport,  
4 (ii) that is subject to a leasehold assessment under  
5 Section 9-195 of this Code and (iii) which is sublet from a  
6 park district that is leasing the property from a  
7 municipality, but only if the property is used exclusively  
8 for recreational facilities or for parking lots used  
9 exclusively for those facilities. The abatement shall not  
10 exceed a period of 10 years.

11 (8) Relocated corporate headquarters. If approval  
12 occurs within 5 years after the effective date of this  
13 amendatory Act of the 92nd General Assembly, any property  
14 or a portion of any property in a taxing district that is  
15 used by an eligible business for a corporate headquarters  
16 as defined in the Corporate Headquarters Relocation Act.  
17 Instead of an abatement under this paragraph (8), a taxing  
18 district may enter into an agreement with an eligible  
19 business to make annual payments to that eligible business  
20 in an amount not to exceed the property taxes paid directly  
21 or indirectly by that eligible business to the taxing  
22 district and any other taxing districts for premises  
23 occupied pursuant to a written lease and may make those  
24 payments without the need for an annual appropriation. No  
25 school district, however, may enter into an agreement with,  
26 or abate taxes for, an eligible business unless the

1 municipality in which the corporate headquarters is  
2 located agrees to provide funding to the school district in  
3 an amount equal to the amount abated or paid by the school  
4 district as provided in this paragraph (8). Any abatement  
5 ordered or agreement entered into under this paragraph (8)  
6 may be effective for the entire term specified by the  
7 taxing district, except the term of the abatement or annual  
8 payments may not exceed 20 years.

9 (9) United States Military Public/Private Residential  
10 Developments. Each building, structure, or other  
11 improvement designed, financed, constructed, renovated,  
12 managed, operated, or maintained after January 1, 2006  
13 under a "PPV Lease", as set forth under Division 14 of  
14 Article 10, and any such PPV Lease.

15 (b) Upon a majority vote of its governing authority, any  
16 municipality may, after the determination of the assessed  
17 valuation of its property, order the county clerk to abate any  
18 portion of its taxes on any property that is located within the  
19 corporate limits of the municipality in accordance with Section  
20 8-3-18 of the Illinois Municipal Code.

21 (Source: P.A. 93-270, eff. 7-22-03; 94-793, eff. 5-19-06;  
22 94-974, eff. 6-30-06.)

23 Section 915. The Joliet Regional Port District Act is  
24 amended by changing Section 5.1 as follows:

1 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

2 Sec. 5.1. Riverboat and casino gambling. Notwithstanding  
3 any other provision of this Act, the District may not regulate  
4 the operation, conduct, or navigation of any riverboat gambling  
5 casino licensed under the Riverboat and Casino Gambling Act,  
6 and the District may not license, tax, or otherwise levy any  
7 assessment of any kind on any riverboat gambling casino  
8 licensed under the Riverboat and Casino Gambling Act. The  
9 General Assembly declares that the powers to regulate the  
10 operation, conduct, and navigation of riverboat gambling  
11 casinos and to license, tax, and levy assessments upon  
12 riverboat gambling casinos are exclusive powers of the State of  
13 Illinois and the Illinois Gaming Board as provided in the  
14 Riverboat and Casino Gambling Act.

15 (Source: P.A. 87-1175.)

16 Section 920. The Consumer Installment Loan Act is amended  
17 by changing Section 12.5 as follows:

18 (205 ILCS 670/12.5)

19 Sec. 12.5. Limited purpose branch.

20 (a) Upon the written approval of the Director, a licensee  
21 may maintain a limited purpose branch for the sole purpose of  
22 making loans as permitted by this Act. A limited purpose branch  
23 may include an automatic loan machine. No other activity shall  
24 be conducted at the site, including but not limited to,



1 accepting payments, servicing the accounts, or collections.

2 (b) The licensee must submit an application for a limited  
3 purpose branch to the Director on forms prescribed by the  
4 Director with an application fee of \$300. The approval for the  
5 limited purpose branch must be renewed concurrently with the  
6 renewal of the licensee's license along with a renewal fee of  
7 \$300 for the limited purpose branch.

8 (c) The books, accounts, records, and files of the limited  
9 purpose branch's transactions shall be maintained at the  
10 licensee's licensed location. The licensee shall notify the  
11 Director of the licensed location at which the books, accounts,  
12 records, and files shall be maintained.

13 (d) The licensee shall prominently display at the limited  
14 purpose branch the address and telephone number of the  
15 licensee's licensed location.

16 (e) No other business shall be conducted at the site of the  
17 limited purpose branch unless authorized by the Director.

18 (f) The Director shall make and enforce reasonable rules  
19 for the conduct of a limited purpose branch.

20 (g) A limited purpose branch may not be located within  
21 1,000 feet of a facility operated by an inter-track wagering  
22 licensee or an organization licensee subject to the Illinois  
23 Horse Racing Act of 1975, on a riverboat or in a casino subject  
24 to the Riverboat and Casino Gambling Act, or within 1,000 feet  
25 of the location at which the riverboat docks or within 1,000  
26 feet of a casino.

1 (Source: P.A. 90-437, eff. 1-1-98.)

2 Section 925. The Illinois Horse Racing Act of 1975 is  
3 amended by changing Sections 1.2, 9, 20, 25, 26, 26.1, 27, 28,  
4 28.1, 30, 30.5, 31, 32.1, 36, 42, and 54.5 and adding Sections  
5 3.24, 3.25, 3.26, 3.27, 34.3, and 56 as follows:

6 (230 ILCS 5/1.2)

7 Sec. 1.2. Legislative intent. This Act is intended to  
8 benefit the people of the State of Illinois by encouraging the  
9 breeding and production of race horses, assisting economic  
10 development, and promoting Illinois tourism. The General  
11 Assembly finds and declares it to be the public policy of the  
12 State of Illinois to:

13 (a) support and enhance Illinois' horse racing industry,  
14 which is a significant component within the agribusiness  
15 industry;

16 (b) ensure that Illinois' horse racing industry remains  
17 competitive with neighboring states;

18 (c) stimulate growth within Illinois' horse racing  
19 industry, thereby encouraging new investment and development  
20 to produce additional tax revenues and to create additional  
21 jobs;

22 (d) promote the further growth of tourism;

23 (e) encourage the breeding of thoroughbred and  
24 standardbred horses in this State; and

1 (f) ensure that public confidence and trust in the  
2 credibility and integrity of racing operations and the  
3 regulatory process is maintained.

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

5 (230 ILCS 5/3.24 new)

6 Sec. 3.24. "Adjusted gross receipts" means the gross  
7 receipts from electronic gaming less winnings paid to wagerers.

8 (230 ILCS 5/3.25 new)

9 Sec. 3.25. "Electronic gaming" means slot machine gambling  
10 conducted at a race track pursuant to an electronic gaming  
11 license.

12 (230 ILCS 5/3.26 new)

13 Sec. 3.26. "Electronic gaming license" means a license to  
14 conduct electronic gaming issued under Section 56.

15 (230 ILCS 5/3.27 new)

16 Sec. 3.27. "Electronic gaming facility" means that portion  
17 of an organization licensee's race track facility at which  
18 electronic gaming is conducted.

19 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

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

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

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

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

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

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

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

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

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

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

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

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

6 (f-5) The Department of Agriculture is vested with the  
7 power to acquire, establish, maintain, and operate (or provide  
8 by contract to maintain and operate) testing laboratories and  
9 related facilities for the purpose of conducting saliva, blood,  
10 urine, and other tests on the horses run or to be run in any  
11 county fair horse race meeting and of purchasing all equipment  
12 and supplies deemed necessary or desirable in connection with  
13 any such testing laboratories and related facilities and all  
14 such tests in any county fair horse race.

15 (g) The Board may require that the records, including  
16 financial or other statements of any licensee or any person  
17 affiliated with the licensee who is involved directly or  
18 indirectly in the activities of any licensee as regulated under  
19 this Act to the extent that those financial or other statements  
20 relate to such activities be kept in such manner as prescribed  
21 by the Board, and that Board employees shall have access to  
22 those records during reasonable business hours. Within 120 days  
23 of the end of its fiscal year, each licensee shall transmit to  
24 the Board an audit of the financial transactions and condition  
25 of the licensee's total operations. All audits shall be  
26 conducted by certified public accountants. Each certified

1 public accountant must be registered in the State of Illinois  
2 under the Illinois Public Accounting Act. The compensation for  
3 each certified public accountant shall be paid directly by the  
4 licensee to the certified public accountant. A licensee shall  
5 also submit any other financial or related information the  
6 Board deems necessary to effectively administer this Act and  
7 all rules, regulations, and final decisions promulgated under  
8 this Act.

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

20 (i) The Board shall require that there shall be 3 stewards  
21 at each horse race meeting, at least 2 of whom shall be named  
22 and appointed by the Board. Stewards appointed or approved by  
23 the Board, while performing duties required by this Act or by  
24 the Board, shall be entitled to the same rights and immunities  
25 as granted to Board members and Board employees in Section 10  
26 of this Act.



1           (j) The Board may discharge any Board employee who fails or  
2 refuses for any reason to comply with the rules and regulations  
3 of the Board, or who, in the opinion of the Board, is guilty of  
4 fraud, dishonesty or who is proven to be incompetent. The Board  
5 shall have no right or power to determine who shall be  
6 officers, directors or employees of any licensee, or their  
7 salaries except the Board may, by rule, require that all or any  
8 officials or employees in charge of or whose duties relate to  
9 the actual running of races be approved by the Board.

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

14           (l) The Board is vested with the power to impose civil  
15 penalties of up to \$5,000 against an individual and up to  
16 \$10,000 against a licensee for each violation of any provision  
17 of this Act, any rules adopted by the Board, any order of the  
18 Board or any other action which, in the Board's discretion, is  
19 a detriment or impediment to horse racing or wagering.

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

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

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

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

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

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

3 (Source: P.A. 91-239, eff. 1-1-00.)

4 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

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

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

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

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

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

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

1 corporation, corporate trustee or any other entity, it shall be  
2 signed by the president and attested by the secretary or  
3 assistant secretary under the seal of such association, trust  
4 or corporation if it has a seal, and shall also be verified  
5 under oath by one of the signing officers.

6 (c) The application shall specify the name of the persons,  
7 association, trust, or corporation making such application and  
8 the post office address of the applicant; if the applicant is a  
9 trustee, the names and addresses of the beneficiaries; if a  
10 corporation, the names and post office addresses of all  
11 officers, stockholders and directors; or if such stockholders  
12 hold stock as a nominee or fiduciary, the names and post office  
13 addresses of these persons, partnerships, corporations, or  
14 trusts who are the beneficial owners thereof or who are  
15 beneficially interested therein; and if a partnership, the  
16 names and post office addresses of all partners, general or  
17 limited; if the applicant is a corporation, the name of the  
18 state of its incorporation shall be specified.

19 (d) The applicant shall execute and file with the Board a  
20 good faith affirmative action plan to recruit, train, and  
21 upgrade minorities in all classifications within the  
22 association.

23 (e) With such application there shall be delivered to the  
24 Board a certified check or bank draft payable to the order of  
25 the Board for an amount equal to \$1,000. All applications for  
26 the issuance of an organization license shall be filed with the

1 Board before August 1 of the year prior to the year for which  
2 application is made and shall be acted upon by the Board at a  
3 meeting to be held on such date as shall be fixed by the Board  
4 during the last 15 days of September of such prior year. At  
5 such meeting, the Board shall announce the award of the racing  
6 meets, live racing schedule, and designation of host track to  
7 the applicants and its approval or disapproval of each  
8 application. No announcement shall be considered binding until  
9 a formal order is executed by the Board, which shall be  
10 executed no later than October 15 of that prior year. Absent  
11 the agreement of the affected organization licensees, the Board  
12 shall not grant overlapping race meetings to 2 or more tracks  
13 that are within 100 miles of each other to conduct the  
14 thoroughbred racing.

15 (e-2) In awarding racing dates for calendar year 2008 and  
16 thereafter, the Board shall award at least 600 racing days plus  
17 an amount as provided in subsection (e-3). In awarding racing  
18 dates under this subsection (e-2), the Board shall have the  
19 discretion to allocate those racing dates among organization  
20 licensees.

21 (e-3) Upon request, the Board shall award at least 50  
22 standardbred racing dates to the organization licensee that  
23 conducts racing at Fairmount Race Track. Any racing dates  
24 awarded under this subsection (e-3) to an organization licensee  
25 that conducts racing at Fairmount Race Track that are in excess  
26 of the number awarded to that organization licensee in 2006

1 shall be in addition to those racing dates awarded under  
2 subsection (e-2).

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

7 (1) the character, reputation, experience, and  
8 financial integrity of the applicant and of any other  
9 separate person that either:

10 (i) controls the applicant, directly or  
11 indirectly, or

12 (ii) is controlled, directly or indirectly, by  
13 that applicant or by a person who controls, directly or  
14 indirectly, that applicant;

15 (2) the applicant's facilities or proposed facilities  
16 for conducting horse racing;

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

20 (4) the applicant's good faith affirmative action plan  
21 to recruit, train, and upgrade minorities in all employment  
22 classifications;

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

25 (6) the applicant's proposed and prior year's  
26 promotional and marketing activities and expenditures of

1 the applicant associated with those activities;

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

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

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

14 (e-10) The Illinois Administrative Procedure Act shall  
15 apply to administrative procedures of the Board under this Act  
16 for the granting of an organization license, except that (1)  
17 notwithstanding the provisions of subsection (b) of Section  
18 10-40 of the Illinois Administrative Procedure Act regarding  
19 cross-examination, the Board may prescribe rules limiting the  
20 right of an applicant or participant in any proceeding to award  
21 an organization license to conduct cross-examination of  
22 witnesses at that proceeding where that cross-examination  
23 would unduly obstruct the timely award of an organization  
24 license under subsection (e) of Section 20 of this Act; (2) the  
25 provisions of Section 10-45 of the Illinois Administrative  
26 Procedure Act regarding proposals for decision are excluded

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

18 (f) The Board may allot racing dates to an organization  
19 licensee for more than one calendar year but for no more than 3  
20 successive calendar years in advance, provided that the Board  
21 shall review such allotment for more than one calendar year  
22 prior to each year for which such allotment has been made. The  
23 granting of an organization license to a person constitutes a  
24 privilege to conduct a horse race meeting under the provisions  
25 of this Act, and no person granted an organization license  
26 shall be deemed to have a vested interest, property right, or



1 future expectation to receive an organization license in any  
2 subsequent year as a result of the granting of an organization  
3 license. Organization licenses shall be subject to revocation  
4 if the organization licensee has violated any provision of this  
5 Act or the rules and regulations promulgated under this Act or  
6 has been convicted of a crime or has failed to disclose or has  
7 stated falsely any information called for in the application  
8 for an organization license. Any organization license  
9 revocation proceeding shall be in accordance with Section 16  
10 regarding suspension and revocation of occupation licenses.

11 (f-5) If, (i) an applicant does not file an acceptance of  
12 the racing dates awarded by the Board as required under part  
13 (1) of subsection (h) of this Section 20, or (ii) an  
14 organization licensee has its license suspended or revoked  
15 under this Act, the Board, upon conducting an emergency hearing  
16 as provided for in this Act, may reaward on an emergency basis  
17 pursuant to rules established by the Board, racing dates not  
18 accepted or the racing dates associated with any suspension or  
19 revocation period to one or more organization licensees, new  
20 applicants, or any combination thereof, upon terms and  
21 conditions that the Board determines are in the best interest  
22 of racing, provided, the organization licensees or new  
23 applicants receiving the awarded racing dates file an  
24 acceptance of those reawarded racing dates as required under  
25 paragraph (1) of subsection (h) of this Section 20 and comply  
26 with the other provisions of this Act. The Illinois

1 Administrative Procedures Act shall not apply to the  
2 administrative procedures of the Board in conducting the  
3 emergency hearing and the reallocation of racing dates on an  
4 emergency basis.

5 (g) (Blank).

6 (h) The Board shall send the applicant a copy of its  
7 formally executed order by certified mail addressed to the  
8 applicant at the address stated in his application, which  
9 notice shall be mailed within 5 days of the date the formal  
10 order is executed.

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

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

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

17 (3) file with the Board the bonds required in Sections  
18 21 and 25 at least 20 days prior to the first day of each  
19 race meeting.

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

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

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

1 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

2 Sec. 25. Admissions tax; records and books; bond; penalty.

3 (a) There shall be paid to the Board at such time or times  
4 as it shall prescribe, the sum of fifteen cents (15¢) for each  
5 person entering the grounds or enclosure of each organization  
6 licensee and inter-track wagering licensee upon a ticket of  
7 admission except as provided in subsection (g) of Section 27 of  
8 this Act. If tickets are issued for more than one day then the  
9 sum of fifteen cents (15¢) shall be paid for each person using  
10 such ticket on each day that the same shall be used. Provided,  
11 however, that no charge shall be made on tickets of admission  
12 issued to and in the name of directors, officers, agents or  
13 employees of the organization licensee, or inter-track  
14 wagering licensee, or to owners, trainers, jockeys, drivers and  
15 their employees or to any person or persons entering the  
16 grounds or enclosure for the transaction of business in  
17 connection with such race meeting. The organization licensee or  
18 inter-track wagering licensee may, if it desires, collect such  
19 amount from each ticket holder in addition to the amount or  
20 amounts charged for such ticket of admission.

21 (b) Accurate records and books shall at all times be kept  
22 and maintained by the organization licensees and inter-track  
23 wagering licensees showing the admission tickets issued and  
24 used on each racing day and the attendance thereat of each  
25 horse racing meeting. The Board or its duly authorized

1 representative or representatives shall at all reasonable  
2 times have access to the admission records of any organization  
3 licensee and inter-track wagering licensee for the purpose of  
4 examining and checking the same and ascertaining whether or not  
5 the proper amount has been or is being paid the State of  
6 Illinois as herein provided. The Board shall also require,  
7 before issuing any license, that the licensee shall execute and  
8 deliver to it a bond, payable to the State of Illinois, in such  
9 sum as it shall determine, not, however, in excess of fifty  
10 thousand dollars (\$50,000), with a surety or sureties to be  
11 approved by it, conditioned for the payment of all sums due and  
12 payable or collected by it under this Section upon admission  
13 fees received for any particular racing meetings. The Board may  
14 also from time to time require sworn statements of the number  
15 or numbers of such admissions and may prescribe blanks upon  
16 which such reports shall be made. Any organization licensee or  
17 inter-track wagering licensee failing or refusing to pay the  
18 amount found to be due as herein provided, shall be deemed  
19 guilty of a business offense and upon conviction shall be  
20 punished by a fine of not more than five thousand dollars  
21 (\$5,000) in addition to the amount due from such organization  
22 licensee or inter-track wagering licensee as herein provided.  
23 All fines paid into court by an organization licensee or  
24 inter-track wagering licensee found guilty of violating this  
25 Section shall be transmitted and paid over by the clerk of the  
26 court to the Board.

1       (c) In addition to the admission tax imposed under  
2 subsection (a), a tax of \$1 is hereby imposed for each person  
3 who enters the grounds or enclosure of each organization  
4 licensee. The tax is imposed upon the organization licensee.

5           (1) The admission tax shall be paid for each admission.

6           (2) An organization licensee may issue tax-free passes  
7 to actual and necessary officials and employees of the  
8 licensee and other persons associated with race meeting  
9 operations.

10          (3) The number and issuance of tax-free passes is  
11 subject to the rules of the Board, and a list of all  
12 persons to whom the tax-free passes are issued shall be  
13 filed with the Board.

14          (4) The organization licensee shall pay the entire  
15 admission tax to the Board. Such payments shall be made  
16 daily. Accompanying each payment shall be a return on forms  
17 provided by the Board which shall include other information  
18 regarding admission as the Board may require. Failure to  
19 submit either the payment or the return within the  
20 specified time may result in suspension or revocation of  
21 the organization licensee's license.

22          (5) The Board shall administer and collect the  
23 admission tax imposed by this subsection, to the extent  
24 practicable, in a manner consistent with the provisions of  
25 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 6, 6a, 6b, 6c, 8,  
26 9, and 10 of the Retailers' Occupation Tax Act and Section

1           3-7 of the Uniform Penalty and Interest Act. All moneys  
2           collected by the Board shall be deposited into the State  
3           Gaming Fund.

4           (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

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

6           Sec. 26. Wagering.

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

21           (b) Except as otherwise provided in Section 56, no other  
22           method of betting, pool making, wagering or gambling shall be  
23           used or permitted by the licensee. Each licensee may retain,  
24           subject to the payment of all applicable taxes and purses, an  
25           amount not to exceed 17% of all money wagered under subsection

1 (a) of this Section, except as may otherwise be permitted under  
2 this Act.

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

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

20 (c-5) Beginning January 1, 2000, the sum held by any  
21 licensee for payment of outstanding pari-mutuel tickets, if  
22 unclaimed prior to December 31 of the next year, shall be  
23 retained by the licensee for payment of such tickets until that  
24 date; except that, beginning on the effective date of this  
25 amendatory Act of the 95th General Assembly, the sum held by an  
26 organization licensee located in a county with a population in

1 excess of 230,000 and that borders the Mississippi River and  
2 every inter-track wagering location licensee who derives its  
3 license from that organization licensee shall be retained by  
4 the organization licensee for payment of such tickets until  
5 that date. Within 10 days thereafter, the balance of such sum  
6 remaining unclaimed, less any uncashed supplements contributed  
7 by such licensee for the purpose of guaranteeing minimum  
8 distributions of any pari-mutuel pool, shall be evenly  
9 distributed to the purse account of the organization licensee  
10 and the organization licensee.

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

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

25 (f) Notwithstanding the other provisions of this Act, an  
26 organization licensee may contract with an entity in another



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

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

26 (g) A host track may accept interstate simulcast wagers on

1 horse races conducted in other states or countries and shall  
2 control the number of signals and types of breeds of racing in  
3 its simulcast program, subject to the disapproval of the Board.  
4 The Board may prohibit a simulcast program only if it finds  
5 that the simulcast program is clearly adverse to the integrity  
6 of racing. The host track simulcast program shall include the  
7 signal of live racing of all organization licensees. All  
8 non-host licensees shall carry the host track simulcast program  
9 and accept wagers on all races included as part of the  
10 simulcast program upon which wagering is permitted. The costs  
11 and expenses of the host track and non-host licensees  
12 associated with interstate simulcast wagering, other than the  
13 interstate commission fee, shall be borne by the host track and  
14 all non-host licensees incurring these costs. The interstate  
15 commission fee shall not exceed 5% of Illinois handle on the  
16 interstate simulcast race or races without prior approval of  
17 the Board. The Board shall promulgate rules under which it may  
18 permit interstate commission fees in excess of 5%. The  
19 interstate commission fee and other fees charged by the sending  
20 racetrack, including, but not limited to, satellite decoder  
21 fees, shall be uniformly applied to the host track and all  
22 non-host licensees.

23 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
24 intertrack wagering licensee other than the host track may  
25 supplement the host track simulcast program with  
26 additional simulcast races or race programs, provided that

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

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

24           (3) Each licensee conducting interstate simulcast  
25          wagering may retain, subject to the payment of all  
26          applicable taxes and the purses, an amount not to exceed

1 17% of all money wagered. If any licensee conducts the  
2 pari-mutuel system wagering on races conducted at  
3 racetracks in another state or country, each such race or  
4 race program shall be considered a separate racing day for  
5 the purpose of determining the daily handle and computing  
6 the privilege tax of that daily handle as provided in  
7 subsection (a) of Section 27. Until January 1, 2000, from  
8 the sums permitted to be retained pursuant to this  
9 subsection, each intertrack wagering location licensee  
10 shall pay 1% of the pari-mutuel handle wagered on simulcast  
11 wagering to the Horse Racing Tax Allocation Fund, subject  
12 to the provisions of subparagraph (B) of paragraph (11) of  
13 subsection (h) of Section 26 of this Act.

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

25 (5) After the payment of the interstate commission fee  
26 (except for the interstate commission fee on a supplemental

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

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

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

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

26 (7) Notwithstanding any provision of this Act to the

1           contrary, after payment of all applicable State and local  
2           taxes and interstate commission fees, non-host licensees  
3           who derive their licenses from a track located in a county  
4           with a population in excess of 230,000 and that borders the  
5           Mississippi River shall retain 50% of the retention from  
6           interstate simulcast wagers and shall pay 50% to purses at  
7           the track from which the non-host licensee derives its  
8           license as follows:

9                   (A) Between January 1 and the third Friday in  
10           February, inclusive, if no live thoroughbred racing is  
11           occurring in Illinois during this period, when the  
12           interstate simulcast is a standardbred race, the purse  
13           share to its standardbred purse account;

14                   (B) Between January 1 and the third Friday in  
15           February, inclusive, if no live thoroughbred racing is  
16           occurring in Illinois during this period, and the  
17           interstate simulcast is a thoroughbred race, the purse  
18           share to its interstate simulcast purse pool to be  
19           distributed under paragraph (10) of this subsection  
20           (g);

21                   (C) Between January 1 and the third Friday in  
22           February, inclusive, if live thoroughbred racing is  
23           occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
24           the purse share from wagers made during this time  
25           period to its thoroughbred purse account and between  
26           6:30 p.m. and 6:30 a.m. the purse share from wagers

1           made during this time period to its standardbred purse  
2           accounts;

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

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

11          (7.1) Notwithstanding any other provision of this Act  
12          to the contrary, if no standardbred racing is conducted at  
13          a racetrack located in Madison County during any calendar  
14          year beginning on or after January 1, 2002, all moneys  
15          derived by that racetrack from simulcast wagering and  
16          inter-track wagering that (1) are to be used for purses and  
17          (2) are generated between the hours of 6:30 p.m. and 6:30  
18          a.m. during that calendar year shall be paid as follows:

19               (A) If the licensee that conducts horse racing at  
20               that racetrack requests from the Board at least as many  
21               racing dates as were conducted in calendar year 2000,  
22               80% shall be paid to its thoroughbred purse account;  
23               and

24               (B) Twenty percent shall be deposited into the  
25               Illinois Colt Stakes Purse Distribution Fund and shall  
26               be paid to purses for standardbred races for Illinois

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

13           (7.2) Notwithstanding any other provision of this Act  
14          to the contrary, if no thoroughbred racing is conducted at  
15          a racetrack located in Madison County during any calendar  
16          year beginning on or after January 1, 2002, all moneys  
17          derived by that racetrack from simulcast wagering and  
18          inter-track wagering that (1) are to be used for purses and  
19          (2) are generated between the hours of 6:30 a.m. and 6:30  
20          p.m. during that calendar year shall be deposited as  
21          follows:

22           (A) If the licensee that conducts horse racing at  
23          that racetrack requests from the Board at least as many  
24          racing dates as were conducted in calendar year 2000,  
25          80% shall be deposited into its standardbred purse  
26          account; and



1           (B) Twenty percent shall be deposited into the  
2 Illinois Colt Stakes Purse Distribution Fund. Moneys  
3 deposited into the Illinois Colt Stakes Purse  
4 Distribution Fund pursuant to this subparagraph (B)  
5 shall be paid to Illinois conceived and foaled  
6 thoroughbred breeders' programs and to thoroughbred  
7 purses for races conducted at any county fairgrounds  
8 for Illinois conceived and foaled horses at the  
9 discretion of the Department of Agriculture, with the  
10 advice and assistance of the Illinois Thoroughbred  
11 Breeders Fund Advisory Board. The moneys deposited  
12 into the Illinois Colt Stakes Purse Distribution Fund  
13 pursuant to this subparagraph (B) shall be deposited  
14 within 2 weeks after the day they were generated, shall  
15 be in addition to and not in lieu of any other moneys  
16 paid to thoroughbred purses under this Act, and shall  
17 not be commingled with other moneys deposited into that  
18 Fund. The Illinois Colt Stakes Purse Distribution Fund  
19 shall not be subject to sweeps, administrative  
20 charges, or charge backs, including but not limited to,  
21 those authorized under Section 8h of the State Finance  
22 Act or any other fiscal or budgetary maneuver that  
23 would in any way transfer any funds from the Illinois  
24 Colt Stakes Purse Distribution Fund into any other fund  
25 of the State.

26 (7.3) If no live standardbred racing is conducted at a

1 racetrack located in Madison County in calendar year 2000  
2 or 2001, an organization licensee who is licensed to  
3 conduct horse racing at that racetrack shall, before  
4 January 1, 2002, pay all moneys derived from simulcast  
5 wagering and inter-track wagering in calendar years 2000  
6 and 2001 and paid into the licensee's standardbred purse  
7 account as follows:

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

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

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

17 Moneys paid into the Illinois Colt Stakes Purse  
18 Distribution Fund pursuant to this paragraph (7.3) shall be  
19 paid to purses for standardbred races for Illinois  
20 conceived and foaled horses conducted at any county  
21 fairgrounds. Moneys paid into the Illinois Colt Stakes  
22 Purse Distribution Fund pursuant to this paragraph (7.3)  
23 shall be used as determined by the Department of  
24 Agriculture, with the advice and assistance of the Illinois  
25 Standardbred Breeders Fund Advisory Board, shall be in  
26 addition to and not in lieu of any other moneys paid to

1 standardbred purses under this Act, and shall not be  
2 commingled with any other moneys paid into that Fund.

3 (7.4) If live standardbred racing is conducted at a  
4 racetrack located in Madison County at any time in calendar  
5 year 2001 before the payment required under paragraph (7.3)  
6 has been made, the organization licensee who is licensed to  
7 conduct racing at that racetrack shall pay all moneys  
8 derived by that racetrack from simulcast wagering and  
9 inter-track wagering during calendar years 2000 and 2001  
10 that (1) are to be used for purses and (2) are generated  
11 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
12 2001 to the standardbred purse account at that racetrack to  
13 be used for standardbred purses.

14 (7.5) Notwithstanding any provision of this Act to the  
15 contrary, if live standardbred racing and live  
16 thoroughbred racing are both conducted at a racetrack  
17 located in Madison County at any time in a calendar year,  
18 all moneys derived by that racetrack from simulcast  
19 wagering and inter-track wagering between the hours of 6:30  
20 p.m. and 6:30 a.m. that are to be used for purses shall be  
21 deposited as follows: 70% shall be paid to its thoroughbred  
22 purse account and 30% shall be paid to its standardbred  
23 purse account.

24 (8) Notwithstanding any provision in this Act to the  
25 contrary, an organization licensee from a track located in  
26 a county with a population in excess of 230,000 and that

1 borders the Mississippi River and its affiliated non-host  
2 licensees shall not be entitled to share in any retention  
3 generated on racing, inter-track wagering, or simulcast  
4 wagering at any other Illinois wagering facility.

5 (8.1) Notwithstanding any provisions in this Act to the  
6 contrary, if 2 organization licensees are conducting  
7 standardbred race meetings concurrently between the hours  
8 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
9 State and local taxes and interstate commission fees, the  
10 remainder of the amount retained from simulcast wagering  
11 otherwise attributable to the host track and to host track  
12 purses shall be split daily between the 2 organization  
13 licensees and the purses at the tracks of the 2  
14 organization licensees, respectively, based on each  
15 organization licensee's share of the total live handle for  
16 that day, provided that this provision shall not apply to  
17 any non-host licensee that derives its license from a track  
18 located in a county with a population in excess of 230,000  
19 and that borders the Mississippi River.

20 (9) (Blank).

21 (10) (Blank).

22 (11) (Blank).

23 (12) The Board shall have authority to compel all host  
24 tracks to receive the simulcast of any or all races  
25 conducted at the Springfield or DuQuoin State fairgrounds  
26 and include all such races as part of their simulcast

1 programs.

2 (13) Notwithstanding any other provision of this Act,  
3 in the event that the total Illinois pari-mutuel handle on  
4 Illinois horse races at all wagering facilities in any  
5 calendar year is less than 75% of the total Illinois  
6 pari-mutuel handle on Illinois horse races at all such  
7 wagering facilities for calendar year 1994, then each  
8 wagering facility that has an annual total Illinois  
9 pari-mutuel handle on Illinois horse races that is less  
10 than 75% of the total Illinois pari-mutuel handle on  
11 Illinois horse races at such wagering facility for calendar  
12 year 1994, shall be permitted to receive, from any amount  
13 otherwise payable to the purse account at the race track  
14 with which the wagering facility is affiliated in the  
15 succeeding calendar year, an amount equal to 2% of the  
16 differential in total Illinois pari-mutuel handle on  
17 Illinois horse races at the wagering facility between that  
18 calendar year in question and 1994 provided, however, that  
19 a wagering facility shall not be entitled to any such  
20 payment until the Board certifies in writing to the  
21 wagering facility the amount to which the wagering facility  
22 is entitled and a schedule for payment of the amount to the  
23 wagering facility, based on: (i) the racing dates awarded  
24 to the race track affiliated with the wagering facility  
25 during the succeeding year; (ii) the sums available or  
26 anticipated to be available in the purse account of the

1 race track affiliated with the wagering facility for purses  
2 during the succeeding year; and (iii) the need to ensure  
3 reasonable purse levels during the payment period. The  
4 Board's certification shall be provided no later than  
5 January 31 of the succeeding year. In the event a wagering  
6 facility entitled to a payment under this paragraph (13) is  
7 affiliated with a race track that maintains purse accounts  
8 for both standardbred and thoroughbred racing, the amount  
9 to be paid to the wagering facility shall be divided  
10 between each purse account pro rata, based on the amount of  
11 Illinois handle on Illinois standardbred and thoroughbred  
12 racing respectively at the wagering facility during the  
13 previous calendar year. Annually, the General Assembly  
14 shall appropriate sufficient funds from the General  
15 Revenue Fund to the Department of Agriculture for payment  
16 into the thoroughbred and standardbred horse racing purse  
17 accounts at Illinois pari-mutuel tracks. The amount paid to  
18 each purse account shall be the amount certified by the  
19 Illinois Racing Board in January to be transferred from  
20 each account to each eligible racing facility in accordance  
21 with the provisions of this Section. For the calendar year  
22 in which an organization licensee that is eligible to  
23 receive a payment under this paragraph (13) begins  
24 conducting electronic gaming pursuant to an electronic  
25 gaming license, the amount of that payment shall be reduced  
26 by a percentage equal to the percentage of the year

1       remaining after the organization licensee begins  
2       conducting electronic gaming pursuant to its electronic  
3       gaming license. An organization licensee shall no longer be  
4       able to receive payments under this paragraph (13)  
5       beginning on the January 1 first occurring after the  
6       licensee begins conducting electronic gaming pursuant to  
7       an electronic gaming license issued under Section 7.6 of  
8       the Riverboat Gambling and Casino Act.

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

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

1 license, unless a lesser schedule of live racing is the  
2 result of (A) weather, unsafe track conditions, or other  
3 acts of God; (B) an agreement between the organization  
4 licensee and the associations representing the largest  
5 number of owners, trainers, jockeys, or standardbred  
6 drivers who race horses at that organization licensee's  
7 racing meeting; or (C) a finding by the Board of  
8 extraordinary circumstances and that it was in the best  
9 interest of the public and the sport to conduct fewer than  
10 100 days of live racing. Any such person having operating  
11 control of the racing facility may also receive up to 6  
12 inter-track wagering location licenses. In no event shall  
13 more than 6 inter-track wagering locations be established  
14 for each eligible race track, except that an eligible race  
15 track located in a county that has a population of more  
16 than 230,000 and that is bounded by the Mississippi River  
17 may establish up to 7 inter-track wagering locations. An  
18 application for said license shall be filed with the Board  
19 prior to such dates as may be fixed by the Board. With an  
20 application for an inter-track wagering location license  
21 there shall be delivered to the Board a certified check or  
22 bank draft payable to the order of the Board for an amount  
23 equal to \$500. The application shall be on forms prescribed  
24 and furnished by the Board. The application shall comply  
25 with all other rules, regulations and conditions imposed by  
26 the Board in connection therewith.



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

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

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

25          (5) Each license to conduct inter-track wagering and  
26          simulcast wagering shall specify the person to whom it is

1 issued, the dates on which such wagering is permitted, and  
2 the track or location where the wagering is to be  
3 conducted.

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

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

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

15 (8.1) Inter-track wagering location licensees who  
16 derive their licenses from a particular organization  
17 licensee shall conduct inter-track wagering and simulcast  
18 wagering only at locations which are either within 90 miles  
19 of that race track where the particular organization  
20 licensee is licensed to conduct racing, or within 135 miles  
21 of that race track where the particular organization  
22 licensee is licensed to conduct racing in the case of race  
23 tracks in counties of less than 400,000 that were operating  
24 on or before June 1, 1986. However, inter-track wagering  
25 and simulcast wagering shall not be conducted by those  
26 licensees at any location within 5 miles of any race track

1 at which a horse race meeting has been licensed in the  
2 current year, unless the person having operating control of  
3 such race track has given its written consent to such  
4 inter-track wagering location licensees, which consent  
5 must be filed with the Board at or prior to the time  
6 application is made.

7 (8.2) Inter-track wagering or simulcast wagering shall  
8 not be conducted by an inter-track wagering location  
9 licensee at any location within 500 feet of an existing  
10 church or existing school, nor within 500 feet of the  
11 residences of more than 50 registered voters without  
12 receiving written permission from a majority of the  
13 registered voters at such residences. Such written  
14 permission statements shall be filed with the Board. The  
15 distance of 500 feet shall be measured to the nearest part  
16 of any building used for worship services, education  
17 programs, residential purposes, or conducting inter-track  
18 wagering by an inter-track wagering location licensee, and  
19 not to property boundaries. However, inter-track wagering  
20 or simulcast wagering may be conducted at a site within 500  
21 feet of a church, school or residences of 50 or more  
22 registered voters if such church, school or residences have  
23 been erected or established, or such voters have been  
24 registered, after the Board issues the original  
25 inter-track wagering location license at the site in  
26 question. Inter-track wagering location licensees may

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

15           (9) (Blank).

16           (10) An inter-track wagering licensee or an  
17      inter-track wagering location licensee may retain, subject  
18      to the payment of the privilege taxes and the purses, an  
19      amount not to exceed 17% of all money wagered. Each program  
20      of racing conducted by each inter-track wagering licensee  
21      or inter-track wagering location licensee shall be  
22      considered a separate racing day for the purpose of  
23      determining the daily handle and computing the privilege  
24      tax or pari-mutuel tax on such daily handle as provided in  
25      Section 27.

26           (10.1) Except as provided in subsection (g) of Section

1 27 of this Act, inter-track wagering location licensees  
2 shall pay 1% of the pari-mutuel handle at each location to  
3 the municipality in which such location is situated and 1%  
4 of the pari-mutuel handle at each location to the county in  
5 which such location is situated. In the event that an  
6 inter-track wagering location licensee is situated in an  
7 unincorporated area of a county, such licensee shall pay 2%  
8 of the pari-mutuel handle from such location to such  
9 county.

10 (10.2) Notwithstanding any other provision of this  
11 Act, with respect to intertrack wagering at a race track  
12 located in a county that has a population of more than  
13 230,000 and that is bounded by the Mississippi River ("the  
14 first race track"), or at a facility operated by an  
15 inter-track wagering licensee or inter-track wagering  
16 location licensee that derives its license from the  
17 organization licensee that operates the first race track,  
18 on races conducted at the first race track or on races  
19 conducted at another Illinois race track and  
20 simultaneously televised to the first race track or to a  
21 facility operated by an inter-track wagering licensee or  
22 inter-track wagering location licensee that derives its  
23 license from the organization licensee that operates the  
24 first race track, those moneys shall be allocated as  
25 follows:

26 (A) That portion of all moneys wagered on

1           standardbred racing that is required under this Act to  
2           be paid to purses shall be paid to purses for  
3           standardbred races.

4           (B) That portion of all moneys wagered on  
5           thoroughbred racing that is required under this Act to  
6           be paid to purses shall be paid to purses for  
7           thoroughbred races.

8           (11) (A) After payment of the privilege or pari-mutuel  
9           tax, any other applicable taxes, and the costs and expenses  
10          in connection with the gathering, transmission, and  
11          dissemination of all data necessary to the conduct of  
12          inter-track wagering, the remainder of the monies retained  
13          under either Section 26 or Section 26.2 of this Act by the  
14          inter-track wagering licensee on inter-track wagering  
15          shall be allocated with 50% to be split between the 2  
16          participating licensees and 50% to purses, except that an  
17          intertrack wagering licensee that derives its license from  
18          a track located in a county with a population in excess of  
19          230,000 and that borders the Mississippi River shall not  
20          divide any remaining retention with the Illinois  
21          organization licensee that provides the race or races, and  
22          an intertrack wagering licensee that accepts wagers on  
23          races conducted by an organization licensee that conducts a  
24          race meet in a county with a population in excess of  
25          230,000 and that borders the Mississippi River shall not  
26          divide any remaining retention with that organization

1 licensee.

2 (B) From the sums permitted to be retained pursuant to  
3 paragraph (10) of this subsection (h), ~~this Act~~ each  
4 inter-track wagering location licensee shall pay (i) the  
5 privilege or pari-mutuel tax to the State; (ii) 6.75% ~~4.75%~~  
6 of the pari-mutuel handle on intertrack wagering at such  
7 location on races as purses, except that an intertrack  
8 wagering location licensee that derives its license from a  
9 track located in a county with a population in excess of  
10 230,000 and that borders the Mississippi River shall retain  
11 all purse moneys for its own purse account consistent with  
12 distribution set forth in this subsection (h), and  
13 intertrack wagering location licensees that accept wagers  
14 on races conducted by an organization licensee located in a  
15 county with a population in excess of 230,000 and that  
16 borders the Mississippi River shall distribute all purse  
17 moneys to purses at the operating host track; (iii) until  
18 January 1, 2000, except as provided in subsection (g) of  
19 Section 27 of this Act, 1% of the pari-mutuel handle  
20 wagered on inter-track wagering and simulcast wagering at  
21 each inter-track wagering location licensee facility to  
22 the Horse Racing Tax Allocation Fund, provided that, to the  
23 extent the total amount collected and distributed to the  
24 Horse Racing Tax Allocation Fund under this subsection (h)  
25 during any calendar year exceeds the amount collected and  
26 distributed to the Horse Racing Tax Allocation Fund during

1 calendar year 1994, that excess amount shall be  
2 redistributed (I) to all inter-track wagering location  
3 licensees, based on each licensee's pro-rata share of the  
4 total handle from inter-track wagering and simulcast  
5 wagering for all inter-track wagering location licensees  
6 during the calendar year in which this provision is  
7 applicable; then (II) the amounts redistributed to each  
8 inter-track wagering location licensee as described in  
9 subpart (I) shall be further redistributed as provided in  
10 subparagraph (B) of paragraph (5) of subsection (g) of this  
11 Section 26 provided first, that the shares of those  
12 amounts, which are to be redistributed to the host track or  
13 to purses at the host track under subparagraph (B) of  
14 paragraph (5) of subsection (g) of this Section 26 shall be  
15 redistributed based on each host track's pro rata share of  
16 the total inter-track wagering and simulcast wagering  
17 handle at all host tracks during the calendar year in  
18 question, and second, that any amounts redistributed as  
19 described in part (I) to an inter-track wagering location  
20 licensee that accepts wagers on races conducted by an  
21 organization licensee that conducts a race meet in a county  
22 with a population in excess of 230,000 and that borders the  
23 Mississippi River shall be further redistributed as  
24 provided in subparagraphs (D) and (E) of paragraph (7) of  
25 subsection (g) of this Section 26, with the portion of that  
26 further redistribution allocated to purses at that



1 organization licensee to be divided between standardbred  
2 purses and thoroughbred purses based on the amounts  
3 otherwise allocated to purses at that organization  
4 licensee during the calendar year in question; and (iv)  
5 6.75% ~~8%~~ of the pari-mutuel handle on inter-track wagering  
6 wagered at such location to satisfy all costs and expenses  
7 of conducting its wagering. The remainder of the monies  
8 retained by the inter-track wagering location licensee  
9 shall be allocated 40% to the location licensee and 60% to  
10 the organization licensee which provides the Illinois  
11 races to the location, except that an intertrack wagering  
12 location 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 shall not divide any  
15 remaining retention with the organization licensee that  
16 provides the race or races and an intertrack wagering  
17 location licensee that accepts wagers on races conducted by  
18 an organization licensee that conducts a race meet in a  
19 county with a population in excess of 230,000 and that  
20 borders the Mississippi River shall not divide any  
21 remaining retention with the organization licensee.  
22 Notwithstanding the provisions of clauses (ii) and (iv) of  
23 this paragraph, in the case of the additional inter-track  
24 wagering location licenses authorized under paragraph (1)  
25 of this subsection (h) by this amendatory Act of 1991,  
26 those licensees shall pay the 6.75% of the pari-mutuel

1 ~~handle following amounts~~ as purses. ~~The~~ ~~• during the first~~  
2 ~~12 months the licensee is in operation, 5.25% of the~~  
3 ~~pari-mutuel handle wagered at the location on races; during~~  
4 ~~the second 12 months, 5.25%; during the third 12 months,~~  
5 ~~5.75%; during the fourth 12 months, 6.25%; and during the~~  
6 ~~fifth 12 months and thereafter, 6.75%. The following~~  
7 ~~amounts shall be retained by the licensee~~ shall retain  
8 6.75% of the pari-mutuel handle to satisfy all costs and  
9 expenses of conducting its wagering: ~~during the first 12~~  
10 ~~months the licensee is in operation, 8.25% of the~~  
11 ~~pari-mutuel handle wagered at the location; during the~~  
12 ~~second 12 months, 8.25%; during the third 12 months, 7.75%;~~  
13 ~~during the fourth 12 months, 7.25%; and during the fifth 12~~  
14 ~~months and thereafter, 6.75%. For additional intertrack~~  
15 ~~wagering location licensees authorized under~~ Public Act  
16 89-16, after all taxes are paid, of the remainder, 50%  
17 shall be retained by the licensee and 50% shall be paid to  
18 purses. ~~this amendatory Act of 1995, purses for the first~~  
19 ~~12 months the licensee is in operation shall be 5.75% of~~  
20 ~~the pari-mutuel wagered at the location, purses for the~~  
21 ~~second 12 months the licensee is in operation shall be~~  
22 ~~6.25%, and purses thereafter shall be 6.75%. For additional~~  
23 ~~intertrack location licensees authorized under this~~  
24 ~~amendatory Act of 1995, the licensee shall be allowed to~~  
25 ~~retain to satisfy all costs and expenses: 7.75% of the~~  
26 ~~pari-mutuel handle wagered at the location during its first~~

1 ~~12 months of operation, 7.25% during its second 12 months~~  
2 ~~of operation, and 6.75% thereafter.~~

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

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

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

1 premiums and rehabilitation as set forth in the  
2 Agricultural Fair Act;

3 Four-sevenths to park districts or municipalities  
4 that do not have a park district of 500,000 population  
5 or less for museum purposes (if an inter-track wagering  
6 location licensee is located in such a park district)  
7 or to conservation districts for museum purposes (if an  
8 inter-track wagering location licensee is located in a  
9 municipality that is not included within any park  
10 district but is included within a conservation  
11 district and is the county seat of a county that (i) is  
12 contiguous to the state of Indiana and (ii) has a 1990  
13 population of 88,257 according to the United States  
14 Bureau of the Census, except that if the conservation  
15 district does not maintain a museum, the monies shall  
16 be allocated equally between the county and the  
17 municipality in which the inter-track wagering  
18 location licensee is located for general purposes) or  
19 to a municipal recreation board for park purposes (if  
20 an inter-track wagering location licensee is located  
21 in a municipality that is not included within any park  
22 district and park maintenance is the function of the  
23 municipal recreation board and the municipality has a  
24 1990 population of 9,302 according to the United States  
25 Bureau of the Census); provided that the monies are  
26 distributed to each park district or conservation

1 district or municipality that does not have a park  
2 district in an amount equal to four-sevenths of the  
3 amount collected by each inter-track wagering location  
4 licensee within the park district or conservation  
5 district or municipality for the Fund. Monies that were  
6 paid into the Horse Racing Tax Allocation Fund before  
7 the effective date of this amendatory Act of 1991 by an  
8 inter-track wagering location licensee located in a  
9 municipality that is not included within any park  
10 district but is included within a conservation  
11 district as provided in this paragraph shall, as soon  
12 as practicable after the effective date of this  
13 amendatory Act of 1991, be allocated and paid to that  
14 conservation district as provided in this paragraph.  
15 Any park district or municipality not maintaining a  
16 museum may deposit the monies in the corporate fund of  
17 the park district or municipality where the  
18 inter-track wagering location is located, to be used  
19 for general purposes; and

20 One-seventh to the Agricultural Premium Fund to be  
21 used for distribution to agricultural home economics  
22 extension councils in accordance with "An Act in  
23 relation to additional support and finances for the  
24 Agricultural and Home Economic Extension Councils in  
25 the several counties of this State and making an  
26 appropriation therefor", approved July 24, 1967.

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

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

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

15 Four-sevenths to museums and aquariums located in  
16 park districts of over 500,000 population; provided  
17 that the monies are distributed in accordance with the  
18 previous year's distribution of the maintenance tax  
19 for such museums and aquariums as provided in Section 2  
20 of the Park District Aquarium and Museum Act; and

21 One-seventh to the Agricultural Premium Fund to be  
22 used for distribution to agricultural home economics  
23 extension councils in accordance with "An Act in  
24 relation to additional support and finances for the  
25 Agricultural and Home Economic Extension Councils in  
26 the several counties of this State and making an



1 appropriation therefor", approved July 24, 1967. This  
2 subparagraph (C) shall be inoperative and of no force  
3 and effect on and after January 1, 2000.

4 (D) Except as provided in paragraph (11) of this  
5 subsection (h), with respect to purse allocation from  
6 intertrack wagering, the monies so retained shall be  
7 divided as follows:

8 (i) If the inter-track wagering licensee,  
9 except an intertrack wagering licensee that  
10 derives its license from an organization licensee  
11 located in a county with a population in excess of  
12 230,000 and bounded by the Mississippi River, is  
13 not conducting its own race meeting during the same  
14 dates, then the entire purse allocation shall be to  
15 purses at the track where the races wagered on are  
16 being conducted.

17 (ii) If the inter-track wagering licensee,  
18 except an intertrack wagering licensee that  
19 derives its license from an organization licensee  
20 located in a county with a population in excess of  
21 230,000 and bounded by the Mississippi River, is  
22 also conducting its own race meeting during the  
23 same dates, then the purse allocation shall be as  
24 follows: 50% to purses at the track where the races  
25 wagered on are being conducted; 50% to purses at  
26 the track where the inter-track wagering licensee

1 is accepting such wagers.

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

12 (12) The Board shall have all powers necessary and  
13 proper to fully supervise and control the conduct of  
14 inter-track wagering and simulcast wagering by inter-track  
15 wagering licensees and inter-track wagering location  
16 licensees, including, but not limited to the following:

17 (A) The Board is vested with power to promulgate  
18 reasonable rules and regulations for the purpose of  
19 administering the conduct of this wagering and to  
20 prescribe reasonable rules, regulations and conditions  
21 under which such wagering shall be held and conducted.  
22 Such rules and regulations are to provide for the  
23 prevention of practices detrimental to the public  
24 interest and for the best interests of said wagering  
25 and to impose penalties for violations thereof.

26 (B) The Board, and any person or persons to whom it

1 delegates this power, is vested with the power to enter  
2 the facilities of any licensee to determine whether  
3 there has been compliance with the provisions of this  
4 Act and the rules and regulations relating to the  
5 conduct of such wagering.

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

16 (D) (Blank).

17 (E) The Board is vested with the power to appoint  
18 delegates to execute any of the powers granted to it  
19 under this Section for the purpose of administering  
20 this wagering and any rules and regulations  
21 promulgated in accordance with this Act.

22 (F) The Board shall name and appoint a State  
23 director of this wagering who shall be a representative  
24 of the Board and whose duty it shall be to supervise  
25 the conduct of inter-track wagering as may be provided  
26 for by the rules and regulations of the Board; such

1 rules and regulation shall specify the method of  
2 appointment and the Director's powers, authority and  
3 duties.

4 (G) The Board is vested with the power to impose  
5 civil penalties of up to \$5,000 against individuals and  
6 up to \$10,000 against licensees for each violation of  
7 any provision of this Act relating to the conduct of  
8 this wagering, any rules adopted by the Board, any  
9 order of the Board or any other action which in the  
10 Board's discretion, is a detriment or impediment to  
11 such wagering.

12 (13) The Department of Agriculture may enter into  
13 agreements with licensees authorizing such licensees to  
14 conduct inter-track wagering on races to be held at the  
15 licensed race meetings conducted by the Department of  
16 Agriculture. Such agreement shall specify the races of the  
17 Department of Agriculture's licensed race meeting upon  
18 which the licensees will conduct wagering. In the event  
19 that a licensee conducts inter-track pari-mutuel wagering  
20 on races from the Illinois State Fair or DuQuoin State Fair  
21 which are in addition to the licensee's previously approved  
22 racing program, those races shall be considered a separate  
23 racing day for the purpose of determining the daily handle  
24 and computing the privilege or pari-mutuel tax on that  
25 daily handle as provided in Sections 27 and 27.1. Such  
26 agreements shall be approved by the Board before such

1           wagering may be conducted. In determining whether to grant  
2           approval, the Board shall give due consideration to the  
3           best interests of the public and of horse racing. The  
4           provisions of paragraphs (1), (8), (8.1), and (8.2) of  
5           subsection (h) of this Section which are not specified in  
6           this paragraph (13) shall not apply to licensed race  
7           meetings conducted by the Department of Agriculture at the  
8           Illinois State Fair in Sangamon County or the DuQuoin State  
9           Fair in Perry County, or to any wagering conducted on those  
10          race meetings.

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

15          (Source: P.A. 91-40, eff. 6-25-99; 92-211, eff. 8-2-01.)

16          (230 ILCS 5/26.1)      (from Ch. 8, par. 37-26.1)

17          Sec. 26.1. For all pari-mutuel wagering conducted pursuant  
18          to this Act, breakage shall be at all times computed on the  
19          basis of not to exceed 10¢ on the dollar. If there is a minus  
20          pool, the breakage shall be computed on the basis of not to  
21          exceed 5¢ on the dollar. Breakage shall be calculated only  
22          after the amounts retained by licensees pursuant to Sections 26  
23          and 26.2 of this Act, and all applicable surcharges, are taken  
24          out of winning wagers and winnings from wagers. ~~From Beginning~~  
25          January 1, 2000 until July 1, 2007, all breakage shall be

1 retained by licensees, with 50% of breakage to be used by  
2 licensees for racetrack improvements at the racetrack from  
3 which the wagering facility derives its license. The remaining  
4 50% is to be allocated 50% to the purse account for the  
5 licensee from which the wagering facility derives its license  
6 and 50% to the licensee. Beginning July 1, 2007, all breakage  
7 shall be retained by licensees, with 50% of breakage to be used  
8 by licensees for racetrack improvements at the racetrack from  
9 which the wagering facility derives its license. The remaining  
10 50% is to be allocated to the purse account for the licensee  
11 from which the wagering facility derives its license.

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

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

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

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

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

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

19 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
20 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
21 at all pari-mutuel wagering facilities, except as otherwise  
22 provided for in this subsection (a-5). Beginning on the  
23 effective date of this amendatory Act of the 94th General  
24 Assembly and until moneys deposited pursuant to Section 54 are  
25 distributed and received, a pari-mutuel tax at the rate of  
26 0.25% of the daily pari-mutuel handle is imposed at a

1 pari-mutuel facility whose license is derived from a track  
2 located in a county that borders the Mississippi River and  
3 conducted live racing in the previous year. After moneys  
4 deposited pursuant to Section 54 are distributed and received,  
5 a pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel  
6 handle is imposed at a pari-mutuel facility whose license is  
7 derived from a track located in a county that borders the  
8 Mississippi River and conducted live racing in the previous  
9 year. The pari-mutuel tax imposed by this subsection (a-5)  
10 shall be remitted to the Department of Revenue within 48 hours  
11 after the close of the racing day upon which it is assessed or  
12 within such other time as the Board prescribes.

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

19 (c) Licensees shall at all times keep accurate books and  
20 records of all monies wagered on each day of a race meeting and  
21 of the taxes paid to the Department of Revenue under the  
22 provisions of this Section. The Board or its duly authorized  
23 representative or representatives shall at all reasonable  
24 times have access to such records for the purpose of examining  
25 and checking the same and ascertaining whether the proper  
26 amount of taxes is being paid as provided. The Board shall



1 require verified reports and a statement of the total of all  
2 monies wagered daily at each wagering facility upon which the  
3 taxes are assessed and may prescribe forms upon which such  
4 reports and statement shall be made.

5 (d) Any licensee failing or refusing to pay the amount of  
6 any tax due under this Section shall be guilty of a business  
7 offense and upon conviction shall be fined not more than \$5,000  
8 in addition to the amount found due as tax under this Section.  
9 Each day's violation shall constitute a separate offense. All  
10 fines paid into Court by a licensee hereunder shall be  
11 transmitted and paid over by the Clerk of the Court to the  
12 Board.

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

16 (f) No other license fee, privilege tax, excise tax or  
17 racing fee shall be assessed or collected from any such  
18 licensee by units of local government except as provided in  
19 paragraph 10.1 of subsection (h) and subsection (f) of Section  
20 26 of this Act. However, any municipality that has a Board  
21 licensed horse race meeting at a race track wholly within its  
22 corporate boundaries or a township that has a Board licensed  
23 horse race meeting at a race track wholly within the  
24 unincorporated area of the township may charge a local  
25 amusement tax not to exceed 10¢ per admission to such horse  
26 race meeting by the enactment of an ordinance. However, any

1 municipality or county that has a Board licensed inter-track  
2 wagering location facility wholly within its corporate  
3 boundaries may each impose an admission fee not to exceed \$1.00  
4 per admission to such inter-track wagering location facility,  
5 so that a total of not more than \$2.00 per admission may be  
6 imposed. Except as provided in subparagraph (g) of Section 27  
7 of this Act, the inter-track wagering location licensee shall  
8 collect any and all such fees and within 48 hours remit the  
9 fees to the Board, which shall, pursuant to rule, cause the  
10 fees to be distributed to the county or municipality.

11 (g) Notwithstanding any provision in this Act to the  
12 contrary, if in any calendar year the total taxes and fees from  
13 wagering on live racing and from inter-track wagering required  
14 to be collected from licensees and distributed under this Act  
15 to all State and local governmental authorities exceeds the  
16 amount of such taxes and fees distributed to each State and  
17 local governmental authority to which each State and local  
18 governmental authority was entitled under this Act for calendar  
19 year 1994, then the first \$11 million of that excess amount  
20 shall be allocated at the earliest possible date for  
21 distribution as purse money for the succeeding calendar year.  
22 Upon reaching the 1994 level, and until the excess amount of  
23 taxes and fees exceeds \$11 million, the Board shall direct all  
24 licensees to cease paying the subject taxes and fees and the  
25 Board shall direct all licensees to allocate any such excess  
26 amount for purses as follows:

1           (i) the excess amount shall be initially divided  
2 between thoroughbred and standardbred purses based on the  
3 thoroughbred's and standardbred's respective percentages  
4 of total Illinois live wagering in calendar year 1994;

5           (ii) each thoroughbred and standardbred organization  
6 licensee issued an organization licensee in that  
7 succeeding allocation year shall be allocated an amount  
8 equal to the product of its percentage of total Illinois  
9 live thoroughbred or standardbred wagering in calendar  
10 year 1994 (the total to be determined based on the sum of  
11 1994 on-track wagering for all organization licensees  
12 issued organization licenses in both the allocation year  
13 and the preceding year) multiplied by the total amount  
14 allocated for standardbred or thoroughbred purses,  
15 provided that the first \$1,500,000 of the amount allocated  
16 to standardbred purses under item (i) shall be allocated to  
17 the Department of Agriculture to be expended with the  
18 assistance and advice of the Illinois Standardbred  
19 Breeders Funds Advisory Board for the purposes listed in  
20 subsection (g) of Section 31 of this Act, before the amount  
21 allocated to standardbred purses under item (i) is  
22 allocated to standardbred organization licensees in the  
23 succeeding allocation year.

24           To the extent the excess amount of taxes and fees to be  
25 collected and distributed to State and local governmental  
26 authorities exceeds \$11 million, that excess amount shall be

1 collected and distributed to State and local authorities as  
2 provided for under this Act.

3 (Source: P.A. 94-805, eff. 5-26-06.)

4 (230 ILCS 5/28) (from Ch. 8, par. 37-28)

5 Sec. 28. Except as provided in subsection (g) of Section 27  
6 of this Act, moneys collected shall be distributed according to  
7 the provisions of this Section 28.

8 (a) Thirty per cent of the total of all monies received by  
9 the State as privilege taxes shall be paid into the  
10 Metropolitan Exposition Auditorium and Office Building Fund in  
11 the State Treasury.

12 (b) In addition, 4.5% of the total of all monies received  
13 by the State as privilege taxes shall be paid into the State  
14 treasury into a special Fund to be known as the Metropolitan  
15 Exposition, Auditorium, and Office Building Fund.

16 (c) Fifty per cent of the total of all monies received by  
17 the State as privilege taxes under the provisions of this Act  
18 shall be paid into the Agricultural Premium Fund.

19 (d) Seven per cent of the total of all monies received by  
20 the State as privilege taxes shall be paid into the Fair and  
21 Exposition Fund in the State treasury; provided, however, that  
22 when all bonds issued prior to July 1, 1984 by the Metropolitan  
23 Fair and Exposition Authority shall have been paid or payment  
24 shall have been provided for upon a refunding of those bonds,  
25 thereafter 1/12 of \$1,665,662 of such monies shall be paid each

1 month into the Build Illinois Fund, and the remainder into the  
2 Fair and Exposition Fund. All excess monies shall be allocated  
3 to the Department of Agriculture for distribution to county  
4 fairs for premiums and rehabilitation as set forth in the  
5 Agricultural Fair Act.

6 (e) The monies provided for in Section 30 shall be paid  
7 into the Illinois Thoroughbred Breeders Fund.

8 (f) The monies provided for in Section 31 shall be paid  
9 into the Illinois Standardbred Breeders Fund.

10 (g) Until January 1, 2000, that part representing 1/2 of  
11 the total breakage in Thoroughbred, Harness, Appaloosa,  
12 Arabian, and Quarter Horse racing in the State shall be paid  
13 into the Illinois Race Track Improvement Fund as established in  
14 Section 32.

15 (h) All other monies received by the Board under this Act  
16 shall be paid into the General Revenue Fund of the State.

17 (i) The salaries of the Board members, secretary, stewards,  
18 directors of mutuels, veterinarians, representatives,  
19 accountants, clerks, stenographers, inspectors and other  
20 employees of the Board, and all expenses of the Board incident  
21 to the administration of this Act, including, but not limited  
22 to, all expenses and salaries incident to the taking of saliva  
23 and urine samples in accordance with the rules and regulations  
24 of the Board shall be paid out of the Agricultural Premium  
25 Fund.

26 (j) The Agricultural Premium Fund shall also be used:

1           (1) for the expenses of operating the Illinois State  
2 Fair and the DuQuoin State Fair, including the payment of  
3 prize money or premiums;

4           (2) for the distribution to county fairs, vocational  
5 agriculture section fairs, agricultural societies, and  
6 agricultural extension clubs in accordance with the  
7 Agricultural Fair Act, as amended;

8           (3) for payment of prize monies and premiums awarded  
9 and for expenses incurred in connection with the  
10 International Livestock Exposition and the Mid-Continent  
11 Livestock Exposition held in Illinois, which premiums, and  
12 awards must be approved, and paid by the Illinois  
13 Department of Agriculture;

14           (4) for personal service of county agricultural  
15 advisors and county home advisors;

16           (5) for distribution to agricultural home economic  
17 extension councils in accordance with "An Act in relation  
18 to additional support and finance for the Agricultural and  
19 Home Economic Extension Councils in the several counties in  
20 this State and making an appropriation therefor", approved  
21 July 24, 1967, as amended;

22           (6) for research on equine disease, including a  
23 development center therefor;

24           (7) for training scholarships for study on equine  
25 diseases to students at the University of Illinois College  
26 of Veterinary Medicine;

1           (8) for the rehabilitation, repair and maintenance of  
2 the Illinois and DuQuoin State Fair Grounds and the  
3 structures and facilities thereon and the construction of  
4 permanent improvements on such Fair Grounds, including  
5 such structures, facilities and property located on such  
6 State Fair Grounds which are under the custody and control  
7 of the Department of Agriculture;

8           (9) for the expenses of the Department of Agriculture  
9 under Section 5-530 of the Departments of State Government  
10 Law (20 ILCS 5/5-530);

11           (10) for the expenses of the Department of Commerce and  
12 Economic Opportunity under Sections 605-620, 605-625, and  
13 605-630 of the Department of Commerce and Economic  
14 Opportunity Law (20 ILCS 605/605-620, 605/605-625, and  
15 605/605-630);

16           (11) for remodeling, expanding, and reconstructing  
17 facilities destroyed by fire of any Fair and Exposition  
18 Authority in counties with a population of 1,000,000 or  
19 more inhabitants;

20           (12) for the purpose of assisting in the care and  
21 general rehabilitation of disabled veterans of any war and  
22 their surviving spouses and orphans;

23           (13) for expenses of the Department of State Police for  
24 duties performed under this Act;

25           (14) for the Department of Agriculture for soil surveys  
26 and soil and water conservation purposes;

1 (15) for the Department of Agriculture for grants to  
2 the City of Chicago for conducting the Chicagofest;

3 (16) for the State Comptroller for grants and operating  
4 expenses authorized by the Illinois Global Partnership  
5 Act.

6 (k) The Agricultural Premium Fund shall not be subject to  
7 sweeps, administrative charges, or charge backs, including but  
8 not limited to, those authorized under Section 8h of the State  
9 Finance Act or any other fiscal or budgetary maneuver that  
10 would in any way transfer any funds from the Agricultural  
11 Premium Fund into any other fund of the State, except as  
12 provided in subsection (c). ~~To the extent that monies paid by~~  
13 ~~the Board to the Agricultural Premium Fund are in the opinion~~  
14 ~~of the Governor in excess of the amount necessary for the~~  
15 ~~purposes herein stated, the Governor shall notify the~~  
16 ~~Comptroller and the State Treasurer of such fact, who, upon~~  
17 ~~receipt of such notification, shall transfer such excess monies~~  
18 ~~from the Agricultural Premium Fund to the General Revenue Fund.~~

19 (Source: P.A. 94-91, Sections 55-135 and 90-10, eff. 7-1-05.)

20 (230 ILCS 5/28.1)

21 Sec. 28.1. Payments.

22 (a) Beginning on January 1, 2000, moneys collected by the  
23 Department of Revenue and the Racing Board pursuant to Section  
24 26 or Section 27 of this Act shall be deposited into the Horse  
25 Racing Fund, which is hereby created as a special fund in the



1 State Treasury.

2 The Horse Racing Fund shall not be subject to sweeps,  
3 administrative charges, or charge backs, including but not  
4 limited to, those authorized under Section 8h of the State  
5 Finance Act or any other fiscal or budgetary maneuver that  
6 would in any way transfer any funds from the Horse Racing Fund  
7 into any other fund of the State, except as provided in  
8 subsection (c).

9 (b) Moneys in Appropriations, as approved by the General  
10 Assembly, may be made from the Horse Racing Fund may be used by  
11 ~~to~~ the Board to pay the salaries of the Board members,  
12 secretary, stewards, directors of mutuels, veterinarians,  
13 representatives, accountants, clerks, stenographers,  
14 inspectors and other employees of the Board, and all expenses  
15 of the Board incident to the administration of this Act,  
16 including, but not limited to, all expenses and salaries  
17 incident to the taking of saliva and urine samples in  
18 accordance with the rules and regulations of the Board.

19 (c) Moneys in the Horse Racing Fund may be used by the  
20 Department of Agriculture for the purposes identified in  
21 paragraphs (2), (2.5), (4), (4.1), (6), (7), (8), and (9) of  
22 subsection (g) of Section 30, subsection (e) of Section 30.5,  
23 paragraphs (1), (2), (3), (5), and (8) of subsection (g) of  
24 Section 31, and for standardbred bonus programs for owners of  
25 horses that win multiple stakes races that are limited to  
26 Illinois conceived and foaled horses. From ~~Beginning on~~ January

1 1, 2000 until the effective date of this amendatory Act of the  
2 95th General Assembly, the Board shall transfer the remainder  
3 of the funds generated pursuant to Sections 26 and 27 from the  
4 Horse Racing Fund into the General Revenue Fund.

5 (d) Beginning January 1, 2000, payments to all programs in  
6 existence on the effective date of this amendatory Act of 1999  
7 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and  
8 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of  
9 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),  
10 and (h) of Section 31 shall be made from the General Revenue  
11 Fund at the funding levels determined by amounts paid under  
12 this Act in calendar year 1998. Beginning on the effective date  
13 of this amendatory Act of the 93rd General Assembly, payments  
14 to the Peoria Park District shall be made from the General  
15 Revenue Fund at the funding level determined by amounts paid to  
16 that park district for museum purposes under this Act in  
17 calendar year 1994. Beginning on the effective date of this  
18 amendatory Act of the 94th General Assembly, in lieu of  
19 payments to the Champaign Park District for museum purposes,  
20 payments to the Urbana Park District shall be made from the  
21 General Revenue Fund at the funding level determined by amounts  
22 paid to the Champaign Park District for museum purposes under  
23 this Act in calendar year 2005.

24 (e) Beginning July 1, 2006, the payment authorized under  
25 subsection (d) to museums and aquariums located in park  
26 districts of over 500,000 population shall be paid to museums,

1     aquariums, and zoos in amounts determined by Museums in the  
2     Park, an association of museums, aquariums, and zoos located on  
3     Chicago Park District property.

4         (f) Notwithstanding any other provision of this Act to the  
5     contrary, appropriations, as approved by the General Assembly,  
6     may be made from the Fair and Exposition Fund to the Department  
7     of Agriculture for distribution to Illinois county fairs to  
8     supplement premiums offered in junior classes.

9     (Source: P.A. 93-869, eff. 8-6-04; 94-813, eff. 5-26-06.)

10           (230 ILCS 5/30)     (from Ch. 8, par. 37-30)

11           Sec. 30. (a) The General Assembly declares that it is the  
12     policy of this State to encourage the breeding of thoroughbred  
13     horses in this State and the ownership of such horses by  
14     residents of this State in order to provide for: sufficient  
15     numbers of high quality thoroughbred horses to participate in  
16     thoroughbred racing meetings in this State, and to establish  
17     and preserve the agricultural and commercial benefits of such  
18     breeding and racing industries to the State of Illinois. It is  
19     the intent of the General Assembly to further this policy by  
20     the provisions of this Act.

21           (b) Each organization licensee conducting a thoroughbred  
22     racing meeting pursuant to this Act shall provide at least two  
23     races each day limited to Illinois conceived and foaled horses  
24     or Illinois foaled horses or both. A minimum of 6 races shall  
25     be conducted each week limited to Illinois conceived and foaled

1 or Illinois foaled horses or both. Subject to the daily  
2 availability of horses, one of the 6 races scheduled per week  
3 that are limited to Illinois conceived and foaled or Illinois  
4 foaled horses or both shall be limited to Illinois conceived  
5 and foaled or Illinois foaled maidens. No horses shall be  
6 permitted to start in such races unless duly registered under  
7 the rules of the Department of Agriculture.

8 (c) Conditions of races under subsection (b) shall be  
9 commensurate with past performance, quality, and class of  
10 Illinois conceived and foaled and Illinois foaled horses  
11 available. If, however, sufficient competition cannot be had  
12 among horses of that class on any day, the races may, with  
13 consent of the Board, be eliminated for that day and substitute  
14 races provided.

15 (d) There is hereby created a special fund of the State  
16 Treasury to be known as the Illinois Thoroughbred Breeders  
17 Fund.

18 Except as provided in subsection (g) of Section 27 of this  
19 Act, 8.5% of all the monies received by the State as privilege  
20 taxes on Thoroughbred racing meetings shall be paid into the  
21 Illinois Thoroughbred Breeders Fund. The Illinois Thoroughbred  
22 Breeders Fund shall not be subject to sweeps, administrative  
23 charges, or charge backs, including but not limited to, those  
24 authorized under Section 8h of the State Finance Act or any  
25 other fiscal or budgetary maneuver that would in any way  
26 transfer any funds from the Illinois Thoroughbred Breeders Fund

1 into any other fund of the State.

2 (e) The Illinois Thoroughbred Breeders Fund shall be  
3 administered by the Department of Agriculture with the advice  
4 and assistance of the Advisory Board created in subsection (f)  
5 of this Section.

6 (f) The Illinois Thoroughbred Breeders Fund Advisory Board  
7 shall consist of the Director of the Department of Agriculture,  
8 who shall serve as Chairman; a member of the Illinois Racing  
9 Board, designated by it; 2 representatives of the organization  
10 licensees conducting thoroughbred racing meetings, recommended  
11 by them; 2 representatives of the Illinois Thoroughbred  
12 Breeders and Owners Foundation, recommended by it; and 2  
13 representatives of the Horsemen's Benevolent Protective  
14 Association or any successor organization established in  
15 Illinois comprised of the largest number of owners and  
16 trainers, recommended by it, with one representative of the  
17 Horsemen's Benevolent and Protective Association to come from  
18 its Illinois Division, and one from its Chicago Division.  
19 Advisory Board members shall serve for 2 years commencing  
20 January 1 of each odd numbered year. If representatives of the  
21 organization licensees conducting thoroughbred racing  
22 meetings, the Illinois Thoroughbred Breeders and Owners  
23 Foundation, and the Horsemen's Benevolent Protection  
24 Association have not been recommended by January 1, of each odd  
25 numbered year, the Director of the Department of Agriculture  
26 shall make an appointment for the organization failing to so

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

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

13 (1) To provide purse supplements to owners of horses  
14 participating in races limited to Illinois conceived and  
15 foaled and Illinois foaled horses. Any such purse  
16 supplements shall not be included in and shall be paid in  
17 addition to any purses, stakes, or breeders' awards offered  
18 by each organization licensee as determined by agreement  
19 between such organization licensee and an organization  
20 representing the horsemen. No monies from the Illinois  
21 Thoroughbred Breeders Fund shall be used to provide purse  
22 supplements for claiming races in which the minimum  
23 claiming price is less than \$7,500.

24 (2) To provide stakes and awards to be paid to the  
25 owners of the winning horses in certain races limited to  
26 Illinois conceived and foaled and Illinois foaled horses

1 designated as stakes races.

2 (2.5) To provide an award to the owner or owners of an  
3 Illinois conceived and foaled or Illinois foaled horse that  
4 wins a maiden special weight, an allowance, overnight  
5 handicap race, or claiming race with claiming price of  
6 \$10,000 or more providing the race is not restricted to  
7 Illinois conceived and foaled or Illinois foaled horses.  
8 Awards shall also be provided to the owner or owners of  
9 Illinois conceived and foaled and Illinois foaled horses  
10 that place second or third in those races. To the extent  
11 that additional moneys are required to pay the minimum  
12 additional awards of 40% of the purse the horse earns for  
13 placing first, second or third in those races for Illinois  
14 foaled horses and of 60% of the purse the horse earns for  
15 placing first, second or third in those races for Illinois  
16 conceived and foaled horses, those moneys shall be provided  
17 from the purse account at the track where earned.

18 (3) To provide stallion awards to the owner or owners  
19 of any stallion that is duly registered with the Illinois  
20 Thoroughbred Breeders Fund Program ~~prior to the effective~~  
21 ~~date of this amendatory Act of 1995~~ whose duly registered  
22 Illinois conceived and foaled offspring wins a race  
23 conducted at an Illinois thoroughbred racing meeting other  
24 than a claiming race. Such award shall not be paid to the  
25 owner or owners of an Illinois stallion that served outside  
26 this State at any time during the calendar year in which

1 such race was conducted.

2 (4) To provide \$75,000 annually for purses to be  
3 distributed to county fairs that provide for the running of  
4 races during each county fair exclusively for the  
5 thoroughbreds conceived and foaled in Illinois. The  
6 conditions of the races shall be developed by the county  
7 fair association and reviewed by the Department with the  
8 advice and assistance of the Illinois Thoroughbred  
9 Breeders Fund Advisory Board. There shall be no wagering of  
10 any kind on the running of Illinois conceived and foaled  
11 races at county fairs.

12 (4.1) To provide \$100,000 annually in purse money for  
13 an Illinois stallion stakes program.

14 (5) No less than 80% of all monies appropriated to ~~from~~  
15 the Illinois Thoroughbred Breeders Fund shall be expended  
16 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and  
17 (5) as shown above.

18 (6) To provide for educational programs regarding the  
19 thoroughbred breeding industry.

20 (7) To provide for research programs concerning the  
21 health, development and care of the thoroughbred horse.

22 (8) To provide for a scholarship and training program  
23 for students of equine veterinary medicine.

24 (9) To provide for dissemination of public information  
25 designed to promote the breeding of thoroughbred horses in  
26 Illinois.



1           (10) To provide for all expenses incurred in the  
2           administration of the Illinois Thoroughbred Breeders Fund.

3           (h) Any moneys remaining in the Fund after all outstanding  
4 appropriations are made shall be distributed by the Department  
5 to the Illinois Thoroughbred Breeders and Owners Foundation to  
6 be placed in a scholarship fund. ~~Whenever the Governor finds~~  
7 ~~that the amount in the Illinois Thoroughbred Breeders Fund is~~  
8 ~~more than the total of the outstanding appropriations from such~~  
9 ~~fund, the Governor shall notify the State Comptroller and the~~  
10 ~~State Treasurer of such fact. The Comptroller and the State~~  
11 ~~Treasurer, upon receipt of such notification, shall transfer~~  
12 ~~such excess amount from the Illinois Thoroughbred Breeders Fund~~  
13 ~~to the General Revenue Fund.~~

14           (i) A sum equal to 17% ~~12 1/2%~~ of the first prize money of  
15 every purse won by an Illinois foaled or an Illinois conceived  
16 and foaled horse in races not limited to Illinois foaled horses  
17 or Illinois conceived and foaled horses, or both, shall be paid  
18 by the organization licensee conducting the horse race meeting.  
19 Such sum shall be paid from the organization licensee's share  
20 of the money wagered as follows: 15% ~~11 1/2%~~ to the breeder of  
21 the winning horse and 2% ~~1%~~ to the organization representing  
22 thoroughbred breeders and owners whose representative serves  
23 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
24 verifying the amounts of breeders' awards earned, assuring  
25 their distribution in accordance with this Act, and servicing  
26 and promoting the Illinois thoroughbred horse racing industry.

1 The organization representing thoroughbred breeders and owners  
2 shall cause all expenditures of monies received under this  
3 subsection (i) to be audited at least annually by a registered  
4 public accountant. The organization shall file copies of each  
5 annual audit with the Racing Board, the Clerk of the House of  
6 Representatives and the Secretary of the Senate, and shall make  
7 copies of each annual audit available to the public upon  
8 request and upon payment of the reasonable cost of photocopying  
9 the requested number of copies. Such payments shall not reduce  
10 any award to the owner of the horse or reduce the taxes payable  
11 under this Act. Upon completion of its racing meet, each  
12 organization licensee shall deliver to the organization  
13 representing thoroughbred breeders and owners whose  
14 representative serves on the Illinois Thoroughbred Breeders  
15 Fund Advisory Board a listing of all the Illinois foaled and  
16 the Illinois conceived and foaled horses which won breeders'  
17 awards and the amount of such breeders' awards under this  
18 subsection to verify accuracy of payments and assure proper  
19 distribution of breeders' awards in accordance with the  
20 provisions of this Act. Such payments shall be delivered by the  
21 organization licensee within 30 days of the end of each race  
22 meeting.

23 (j) A sum equal to 17% ~~12-1/2%~~ of the first prize money won  
24 in each race limited to Illinois foaled horses or Illinois  
25 conceived and foaled horses, or both, shall be paid in the  
26 following manner by the organization licensee conducting the

1 horse race meeting, from the organization licensee's share of  
2 the money wagered: 15% ~~11 1/2%~~ to the breeders of the horses in  
3 each such race which are the official first, second, third and  
4 fourth finishers and 2% ~~1%~~ to the organization representing  
5 thoroughbred breeders and owners whose representative serves  
6 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
7 verifying the amounts of breeders' awards earned, assuring  
8 their proper distribution in accordance with this Act, and  
9 servicing and promoting the Illinois thoroughbred horse racing  
10 industry. The organization representing thoroughbred breeders  
11 and owners shall cause all expenditures of monies received  
12 under this subsection (j) to be audited at least annually by a  
13 registered public accountant. The organization shall file  
14 copies of each annual audit with the Racing Board, the Clerk of  
15 the House of Representatives and the Secretary of the Senate,  
16 and shall make copies of each annual audit available to the  
17 public upon request and upon payment of the reasonable cost of  
18 photocopying the requested number of copies.

19 The 17% ~~11 1/2%~~ paid to the breeders in accordance with  
20 this subsection shall be distributed as follows:

21 (1) 60% of such sum shall be paid to the breeder of the  
22 horse which finishes in the official first position;

23 (2) 20% of such sum shall be paid to the breeder of the  
24 horse which finishes in the official second position;

25 (3) 15% of such sum shall be paid to the breeder of the  
26 horse which finishes in the official third position; and

1           (4) 5% of such sum shall be paid to the breeder of the  
2           horse which finishes in the official fourth position.

3           Such payments shall not reduce any award to the owners of a  
4           horse or reduce the taxes payable under this Act. Upon  
5           completion of its racing meet, each organization licensee shall  
6           deliver to the organization representing thoroughbred breeders  
7           and owners whose representative serves on the Illinois  
8           Thoroughbred Breeders Fund Advisory Board a listing of all the  
9           Illinois foaled and the Illinois conceived and foaled horses  
10          which won breeders' awards and the amount of such breeders'  
11          awards in accordance with the provisions of this Act. Such  
12          payments shall be delivered by the organization licensee within  
13          30 days of the end of each race meeting.

14          (k) The term "breeder", as used herein, means the owner of  
15          the mare at the time the foal is dropped. An "Illinois foaled  
16          horse" is a foal dropped by a mare which enters this State on  
17          or before December 1, in the year in which the horse is bred,  
18          provided the mare remains continuously in this State until its  
19          foal is born. An "Illinois foaled horse" also means a foal born  
20          of a mare in the same year as the mare enters this State on or  
21          before March 1, and remains in this State at least 30 days  
22          after foaling, is bred back during the season of the foaling to  
23          an Illinois Registered Stallion (unless a veterinarian  
24          certifies that the mare should not be bred for health reasons),  
25          and is not bred to a stallion standing in any other state  
26          during the season of foaling. An "Illinois foaled horse" also

1 means a foal born in Illinois of a mare purchased at public  
2 auction subsequent to the mare entering this State prior to  
3 March 1 ~~February 1~~ of the foaling year providing the mare is  
4 owned solely by one or more Illinois residents or an Illinois  
5 entity that is entirely owned by one or more Illinois  
6 residents.

7 (1) The Department of Agriculture shall, by rule, with the  
8 advice and assistance of the Illinois Thoroughbred Breeders  
9 Fund Advisory Board:

10 (1) Qualify stallions for Illinois breeding; such  
11 stallions to stand for service within the State of Illinois  
12 at the time of a foal's conception. Such stallion must not  
13 stand for service at any place outside the State of  
14 Illinois during the calendar year in which the foal is  
15 conceived. The Department of Agriculture may assess and  
16 collect an application fee of up to \$500 ~~fees~~ for the  
17 registration of each Illinois-eligible stallion ~~stallions~~.  
18 All fees collected are to be paid into the Illinois  
19 Thoroughbred Breeders Fund and used by the Illinois  
20 Thoroughbred Breeders Fund Advisory Board for stallion  
21 awards.

22 (2) Provide for the registration of Illinois conceived  
23 and foaled horses and Illinois foaled horses. No such horse  
24 shall compete in the races limited to Illinois conceived  
25 and foaled horses or Illinois foaled horses or both unless  
26 registered with the Department of Agriculture. The

1 Department of Agriculture may prescribe such forms as are  
2 necessary to determine the eligibility of such horses. The  
3 Department of Agriculture may assess and collect  
4 application fees for the registration of Illinois-eligible  
5 foals. All fees collected are to be paid into the Illinois  
6 Thoroughbred Breeders Fund. No person shall knowingly  
7 prepare or cause preparation of an application for  
8 registration of such foals containing false information.

9 (m) The Department of Agriculture, with the advice and  
10 assistance of the Illinois Thoroughbred Breeders Fund Advisory  
11 Board, shall provide that certain races limited to Illinois  
12 conceived and foaled and Illinois foaled horses be stakes races  
13 and determine the total amount of stakes and awards to be paid  
14 to the owners of the winning horses in such races.

15 In determining the stakes races and the amount of awards  
16 for such races, the Department of Agriculture shall consider  
17 factors, including but not limited to, the amount of money  
18 appropriated for the Illinois Thoroughbred Breeders Fund  
19 program, organization licensees' contributions, availability  
20 of stakes caliber horses as demonstrated by past performances,  
21 whether the race can be coordinated into the proposed racing  
22 dates within organization licensees' racing dates, opportunity  
23 for colts and fillies and various age groups to race, public  
24 wagering on such races, and the previous racing schedule.

25 (n) The Board and the organizational licensee shall notify  
26 the Department of the conditions and minimum purses for races

1 limited to Illinois conceived and foaled and Illinois foaled  
2 horses conducted for each organizational licensee conducting a  
3 thoroughbred racing meeting. The Department of Agriculture  
4 with the advice and assistance of the Illinois Thoroughbred  
5 Breeders Fund Advisory Board may allocate monies for purse  
6 supplements for such races. In determining whether to allocate  
7 money and the amount, the Department of Agriculture shall  
8 consider factors, including but not limited to, the amount of  
9 money appropriated for the Illinois Thoroughbred Breeders Fund  
10 program, the number of races that may occur, and the  
11 organizational licensee's purse structure.

12 (o) (Blank). ~~In order to improve the breeding quality of~~  
13 ~~thoroughbred horses in the State, the General Assembly~~  
14 ~~recognizes that existing provisions of this Section to~~  
15 ~~encourage such quality breeding need to be revised and~~  
16 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~  
17 ~~Force is to be appointed by the Governor by September 1, 1999~~  
18 ~~to make recommendations to the General Assembly by no later~~  
19 ~~than March 1, 2000. This task force is to be composed of 2~~  
20 ~~representatives from the Illinois Thoroughbred Breeders and~~  
21 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~  
22 ~~Association, 3 from Illinois race tracks operating~~  
23 ~~thoroughbred race meets for an average of at least 30 days in~~  
24 ~~the past 3 years, the Director of Agriculture, the Executive~~  
25 ~~Director of the Racing Board, who shall serve as Chairman.~~

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

1 (230 ILCS 5/30.5)

2 Sec. 30.5. Illinois Quarter Horse Breeders Fund.

3 (a) The General Assembly declares that it is the policy of  
4 this State to encourage the breeding of racing quarter horses  
5 in this State and the ownership of such horses by residents of  
6 this State in order to provide for sufficient numbers of high  
7 quality racing quarter horses in this State and to establish  
8 and preserve the agricultural and commercial benefits of such  
9 breeding and racing industries to the State of Illinois. It is  
10 the intent of the General Assembly to further this policy by  
11 the provisions of this Act.

12 (b) There is hereby created a special fund in the State  
13 Treasury to be known as the Illinois Racing Quarter Horse  
14 Breeders Fund. Except as provided in subsection (g) of Section  
15 27 of this Act, 8.5% of all the moneys received by the State as  
16 pari-mutuel taxes on quarter horse racing shall be paid into  
17 the Illinois Racing Quarter Horse Breeders Fund. The Illinois  
18 Racing Quarter Horse Breeders Fund shall not be subject to  
19 sweeps, administrative charges, or charge backs, including but  
20 not limited to, those authorized under Section 8h of the State  
21 Finance Act or any other fiscal or budgetary maneuver that  
22 would in any way transfer any funds from the Illinois Racing  
23 Quarter Horse Breeders Fund into any other fund of the State.

24 (c) The Illinois Racing Quarter Horse Breeders Fund shall  
25 be administered by the Department of Agriculture with the



1 advice and assistance of the Advisory Board created in  
2 subsection (d) of this Section.

3 (d) The Illinois Racing Quarter Horse Breeders Fund  
4 Advisory Board shall consist of the Director of the Department  
5 of Agriculture, who shall serve as Chairman; a member of the  
6 Illinois Racing Board, designated by it; one representative of  
7 the organization licensees conducting pari-mutuel quarter  
8 horse racing meetings, recommended by them; 2 representatives  
9 of the Illinois Running Quarter Horse Association, recommended  
10 by it; and the Superintendent of Fairs and Promotions from the  
11 Department of Agriculture. Advisory Board members shall serve  
12 for 2 years commencing January 1 of each odd numbered year. If  
13 representatives have not been recommended by January 1 of each  
14 odd numbered year, the Director of the Department of  
15 Agriculture may make an appointment for the organization  
16 failing to so recommend a member of the Advisory Board.  
17 Advisory Board members shall receive no compensation for their  
18 services as members but may be reimbursed for all actual and  
19 necessary expenses and disbursements incurred in the execution  
20 of their official duties.

21 (e) Moneys in ~~No moneys shall be expended from the Illinois~~  
22 ~~Racing Quarter Horse Breeders Fund except as appropriated by~~  
23 ~~the General Assembly. Moneys appropriated from~~ the Illinois  
24 Racing Quarter Horse Breeders Fund shall be expended by the  
25 Department of Agriculture, with the advice and assistance of  
26 the Illinois Racing Quarter Horse Breeders Fund Advisory Board,

1 for the following purposes only:

2 (1) To provide stakes and awards to be paid to the  
3 owners of the winning horses in certain races. This  
4 provision is limited to Illinois conceived and foaled  
5 horses.

6 (2) To provide an award to the owner or owners of an  
7 Illinois conceived and foaled horse that wins a race when  
8 pari-mutuel wagering is conducted; providing the race is  
9 not restricted to Illinois conceived and foaled horses.

10 (3) To provide purse money for an Illinois stallion  
11 stakes program.

12 (4) To provide for purses to be distributed for the  
13 running of races during the Illinois State Fair and the  
14 DuQuoin State Fair exclusively for quarter horses  
15 conceived and foaled in Illinois.

16 (5) To provide for purses to be distributed for the  
17 running of races at Illinois county fairs exclusively for  
18 quarter horses conceived and foaled in Illinois.

19 (6) To provide for purses to be distributed for running  
20 races exclusively for quarter horses conceived and foaled  
21 in Illinois at locations in Illinois determined by the  
22 Department of Agriculture with advice and consent of the  
23 Racing Quarter Horse Breeders Fund Advisory Board.

24 (7) No less than 90% of all moneys appropriated from  
25 the Illinois Racing Quarter Horse Breeders Fund shall be  
26 expended for the purposes in items (1), (2), (3), (4), and

1 (5) of this subsection (e).

2 (8) To provide for research programs concerning the  
3 health, development, and care of racing quarter horses.

4 (9) To provide for dissemination of public information  
5 designed to promote the breeding of racing quarter horses  
6 in Illinois.

7 (10) To provide for expenses incurred in the  
8 administration of the Illinois Racing Quarter Horse  
9 Breeders Fund.

10 (f) The Department of Agriculture shall, by rule, with the  
11 advice and assistance of the Illinois Racing Quarter Horse  
12 Breeders Fund Advisory Board:

13 (1) Qualify stallions for Illinois breeding; such  
14 stallions to stand for service within the State of  
15 Illinois, at the time of a foal's conception. Such stallion  
16 must not stand for service at any place outside the State  
17 of Illinois during the calendar year in which the foal is  
18 conceived. The Department of Agriculture may assess and  
19 collect application fees for the registration of  
20 Illinois-eligible stallions. All fees collected are to be  
21 paid into the Illinois Racing Quarter Horse Breeders Fund.

22 (2) Provide for the registration of Illinois conceived  
23 and foaled horses. No such horse shall compete in the races  
24 limited to Illinois conceived and foaled horses unless it  
25 is registered with the Department of Agriculture. The  
26 Department of Agriculture may prescribe such forms as are

1 necessary to determine the eligibility of such horses. The  
2 Department of Agriculture may assess and collect  
3 application fees for the registration of Illinois-eligible  
4 foals. All fees collected are to be paid into the Illinois  
5 Racing Quarter Horse Breeders Fund. No person shall  
6 knowingly prepare or cause preparation of an application  
7 for registration of such foals that contains false  
8 information.

9 (g) The Department of Agriculture, with the advice and  
10 assistance of the Illinois Racing Quarter Horse Breeders Fund  
11 Advisory Board, shall provide that certain races limited to  
12 Illinois conceived and foaled be stakes races and determine the  
13 total amount of stakes and awards to be paid to the owners of  
14 the winning horses in such races.

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

16 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

17 Sec. 31. (a) The General Assembly declares that it is the  
18 policy of this State to encourage the breeding of standardbred  
19 horses in this State and the ownership of such horses by  
20 residents of this State in order to provide for: sufficient  
21 numbers of high quality standardbred horses to participate in  
22 harness racing meetings in this State, and to establish and  
23 preserve the agricultural and commercial benefits of such  
24 breeding and racing industries to the State of Illinois. It is  
25 the intent of the General Assembly to further this policy by

1 the provisions of this Section of this Act.

2 (b) Each organization licensee conducting a harness racing  
3 meeting pursuant to this Act shall provide for at least two  
4 races each race program limited to Illinois conceived and  
5 foaled horses. A minimum of 6 races shall be conducted each  
6 week limited to Illinois conceived and foaled horses. No horses  
7 shall be permitted to start in such races unless duly  
8 registered under the rules of the Department of Agriculture.

9 (b-5) Each organization licensee conducting a harness  
10 racing meeting pursuant to this Act shall provide stakes races  
11 and early closer races for Illinois conceived and foaled horses  
12 so the total purses distributed for such races shall be no less  
13 than 17% of the total purses distributed at the meeting.

14 (b-10) Each organization licensee conducting a harness  
15 racing meeting pursuant to this Act shall provide an owner  
16 award to be paid from the purse account equal to 25% of the  
17 amount earned by Illinois conceived and foaled horses in races  
18 that are not restricted to Illinois conceived and foaled  
19 horses.

20 (c) Conditions of races under subsection (b) shall be  
21 commensurate with past performance, quality and class of  
22 Illinois conceived and foaled horses available. If, however,  
23 sufficient competition cannot be had among horses of that class  
24 on any day, the races may, with consent of the Board, be  
25 eliminated for that day and substitute races provided.

26 (d) There is hereby created a special fund of the State

1 Treasury to be known as the Illinois Standardbred Breeders  
2 Fund. The Illinois Standardbred Breeders Fund shall not be  
3 subject to sweeps, administrative charges, or charge backs,  
4 including but not limited to, those authorized under Section 8h  
5 of the State Finance Act or any other fiscal or budgetary  
6 maneuver that would in any way transfer any funds from the  
7 Illinois Standardbred Breeders Fund into any other fund of the  
8 State.

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

14 (e) The Illinois Standardbred Breeders Fund shall be  
15 administered by the Department of Agriculture with the  
16 assistance and advice of the Advisory Board created in  
17 subsection (f) of this Section.

18 (f) The Illinois Standardbred Breeders Fund Advisory Board  
19 is hereby created. The Advisory Board shall consist of the  
20 Director of the Department of Agriculture, who shall serve as  
21 Chairman; the Superintendent of the Illinois State Fair; a  
22 member of the Illinois Racing Board, designated by it; a  
23 representative of the Illinois Standardbred Owners and  
24 Breeders Association, recommended by it; a representative of  
25 the Illinois Association of Agricultural Fairs, recommended by  
26 it, such representative to be from a fair at which Illinois

1 conceived and foaled racing is conducted; a representative of  
2 the organization licensees conducting harness racing meetings,  
3 recommended by them and a representative of the Illinois  
4 Harness Horsemen's Association, recommended by it. Advisory  
5 Board members shall serve for 2 years commencing January 1, of  
6 each odd numbered year. If representatives of the Illinois  
7 Standardbred Owners and Breeders Associations, the Illinois  
8 Association of Agricultural Fairs, the Illinois Harness  
9 Horsemen's Association, and the organization licensees  
10 conducting harness racing meetings have not been recommended by  
11 January 1, of each odd numbered year, the Director of the  
12 Department of Agriculture shall make an appointment for the  
13 organization failing to so recommend a member of the Advisory  
14 Board. Advisory Board members shall receive no compensation for  
15 their services as members but shall be reimbursed for all  
16 actual and necessary expenses and disbursements incurred in the  
17 execution of their official duties.

18 (g) Moneys in ~~No monies shall be expended from the Illinois~~  
19 ~~Standardbred Breeders Fund except as appropriated by the~~  
20 ~~General Assembly. Monies appropriated from~~ the Illinois  
21 Standardbred Breeders Fund shall be expended by the Department  
22 of Agriculture, with the assistance and advice of the Illinois  
23 Standardbred Breeders Fund Advisory Board for the following  
24 purposes only:

- 25 1. To provide purses for races limited to Illinois  
26 conceived and foaled horses at the State Fair and the

1           DuQuoin State Fair.

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

4           3. To provide purse supplements for races limited to  
5 Illinois conceived and foaled horses conducted by  
6 associations conducting harness racing meetings.

7           4. No less than 75% of all monies in the Illinois  
8 Standardbred Breeders Fund shall be expended for purses in  
9 1, 2 and 3 as shown above.

10           4.5. To provide for bonus programs to pay owners of  
11 horses that win multiple stake races that are restricted to  
12 Illinois conceived and foaled horses.

13           5. In the discretion of the Department of Agriculture  
14 to provide awards to harness breeders of Illinois conceived  
15 and foaled horses which win races conducted by organization  
16 licensees conducting harness racing meetings. A breeder is  
17 the owner of a mare at the time of conception. No more than  
18 10% of all monies appropriated from the Illinois  
19 Standardbred Breeders Fund shall be expended for such  
20 harness breeders awards. No more than 25% of the amount  
21 expended for harness breeders awards shall be expended for  
22 expenses incurred in the administration of such harness  
23 breeders awards.

24           6. To pay for the improvement of racing facilities  
25 located at the State Fair and County fairs.

26           7. To pay the expenses incurred in the administration



1 of the Illinois Standardbred Breeders Fund.

2 8. To promote the sport of harness racing, including  
3 grants up to a maximum of \$7,500 per fair per year for the  
4 cost of a totalizer system to be used for conducting  
5 pari-mutuel wagering during the advertised dates of a  
6 county fair.

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

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

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

1           1. Qualify stallions for Illinois Standardbred Breeders  
2 Fund breeding; such stallion shall be owned by a resident of  
3 the State of Illinois or by an Illinois corporation all of  
4 whose shareholders, directors, officers and incorporators are  
5 residents of the State of Illinois. Such stallion shall stand  
6 for service at and within the State of Illinois at the time of  
7 a foal's conception, and such stallion must not stand for  
8 service at any place, ~~nor may semen from such stallion be~~  
9 ~~transported,~~ outside the State of Illinois during that calendar  
10 year in which the foal is conceived and that the owner of the  
11 stallion was for the 12 months prior, a resident of Illinois.  
12 The articles of agreement of any partnership, joint venture,  
13 limited partnership, syndicate, association or corporation and  
14 any bylaws and stock certificates must contain a restriction  
15 that provides that the ownership or transfer of interest by any  
16 one of the persons a party to the agreement can only be made to  
17 a person who qualifies as an Illinois resident. Foals conceived  
18 outside the State of Illinois from shipped semen from a  
19 stallion qualified for breeders' awards under this Section are  
20 not eligible to participate in the Illinois conceived and  
21 foaled program.

22           2. Provide for the registration of Illinois conceived and  
23 foaled horses and no such horse shall compete in the races  
24 limited to Illinois conceived and foaled horses unless  
25 registered with the Department of Agriculture. The Department  
26 of Agriculture may prescribe such forms as may be necessary to

1 determine the eligibility of such horses. No person shall  
2 knowingly prepare or cause preparation of an application for  
3 registration of such foals containing false information. A mare  
4 (dam) must be in the state at least 30 days prior to foaling or  
5 remain in the State at least 30 days at the time of foaling.  
6 Beginning with the 1996 breeding season and for foals of 1997  
7 and thereafter, a foal conceived in the State of Illinois by  
8 transported fresh semen may be eligible for Illinois conceived  
9 and foaled registration provided all breeding and foaling  
10 requirements are met. The stallion must be qualified for  
11 Illinois Standardbred Breeders Fund breeding at the time of  
12 conception and the mare must be inseminated within the State of  
13 Illinois. The foal must be dropped in Illinois and properly  
14 registered with the Department of Agriculture in accordance  
15 with this Act.

16 3. Provide that at least a 5 day racing program shall be  
17 conducted at the State Fair each year, which program shall  
18 include at least the following races limited to Illinois  
19 conceived and foaled horses: (a) a two year old Trot and Pace,  
20 and Filly Division of each; (b) a three year old Trot and Pace,  
21 and Filly Division of each; (c) an aged Trot and Pace, and Mare  
22 Division of each.

23 4. Provide for the payment of nominating, sustaining and  
24 starting fees for races promoting the sport of harness racing  
25 and for the races to be conducted at the State Fair as provided  
26 in subsection (j) 3 of this Section provided that the

1 nominating, sustaining and starting payment required from an  
2 entrant shall not exceed 2% of the purse of such race. All  
3 nominating, sustaining and starting payments shall be held for  
4 the benefit of entrants and shall be paid out as part of the  
5 respective purses for such races. Nominating, sustaining and  
6 starting fees shall be held in trust accounts for the purposes  
7 as set forth in this Act and in accordance with Section 205-15  
8 of the Department of Agriculture Law (20 ILCS 205/205-15).

9 5. Provide for the registration with the Department of  
10 Agriculture of Colt Associations or county fairs desiring to  
11 sponsor races at county fairs.

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

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

1 receive funds from the Illinois Standardbred Breeders Fund  
2 shall be conducted in accordance with the rules of the United  
3 States Trotting Association unless otherwise modified by the  
4 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, which  
12 meets the standards and requirements as set forth in the 1984  
13 Standard for Protective Headgear for Use in Harness Racing and  
14 Other Equestrian Sports published by the Snell Memorial  
15 Foundation, or any standards and requirements for headgear the  
16 Illinois Racing Board may approve. Any other standards and  
17 requirements so approved by the Board shall equal or exceed  
18 those published by the Snell Memorial Foundation. Any  
19 equestrian helmet bearing the Snell label shall be deemed to  
20 have met those standards and requirements.

21 (Source: P.A. 91-239, eff. 1-1-00.)

22 (230 ILCS 5/32.1)

23 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack  
24 real estate equalization. In order to encourage new investment  
25 in Illinois racetrack facilities and mitigate differing real

1 estate tax burdens among all racetracks, the licensees  
2 affiliated or associated with each racetrack that has been  
3 awarded live racing dates in the current year shall receive an  
4 immediate pari-mutuel tax credit in an amount equal to the  
5 greater of (i) 50% of the amount of the real estate taxes paid  
6 in the prior year attributable to that racetrack, or (ii) the  
7 amount by which the real estate taxes paid in the prior year  
8 attributable to that racetrack exceeds 60% of the average real  
9 estate taxes paid in the prior year for all racetracks awarded  
10 live horse racing meets in the current year.

11 Each year, regardless of whether the organization licensee  
12 conducted live racing in the year of certification, the Board  
13 shall certify in writing, prior to December 31, the real estate  
14 taxes paid in that year for each racetrack and the amount of  
15 the pari-mutuel tax credit that each organization licensee,  
16 intertrack wagering licensee, and intertrack wagering location  
17 licensee that derives its license from such racetrack is  
18 entitled in the succeeding calendar year. The real estate taxes  
19 considered under this Section for any racetrack shall be those  
20 taxes on the real estate parcels and related facilities used to  
21 conduct a horse race meeting and inter-track wagering at such  
22 racetrack under this Act. In no event shall the amount of the  
23 tax credit under this Section exceed the amount of pari-mutuel  
24 taxes otherwise calculated under this Act. The amount of the  
25 tax credit under this Section shall be retained by each  
26 licensee and shall not be subject to any reallocation or

1 further distribution under this Act. The Board may promulgate  
2 emergency rules to implement this Section.

3 An organization licensee shall no longer be eligible to  
4 receive a pari-mutuel tax credit under this Section beginning  
5 on the January 1 first occurring after the organization  
6 licensee begins conducting electronic gaming pursuant to an  
7 electronic gaming license issued under Section 7.6 of the  
8 Riverboat and Casino Gambling Act. For the calendar year in  
9 which an organization licensee that is eligible to receive a  
10 pari-mutuel tax credit under this Section begins conducting  
11 electronic gaming pursuant to an electronic gaming license, the  
12 amount of the pari-mutuel tax credit shall be reduced by a  
13 percentage equal to the percentage of the year remaining after  
14 the organization licensee begins conducting electronic gaming  
15 pursuant to its electronic gaming license.

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

17 (230 ILCS 5/34.3 new)

18 Sec. 34.3. Drug testing. The Illinois Racing Board and the  
19 Department of Agriculture shall jointly establish a program for  
20 the purpose of conducting random drug testing of horses at  
21 county fairs and shall adopt any rules necessary for  
22 enforcement of the program. The rules shall include appropriate  
23 penalties for violations.

24 (230 ILCS 5/36) (from Ch. 8, par. 37-36)

1           Sec. 36. (a) Whoever administers or conspires to administer  
2 to any horse a hypnotic, narcotic, stimulant, depressant or any  
3 chemical substance which may affect the speed of a horse at any  
4 time in any race where the purse or any part of the purse is  
5 made of money authorized by any Section of this Act, except  
6 those chemical substances permitted by ruling of the Board,  
7 internally, externally or by hypodermic method in a race or  
8 prior thereto, or whoever knowingly enters a horse in any race  
9 within a period of 24 hours after any hypnotic, narcotic,  
10 stimulant, depressant or any other chemical substance which may  
11 affect the speed of a horse at any time, except those chemical  
12 substances permitted by ruling of the Board, has been  
13 administered to such horse either internally or externally or  
14 by hypodermic method for the purpose of increasing or retarding  
15 the speed of such horse shall be guilty of a Class 4 felony.  
16 The Board shall suspend or revoke such violator's license.

17           (b) The term "hypnotic" as used in this Section includes  
18 all barbituric acid preparations and derivatives.

19           (c) The term "narcotic" as used in this Section includes  
20 opium and all its alkaloids, salts, preparations and  
21 derivatives, cocaine and all its salts, preparations and  
22 derivatives and substitutes.

23           (d) The provisions of this Section 36 and the treatment  
24 authorized herein apply to horses entered in and competing in  
25 race meetings as defined in Section 3.47 of this Act and to  
26 horses entered in and competing at any county fair.



1       (e) Drug testing for horses entered in and competing at any  
2 county fair shall be conducted by the Department of  
3 Agriculture, with the advice and assistance of the Board. The  
4 Department of Agriculture, with the assistance of the Board,  
5 shall adopt rules for drug testing, for horses entered in and  
6 competing at any county fair.

7       (Source: P.A. 79-1185.)

8       (230 ILCS 5/42)     (from Ch. 8, par. 37-42)

9       Sec. 42. (a) Except as to the distribution of monies  
10 provided for by Sections 28, 29, 30, and 31 and the treating of  
11 horses as provided in Section 36, nothing whatsoever in this  
12 Act shall be held or taken to apply to county fairs and State  
13 Fairs or to agricultural and livestock exhibitions where the  
14 pari-mutuel system of wagering upon the result of horses is not  
15 permitted or conducted.

16       (b) Nothing herein shall be construed to permit the  
17 pari-mutuel method of wagering upon any race track unless such  
18 race track is licensed under this Act. It is hereby declared to  
19 be unlawful for any person to permit, conduct or supervise upon  
20 any race track ground the pari-mutuel method of wagering except  
21 in accordance with the provisions of this Act.

22       (c) Whoever violates subsection (b) of this Section is  
23 guilty of a Class 4 felony.

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

1 (230 ILCS 5/54.5)

2 (Section scheduled to be repealed on May 26, 2008)

3 Sec. 54.5. Horse Racing Equity Trust Fund.

4 (a) There is created a Fund to be known as the Horse Racing  
5 Equity Trust Fund, which is a non-appropriated trust fund held  
6 separate and apart from State moneys. The Fund shall consist of  
7 moneys paid into it by owners licensees under the Riverboat  
8 Gambling Act for the purposes described in this Section. The  
9 Fund shall be administered by the Board. Moneys in the Fund  
10 shall be distributed as directed and certified by the Board in  
11 accordance with the provisions of subsection (b).

12 (b) The moneys deposited into the Fund, plus any accrued  
13 interest on those moneys, shall be distributed within 10 days  
14 after those moneys are deposited into the Fund as follows:

15 (1) Sixty percent of all moneys distributed under this  
16 subsection shall be distributed to organization licensees  
17 to be distributed at their race meetings as purses.  
18 Fifty-seven percent of the amount distributed under this  
19 paragraph (1) shall be distributed for thoroughbred race  
20 meetings and 43% shall be distributed for standardbred race  
21 meetings. Within each breed, moneys shall be allocated to  
22 each organization licensee's purse fund in accordance with  
23 the ratio between the purses generated for that breed by  
24 that licensee during the prior calendar year and the total  
25 purses generated throughout the State for that breed during  
26 the prior calendar year by licensees in the current

1 calendar year.

2 (2) The remaining 40% of the moneys distributed under  
3 this subsection (b) shall be distributed as follows:

4 (A) 11% shall be distributed to any person (or its  
5 successors or assigns) who had operating control of a  
6 racetrack that conducted live racing in 2002 at a  
7 racetrack in a county with at least 230,000 inhabitants  
8 that borders the Mississippi River and is a licensee in  
9 the current year; and

10 (B) the remaining 89% shall be distributed pro rata  
11 according to the aggregate proportion of total handle  
12 from wagering on live races conducted in Illinois  
13 (irrespective of where the wagers are placed) for  
14 calendar years 2004 and 2005 to any person (or its  
15 successors or assigns) who (i) had majority operating  
16 control of a racing facility at which live racing was  
17 conducted in calendar year 2002, (ii) is a licensee in  
18 the current year, and (iii) is not eligible to receive  
19 moneys under subparagraph (A) of this paragraph (2).

20 The moneys received by an organization licensee  
21 under this paragraph (2) shall be used by each  
22 organization licensee to improve, maintain, market,  
23 and otherwise operate its racing facilities to conduct  
24 live racing, which shall include backstretch services  
25 and capital improvements related to live racing and the  
26 backstretch. Any organization licensees sharing common

1 ownership may pool the moneys received and spent at all  
2 racing facilities commonly owned in order to meet these  
3 requirements.

4 If any person identified in this paragraph (2) becomes  
5 ineligible to receive moneys from the Fund, such amount  
6 shall be redistributed among the remaining persons in  
7 proportion to their percentages otherwise calculated.

8 (c) The Board shall monitor organization licensees to  
9 ensure that moneys paid to organization licensees under this  
10 Section are distributed by the organization licensees as  
11 provided in subsection (b).

12 (d) The Horse Racing Equity Trust Fund shall not be subject  
13 to sweeps, administrative charges, or charge backs, including  
14 but not limited to, those authorized under Section 8h of the  
15 State Finance Act or any other fiscal or budgetary maneuver  
16 that would in any way transfer any funds from the Horse Racing  
17 Equity Trust Fund into any other fund of the State.

18 (e) ~~(d)~~ This Section is repealed 2 years after the  
19 effective date of this amendatory Act of the 94th General  
20 Assembly.

21 (Source: P.A. 94-804, eff. 5-26-06.)

22 (230 ILCS 5/56 new)

23 Sec. 56. Electronic gaming.

24 (a) An organization licensee may apply to the Gaming Board  
25 for an electronic gaming license. An electronic gaming license

1 shall authorize its holder to conduct gambling at slot machines  
2 on the grounds of the licensee's race track. Each license shall  
3 specify the number of slot machines that its holder may  
4 operate. An electronic gaming licensee may not permit persons  
5 under 21 years of age to be present in its electronic gaming  
6 facility, but the licensee may accept wagers on live racing and  
7 inter-track wagers at its electronic gaming facility.

8 (b) The adjusted gross receipts received by an electronic  
9 gaming licensee from electronic gaming remaining after the  
10 payment of taxes under Section 13 of the Riverboat and Casino  
11 Gambling Act shall be distributed as follows:

12 82.5% shall be retained by the licensee;

13 15% shall be paid to purse equity accounts;

14 2.25% shall be paid to the Illinois Thoroughbred  
15 Breeders Fund, and the Illinois Standardbred Breeders  
16 Fund, divided pro rata based on the proportion of live  
17 thoroughbred racing and live standardbred racing conducted  
18 at that licensee's race track; and

19 0.25% shall be paid to the licensee's live racing and  
20 horse ownership promotional account.

21 (c) Moneys paid into purse equity accounts by licensees at  
22 tracks located in counties other than Madison County shall be  
23 maintained separately from moneys paid into purse equity  
24 accounts by a licensee at a track located in Madison County.

25 (d) Of the moneys paid to purse equity accounts by an  
26 electronic gaming licensee located in a county other than

1 Madison County, monies shall be paid into a single thoroughbred  
2 purse pool and monies shall be paid into a single standardbred  
3 purse pool, based on the proportion of purses paid statewide by  
4 breed in the prior calendar year, as certified by the Board.

5 For a track located in a county other than Madison County,  
6 each calendar year, moneys in the thoroughbred purse pool shall  
7 be distributed equally for each awarded racing date to the  
8 thoroughbred purse accounts of each organization licensee that  
9 paid money into the thoroughbred purse pool.

10 For a track located in a county other than Madison County,  
11 each calendar year, moneys in the standardbred purse pool shall  
12 be distributed equally for each awarded racing date to the  
13 standardbred purse accounts of each organization licensee that  
14 paid money into the standardbred purse pool.

15 Moneys distributed under this subsection (d) shall be  
16 distributed as directed by the Board.

17 Section 930. The Riverboat Gambling Act is amended by  
18 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.1, 7.3, 8, 9, 11,  
19 11.1, 12, 13, 14, 18, 19, and 20 and by adding Sections 7.6 and  
20 7.7 as follows:

21 (230 ILCS 10/1) (from Ch. 120, par. 2401)

22 Sec. 1. Short title. This Act shall be known and may be  
23 cited as the Riverboat and Casino Gambling Act.

24 (Source: P.A. 86-1029.)

1 (230 ILCS 10/2) (from Ch. 120, par. 2402)

2 Sec. 2. Legislative Intent.

3 (a) This Act is intended to benefit the people of the State  
4 of Illinois by assisting economic development and promoting  
5 Illinois tourism and by increasing the amount of revenues  
6 available to the State to assist and support education.

7 (b) While authorization of riverboat and casino gambling  
8 will enhance investment, development and tourism in Illinois,  
9 it is recognized that it will do so successfully only if public  
10 confidence and trust in the credibility and integrity of the  
11 gambling operations and the regulatory process is maintained.  
12 Therefore, regulatory provisions of this Act are designed to  
13 strictly regulate the facilities, persons, associations and  
14 practices related to gambling operations pursuant to the police  
15 powers of the State, including comprehensive law enforcement  
16 supervision.

17 (c) The Illinois Gaming Board established under this Act  
18 should, as soon as possible, inform each applicant for an  
19 owners license of the Board's intent to grant or deny a  
20 license.

21 (Source: P.A. 93-28, eff. 6-20-03.)

22 (230 ILCS 10/3) (from Ch. 120, par. 2403)

23 Sec. 3. ~~Riverboat~~ Gambling Authorized.

24 (a) Riverboat and casino gambling operations and

1 electronic gaming operations ~~and the system of wagering~~  
2 ~~incorporated therein~~, as defined in this Act, are hereby  
3 authorized to the extent that they are carried out in  
4 accordance with the provisions of this Act.

5 (b) This Act does not apply to the pari-mutuel system of  
6 wagering used or intended to be used in connection with the  
7 horse-race meetings as authorized under the Illinois Horse  
8 Racing Act of 1975, lottery games authorized under the Illinois  
9 Lottery Law, bingo authorized under the Bingo License and Tax  
10 Act, charitable games authorized under the Charitable Games Act  
11 or pull tabs and jar games conducted under the Illinois Pull  
12 Tabs and Jar Games Act. This Act does apply to electronic  
13 gaming authorized under the Illinois Horse Racing Act of 1975  
14 to the extent provided in that Act and in this Act.

15 (c) Riverboat gambling conducted pursuant to this Act may  
16 be authorized upon any water within the State of Illinois or  
17 any water other than Lake Michigan which constitutes a boundary  
18 of the State of Illinois. Notwithstanding any provision in this  
19 subsection (c) to the contrary, a licensee that receives its  
20 license pursuant to subsection (e-5) of Section 7 or pursuant  
21 to paragraph (2) of subsection (e-10) of Section 7 may conduct  
22 riverboat gambling on Lake Michigan from a home dock located on  
23 Lake Michigan subject to any limitations contained in Section  
24 7. Notwithstanding any provision in this subsection (c) to the  
25 contrary, a licensee may conduct gambling at its home dock  
26 facility as provided in Sections 7 and 11. A licensee may



1 conduct riverboat gambling authorized under this Act  
2 regardless of whether it conducts excursion cruises. A licensee  
3 may permit the continuous ingress and egress of passengers for  
4 the purpose of gambling.

5 (d) Gambling that is conducted in accordance with this Act  
6 using slot machines shall be authorized at electronic gaming  
7 facilities as provided in this Act.

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

9 (230 ILCS 10/4) (from Ch. 120, par. 2404)

10 Sec. 4. Definitions. As used in this Act:

11 ~~(a)~~ "Board" means the Illinois Gaming Board.

12 ~~(b)~~ "Occupational license" means a license issued by the  
13 Board to a person or entity to perform an occupation which the  
14 Board has identified as requiring a license to engage in  
15 riverboat or casino gambling in Illinois.

16 ~~(c)~~ "Gambling game" includes, but is not limited to,  
17 baccarat, twenty-one, poker, craps, slot machine, video game of  
18 chance, roulette wheel, klondike table, punchboard, faro  
19 layout, keno layout, numbers ticket, push card, jar ticket, or  
20 pull tab which is authorized by the Board as a wagering device  
21 under this Act.

22 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a  
23 permanently moored barge, or permanently moored barges that are  
24 permanently fixed together to operate as one vessel, on which  
25 lawful gambling is authorized and licensed as provided in this

1 Act.

2 ~~(e)~~ "Managers license" means a license issued by the Board  
3 to a person or entity to manage gambling operations conducted  
4 by the State pursuant to Section 7.3 ~~7.2~~.

5 ~~(f)~~ "Dock" means the location where a riverboat moors for  
6 the purpose of embarking passengers for and disembarking  
7 passengers from the riverboat.

8 ~~(g)~~ "Gross receipts" means the total amount of money  
9 exchanged for the purchase of chips, tokens or electronic cards  
10 by riverboat or casino patrons or electronic gaming operation  
11 patrons.

12 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less  
13 winnings paid to wagerers.

14 ~~(i)~~ "Cheat" means to alter the selection of criteria which  
15 determine the result of a gambling game or the amount or  
16 frequency of payment in a gambling game.

17 ~~(j)~~ "Department" means the Department of Revenue.

18 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~  
19 gambling games authorized under this Act on ~~upon~~ a riverboat or  
20 in a casino or authorized under this Act and the Illinois Horse  
21 Racing Act of 1975 at an electronic gaming facility.

22 ~~(l)~~ "License bid" means the lump sum amount of money that  
23 an applicant bids and agrees to pay the State in return for an  
24 owners license that is re-issued on or after July 1, 2003.

25 ~~(m)~~ The terms "minority person" and "female" shall have the  
26 same meaning as defined in Section 2 of the Business Enterprise

1 for Minorities, Females, and Persons with Disabilities Act.

2 "Casino" means a land-based facility at which lawful  
3 gambling is authorized and licensed as provided in this Act.

4 "Owners license" means a license to conduct riverboat or  
5 casino gambling operations, but does not include an electronic  
6 gaming license.

7 "Licensed owner" means a person who holds an owners  
8 license.

9 "Electronic gaming license" means a license issued by the  
10 Board under Section 7.4 of this Act authorizing electronic  
11 gaming at an electronic gaming facility.

12 "Electronic gaming" means the conduct of gambling using  
13 slot machines at a race track licensed under the Illinois Horse  
14 Racing Act of 1975 pursuant to the Illinois Horse Racing Act of  
15 1975 and this Act.

16 "Electronic gaming facility" means the area where the Board  
17 has authorized limited gaming at a race track of an  
18 organization licensee under the Illinois Horse Racing Act of  
19 1975 that holds an electronic gaming license.

20 "Organization licensee" means an entity authorized by the  
21 Illinois Racing Board to conduct pari-mutuel wagering in  
22 accordance with the Illinois Horse Racing Act of 1975.

23 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;  
24 revised 1-28-04.)

1           Sec. 5. Gaming Board.

2           (a) (1) There is hereby established within the Department  
3 of Revenue an Illinois Gaming Board which shall have the powers  
4 and duties specified in this Act, and all other powers  
5 necessary and proper to fully and effectively execute this Act  
6 for the purpose of administering, regulating, and enforcing the  
7 system of riverboat and casino gambling established by this  
8 Act. Its jurisdiction shall extend under this Act to every  
9 person, association, corporation, partnership and trust  
10 involved in riverboat and casino gambling operations in the  
11 State of Illinois.

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

24           (3) The terms of office of the Board members shall be 3  
25 years, except that the terms of office of the initial Board  
26 members appointed pursuant to this Act will commence from the

1 effective date of this Act and run as follows: one for a term  
2 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
3 a term ending July 1, 1993. Upon the expiration of the  
4 foregoing terms, the successors of such members shall serve a  
5 term for 3 years and until their successors are appointed and  
6 qualified for like terms. Vacancies in the Board shall be  
7 filled for the unexpired term in like manner as original  
8 appointments. Each member of the Board shall be eligible for  
9 reappointment at the discretion of the Governor with the advice  
10 and consent of the Senate.

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

16 (5) No person shall be appointed a member of the Board or  
17 continue to be a member of the Board who is, or whose spouse,  
18 child or parent is, a member of the board of directors of, or a  
19 person financially interested in, any gambling operation  
20 subject to the jurisdiction of this Board, or any race track,  
21 race meeting, racing association or the operations thereof  
22 subject to the jurisdiction of the Illinois Racing Board. No  
23 Board member shall hold any other public office for which he  
24 shall receive compensation other than necessary travel or other  
25 incidental expenses. No person shall be a member of the Board  
26 who is not of good moral character or who has been convicted

1 of, or is under indictment for, a felony under the laws of  
2 Illinois or any other state, or the United States.

3 (6) Any member of the Board may be removed by the Governor  
4 for neglect of duty, misfeasance, malfeasance, or nonfeasance  
5 in office.

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

25 (8) Upon the request of the Board, the Department shall  
26 employ such personnel as may be necessary to carry out the

1 functions of the Board. No person shall be employed to serve  
2 the Board who is, or whose spouse, parent or child is, an  
3 official of, or has a financial interest in or financial  
4 relation with, any operator engaged in gambling operations  
5 within this State or any organization engaged in conducting  
6 horse racing within this State. Any employee violating these  
7 prohibitions shall be subject to termination of employment.

8 (9) An Administrator shall perform any and all duties that  
9 the Board shall assign him. The salary of the Administrator  
10 shall be determined by the Board and approved by the Director  
11 of the Department and, in addition, he shall be reimbursed for  
12 all actual and necessary expenses incurred by him in discharge  
13 of his official duties. The Administrator shall keep records of  
14 all proceedings of the Board and shall preserve all records,  
15 books, documents and other papers belonging to the Board or  
16 entrusted to its care. The Administrator shall devote his full  
17 time to the duties of the office and shall not hold any other  
18 office or employment.

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

22 (1) To decide promptly and in reasonable order all  
23 license applications. Any party aggrieved by an action of  
24 the Board denying, suspending, revoking, restricting or  
25 refusing to renew a license may request a hearing before  
26 the Board. A request for a hearing must be made to the

1 Board in writing within 5 days after service of notice of  
2 the action of the Board. Notice of the action of the Board  
3 shall be served either by personal delivery or by certified  
4 mail, postage prepaid, to the aggrieved party. Notice  
5 served by certified mail shall be deemed complete on the  
6 business day following the date of such mailing. The Board  
7 shall conduct all requested hearings promptly and in  
8 reasonable order;

9 (2) To conduct all hearings pertaining to civil  
10 violations of this Act or rules and regulations promulgated  
11 hereunder;

12 (3) To promulgate such rules and regulations as in its  
13 judgment may be necessary to protect or enhance the  
14 credibility and integrity of gambling operations  
15 authorized by this Act and the regulatory process  
16 hereunder;

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

22 (5) To provide for the levy and collection of penalties  
23 and fines for the violation of provisions of this Act and  
24 the rules and regulations promulgated hereunder. All such  
25 fines and penalties shall be deposited into the Education  
26 Assistance Fund, created by Public Act 86-0018, of the



1 State of Illinois;

2 (6) To be present through its inspectors and agents any  
3 time gambling operations are conducted on any riverboat, in  
4 any casino, or at any electronic gaming facility for the  
5 purpose of certifying the revenue thereof, receiving  
6 complaints from the public, and conducting such other  
7 investigations into the conduct of the gambling games and  
8 the maintenance of the equipment as from time to time the  
9 Board may deem necessary and proper;

10 (7) To review and rule upon any complaint by a licensee  
11 regarding any investigative procedures of the State which  
12 are unnecessarily disruptive of gambling operations. The  
13 need to inspect and investigate shall be presumed at all  
14 times. The disruption of a licensee's operations shall be  
15 proved by clear and convincing evidence, and establish  
16 that: (A) the procedures had no reasonable law enforcement  
17 purposes, and (B) the procedures were so disruptive as to  
18 unreasonably inhibit gambling operations;

19 (8) To hold at least one meeting each quarter of the  
20 fiscal year. In addition, special meetings may be called by  
21 the Chairman or any 2 Board members upon 72 hours written  
22 notice to each member. All Board meetings shall be subject  
23 to the Open Meetings Act. Three members of the Board shall  
24 constitute a quorum, and 3 votes shall be required for any  
25 final determination by the Board. The Board shall keep a  
26 complete and accurate record of all its meetings. A

1 majority of the members of the Board shall constitute a  
2 quorum for the transaction of any business, for the  
3 performance of any duty, or for the exercise of any power  
4 which this Act requires the Board members to transact,  
5 perform or exercise en banc, except that, upon order of the  
6 Board, one of the Board members or an administrative law  
7 judge designated by the Board may conduct any hearing  
8 provided for under this Act or by Board rule and may  
9 recommend findings and decisions to the Board. The Board  
10 member or administrative law judge conducting such hearing  
11 shall have all powers and rights granted to the Board in  
12 this Act. The record made at the time of the hearing shall  
13 be reviewed by the Board, or a majority thereof, and the  
14 findings and decision of the majority of the Board shall  
15 constitute the order of the Board in such case;

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

20 (10) To file a written annual report with the Governor  
21 on or before March 1 each year and such additional reports  
22 as the Governor may request. The annual report shall  
23 include a statement of receipts and disbursements by the  
24 Board, actions taken by the Board, and any additional  
25 information and recommendations which the Board may deem  
26 valuable or which the Governor may request;

1 (11) (Blank); ~~and~~

2 (12) To assume responsibility for the administration  
3 and enforcement of the Bingo License and Tax Act, the  
4 Charitable Games Act, and the Pull Tabs and Jar Games Act  
5 if such responsibility is delegated to it by the Director  
6 of Revenue; and.

7 (13) To assume responsibility for the administration  
8 and enforcement of operations at electronic gaming  
9 facilities pursuant to this Act and the Illinois Horse  
10 Racing Act of 1975.

11 (c) The Board shall have jurisdiction over and shall  
12 supervise all gambling operations governed by this Act. The  
13 Board shall have all powers necessary and proper to fully and  
14 effectively execute the provisions of this Act, including, but  
15 not limited to, the following:

16 (1) To investigate applicants and determine the  
17 eligibility of applicants for licenses and to select among  
18 competing applicants the applicants which best serve the  
19 interests of the citizens of Illinois.

20 (2) To have jurisdiction and supervision over all  
21 ~~riverboat~~ gambling operations authorized under this Act ~~in~~  
22 ~~this State~~ and all persons in places ~~on riverboats~~ where  
23 gambling operations are conducted.

24 (3) To promulgate rules and regulations for the purpose  
25 of administering the provisions of this Act and to  
26 prescribe rules, regulations and conditions under which

1 all ~~riverboat~~ gambling operations subject to this Act ~~in~~  
2 ~~the State~~ shall be conducted. Such rules and regulations  
3 are to provide for the prevention of practices detrimental  
4 to the public interest and for the best interests of  
5 ~~riverboat~~ gambling, including rules and regulations  
6 regarding the inspection of electronic gaming facilities,  
7 casinos, and ~~such~~ riverboats and the review of any permits  
8 or licenses necessary to operate a riverboat, casino, or  
9 electronic gaming facilities under any laws or regulations  
10 applicable to riverboats, casinos, or electronic gaming  
11 facilities and to impose penalties for violations thereof.

12 (4) To enter the office, riverboats, casinos,  
13 electronic gaming facilities, and other facilities, or  
14 other places of business of a licensee, where evidence of  
15 the compliance or noncompliance with the provisions of this  
16 Act is likely to be found.

17 (5) To investigate alleged violations of this Act or  
18 the rules of the Board and to take appropriate disciplinary  
19 action against a licensee or a holder of an occupational  
20 license for a violation, or institute appropriate legal  
21 action for enforcement, or both.

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

25 (7) To adopt appropriate standards for all electronic  
26 gaming facilities, riverboats, casinos, and other

1 facilities authorized under this Act.

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

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

22 (10) To prescribe a form to be used by any licensee  
23 involved in the ownership or management of gambling  
24 operations as an application for employment for their  
25 employees.

26 (11) To revoke or suspend licenses, as the Board may

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

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

25 (13) To require all licensees of gambling operations to  
26 utilize a cashless wagering system whereby all players'

1 money is converted to tokens, electronic cards, or chips  
2 which shall be used only for wagering in the gambling  
3 establishment.

4 (14) (Blank).

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

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

19 (17) To establish minimum levels of insurance to be  
20 maintained by licensees.

21 (18) To authorize a licensee to sell or serve alcoholic  
22 liquors, wine or beer as defined in the Liquor Control Act  
23 of 1934 on board a riverboat or in a casino and to have  
24 exclusive authority to establish the hours for sale and  
25 consumption of alcoholic liquor on board a riverboat or in  
26 a casino, notwithstanding any provision of the Liquor

1 Control Act of 1934 or any local ordinance, and regardless  
2 of whether the riverboat makes excursions. The  
3 establishment of the hours for sale and consumption of  
4 alcoholic liquor on board a riverboat or in a casino is an  
5 exclusive power and function of the State. A home rule unit  
6 may not establish the hours for sale and consumption of  
7 alcoholic liquor on board a riverboat or in a casino. This  
8 subdivision (18) ~~amendatory Act of 1991~~ is a denial and  
9 limitation of home rule powers and functions under  
10 subsection (h) of Section 6 of Article VII of the Illinois  
11 Constitution.

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

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

21 (21) To make rules concerning the conduct of electronic  
22 gaming.

23 (22) ~~(21)~~ To take any other action as may be reasonable  
24 or appropriate to enforce this Act and rules and  
25 regulations hereunder.

26 (d) The Board may seek and shall receive the cooperation of



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

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

14 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00; 91-883,  
15 eff. 1-1-01.)

16 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

17 Sec. 5.1. Disclosure of records.

18 (a) Notwithstanding any applicable statutory provision to  
19 the contrary, the Board shall, on written request from any  
20 person, provide information furnished by an applicant or  
21 licensee concerning the applicant or licensee, his products,  
22 services or gambling enterprises and his business holdings, as  
23 follows:

24 (1) The name, business address and business telephone  
25 number of any applicant or licensee.

1           (2) An identification of any applicant or licensee  
2 including, if an applicant or licensee is not an  
3 individual, the state of incorporation or registration,  
4 the corporate officers, and the identity of all  
5 shareholders or participants. If an applicant or licensee  
6 has a pending registration statement filed with the  
7 Securities and Exchange Commission, only the names of those  
8 persons or entities holding interest of 5% or more must be  
9 provided.

10           (3) An identification of any business, including, if  
11 applicable, the state of incorporation or registration, in  
12 which an applicant or licensee or an applicant's or  
13 licensee's spouse or children has an equity interest of  
14 more than 5%. If an applicant or licensee is a corporation,  
15 partnership or other business entity, the applicant or  
16 licensee shall identify any other corporation, partnership  
17 or business entity in which it has an equity interest of 5%  
18 or more, including, if applicable, the state of  
19 incorporation or registration. This information need not  
20 be provided by a corporation, partnership or other business  
21 entity that has a pending registration statement filed with  
22 the Securities and Exchange Commission.

23           (4) Whether an applicant or licensee has been indicted,  
24 convicted, pleaded guilty or nolo contendere, or forfeited  
25 bail concerning any criminal offense under the laws of any  
26 jurisdiction, either felony or misdemeanor (except for

1 traffic violations), including the date, the name and  
2 location of the court, arresting agency and prosecuting  
3 agency, the case number, the offense, the disposition and  
4 the location and length of incarceration.

5 (5) Whether an applicant or licensee has had any  
6 license or certificate issued by a licensing authority in  
7 Illinois or any other jurisdiction denied, restricted,  
8 suspended, revoked or not renewed and a statement  
9 describing the facts and circumstances concerning the  
10 denial, restriction, suspension, revocation or  
11 non-renewal, including the licensing authority, the date  
12 each such action was taken, and the reason for each such  
13 action.

14 (6) Whether an applicant or licensee has ever filed or  
15 had filed against it a proceeding in bankruptcy or has ever  
16 been involved in any formal process to adjust, defer,  
17 suspend or otherwise work out the payment of any debt  
18 including the date of filing, the name and location of the  
19 court, the case and number of the disposition.

20 (7) Whether an applicant or licensee has filed, or been  
21 served with a complaint or other notice filed with any  
22 public body, regarding the delinquency in the payment of,  
23 or a dispute over the filings concerning the payment of,  
24 any tax required under federal, State or local law,  
25 including the amount, type of tax, the taxing agency and  
26 time periods involved.

1           (8) A statement listing the names and titles of all  
2 public officials or officers of any unit of government, and  
3 relatives of said public officials or officers who,  
4 directly or indirectly, own any financial interest in, have  
5 any beneficial interest in, are the creditors of or hold  
6 any debt instrument issued by, or hold or have any interest  
7 in any contractual or service relationship with, an  
8 applicant or licensee.

9           (9) Whether an applicant or licensee has made, directly  
10 or indirectly, any political contribution, or any loans,  
11 donations or other payments, to any candidate or office  
12 holder, within 5 years from the date of filing the  
13 application, including the amount and the method of  
14 payment.

15           (10) The name and business telephone number of the  
16 counsel representing an applicant or licensee in matters  
17 before the Board.

18           (11) A description of any proposed or approved  
19 riverboat or casino gaming operation, including the type of  
20 boat, home dock or casino location, expected economic  
21 benefit to the community, anticipated or actual number of  
22 employees, any statement from an applicant or licensee  
23 regarding compliance with federal and State affirmative  
24 action guidelines, projected or actual admissions and  
25 projected or actual adjusted gross gaming receipts.

26           (12) A description of the product or service to be

1 supplied by an applicant for a supplier's license.

2 (b) Notwithstanding any applicable statutory provision to  
3 the contrary, the Board shall, on written request from any  
4 person, also provide the following information:

5 (1) The amount of the wagering tax and admission tax  
6 paid daily to the State of Illinois by the holder of an  
7 owner's license.

8 (2) Whenever the Board finds an applicant for an  
9 owner's license unsuitable for licensing, a copy of the  
10 written letter outlining the reasons for the denial.

11 (3) Whenever the Board has refused to grant leave for  
12 an applicant to withdraw his application, a copy of the  
13 letter outlining the reasons for the refusal.

14 (c) Subject to the above provisions, the Board shall not  
15 disclose any information which would be barred by:

16 (1) Section 7 of the Freedom of Information Act; or

17 (2) The statutes, rules, regulations or  
18 intergovernmental agreements of any jurisdiction.

19 (d) The Board may assess fees for the copying of  
20 information in accordance with Section 6 of the Freedom of  
21 Information Act.

22 (Source: P.A. 87-826.)

23 (230 ILCS 10/6) (from Ch. 120, par. 2406)

24 Sec. 6. Application for Owners License.

25 (a) A qualified person may apply to the Board for an owners

1 license to conduct a ~~riverboat~~ gambling operation as provided  
2 in this Act. The application shall be made on forms provided by  
3 the Board and shall contain such information as the Board  
4 prescribes, including but not limited to the identity of the  
5 riverboat on which such gambling operation is to be conducted,  
6 if applicable, and the exact location where such riverboat will  
7 be docked, a certification that the riverboat will be  
8 registered under this Act at all times during which gambling  
9 operations are conducted on board, detailed information  
10 regarding the ownership and management of the applicant, and  
11 detailed personal information regarding the applicant. Any  
12 application for an owners license to be re-issued on or after  
13 June 1, 2003 shall also include the applicant's license bid in  
14 a form prescribed by the Board. Information provided on the  
15 application shall be used as a basis for a thorough background  
16 investigation which the Board shall conduct with respect to  
17 each applicant. An incomplete application shall be cause for  
18 denial of a license by the Board.

19 (b) Applicants shall submit with their application all  
20 documents, resolutions, and letters of support from the  
21 governing body that represents the municipality or county  
22 wherein the licensee will dock.

23 (c) Each applicant shall disclose the identity of every  
24 person, association, trust or corporation having a greater than  
25 1% direct or indirect pecuniary interest in the ~~riverboat~~  
26 gambling operation with respect to which the license is sought.

1 If the disclosed entity is a trust, the application shall  
2 disclose the names and addresses of the beneficiaries; if a  
3 corporation, the names and addresses of all stockholders and  
4 directors; if a partnership, the names and addresses of all  
5 partners, both general and limited.

6 (d) An application shall be filed with the Board by January  
7 1 of the year preceding any calendar year for which an  
8 applicant seeks an owners license; however, applications for an  
9 owners license permitting operations on January 1, 1991 shall  
10 be filed by July 1, 1990. An application fee of \$50,000 shall  
11 be paid at the time of filing to defray the costs associated  
12 with the background investigation conducted by the Board. If  
13 the costs of the investigation exceed \$50,000, the applicant  
14 shall pay the additional amount to the Board. If the costs of  
15 the investigation are less than \$50,000, the applicant shall  
16 receive a refund of the remaining amount. All information,  
17 records, interviews, reports, statements, memoranda or other  
18 data supplied to or used by the Board in the course of its  
19 review or investigation of an application for a license under  
20 this Act shall be privileged, strictly confidential and shall  
21 be used only for the purpose of evaluating an applicant. Such  
22 information, records, interviews, reports, statements,  
23 memoranda or other data shall not be admissible as evidence,  
24 nor discoverable in any action of any kind in any court or  
25 before any tribunal, board, agency or person, except for any  
26 action deemed necessary by the Board.

1 (e) The Board shall charge each applicant a fee set by the  
2 Department of State Police to defray the costs associated with  
3 the search and classification of fingerprints obtained by the  
4 Board with respect to the applicant's application. These fees  
5 shall be paid into the State Police Services Fund.

6 (f) The licensed owner shall be the person primarily  
7 responsible for the boat or casino itself. Only one ~~riverboat~~  
8 gambling operation may be authorized by the Board on any  
9 riverboat or in any casino. The applicant must identify the  
10 ~~each~~ riverboat or premises it intends to use and certify that  
11 the riverboat or premises: (1) has the authorized capacity  
12 required in this Act; (2) is accessible to disabled persons;  
13 and (3) is fully registered and licensed in accordance with any  
14 applicable laws.

15 (g) A person who knowingly makes a false statement on an  
16 application is guilty of a Class A misdemeanor.

17 (Source: P.A. 93-28, eff. 6-20-03.)

18 (230 ILCS 10/7) (from Ch. 120, par. 2407)

19 Sec. 7. Owners Licenses.

20 (a) The Board shall issue owners licenses to persons, firms  
21 or corporations which apply for such licenses upon payment to  
22 the Board of the non-refundable license fee set by the Board,  
23 upon payment of a \$25,000 license fee for the first year of  
24 operation and a \$5,000 license fee for each succeeding year and  
25 upon a determination by the Board that the applicant is



1 eligible for an owners license pursuant to this Act and the  
2 rules of the Board. From May 26, 2006 (~~For a period of 2 years~~  
3 ~~beginning on~~ the effective date of Public Act 94-804) until  
4 July 1, 2007 ~~this amendatory Act of the 94th General Assembly,~~  
5 as a condition of licensure and as an alternative source of  
6 payment for those funds payable under subsection (c-5) of  
7 Section 13 of this ~~the Riverboat Gambling~~ Act, any owners  
8 licensee that holds or receives its owners license on or after  
9 the effective date of this amendatory Act of the 94th General  
10 Assembly, other than an owners licensee operating a riverboat  
11 with adjusted gross receipts in calendar year 2004 of less than  
12 \$200,000,000, must pay into the Horse Racing Equity Trust Fund,  
13 in addition to any other payments required under this Act, an  
14 amount equal to 3% of the adjusted gross receipts received by  
15 the owners licensee. The payments required under this Section  
16 shall be made by the owners licensee to the State Treasurer no  
17 later than 3:00 o'clock p.m. of the day after the day when the  
18 adjusted gross receipts were received by the owners licensee. A  
19 person, firm or corporation is ineligible to receive an owners  
20 license if:

21 (1) the person has been convicted of a felony under the  
22 laws of this State, any other state, or the United States;

23 (2) the person has been convicted of any violation of  
24 Article 28 of the Criminal Code of 1961, or substantially  
25 similar laws of any other jurisdiction;

26 (3) the person has submitted an application for a

1 license under this Act which contains false information;

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

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

6 (6) the firm or corporation employs a person defined in  
7 (1), (2), (3) or (4) who participates in the management or  
8 operation of gambling operations authorized under this  
9 Act;

10 (7) (blank); or

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

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

16 (1) the character, reputation, experience and  
17 financial integrity of the applicants and of any other or  
18 separate person that either:

19 (A) controls, directly or indirectly, such  
20 applicant, or

21 (B) is controlled, directly or indirectly, by such  
22 applicant or by a person which controls, directly or  
23 indirectly, such applicant;

24 (2) the facilities or proposed facilities for the  
25 conduct of ~~riverboat~~ gambling;

26 (3) the highest prospective total revenue to be derived

1 by the State from the ~~conduct of riverboat~~ gambling;

2 (4) the extent to which the ownership of the applicant  
3 reflects the diversity of the State by including minority  
4 persons and females and the good faith affirmative action  
5 plan of each applicant to recruit, train and upgrade  
6 minority persons and females in all employment  
7 classifications;

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

10 (6) whether the applicant has adequate capitalization  
11 to provide and maintain, for the duration of a license, a  
12 riverboat or casino;

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

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

17 (c) Each owners license shall specify the place where the  
18 casino shall operate or the riverboat ~~riverboats~~ shall operate  
19 and dock.

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

22 (e) In addition to any licenses authorized under  
23 subsections (e-5) and (e-10), the ~~The~~ Board may issue up to 10  
24 licenses authorizing the holders of such licenses to own  
25 riverboats. In the application for an owners license, the  
26 applicant shall state the dock at which the riverboat is based

1 and the water on which the riverboat will be located. The Board  
2 shall issue 5 licenses to become effective not earlier than  
3 January 1, 1991. Three of such licenses shall authorize  
4 riverboat gambling on the Mississippi River, or, with approval  
5 by the municipality in which the riverboat was docked on August  
6 7, 2003 and with Board approval, be authorized to relocate to a  
7 new location, in a municipality that (1) borders on the  
8 Mississippi River or is within 5 miles of the city limits of a  
9 municipality that borders on the Mississippi River and (2), on  
10 August 7, 2003, had a riverboat conducting riverboat gambling  
11 operations pursuant to a license issued under this Act; one of  
12 which shall authorize riverboat gambling from a home dock in  
13 the city of East St. Louis. One other license shall authorize  
14 riverboat gambling on the Illinois River south of Marshall  
15 County. The Board shall issue one additional license to become  
16 effective not earlier than March 1, 1992, which shall authorize  
17 riverboat gambling on the Des Plaines River in Will County. The  
18 Board may issue 4 additional licenses to become effective not  
19 earlier than March 1, 1992. In determining the water upon which  
20 riverboats will operate, the Board shall consider the economic  
21 benefit which riverboat gambling confers on the State, and  
22 shall seek to assure that all regions of the State share in the  
23 economic benefits of riverboat gambling.

24 In granting all licenses, the Board may give favorable  
25 consideration to economically depressed areas of the State, to  
26 applicants presenting plans which provide for significant

1 economic development over a large geographic area, and to  
2 applicants who currently operate non-gambling riverboats in  
3 Illinois. The Board shall review all applications for owners  
4 licenses, and shall inform each applicant of the Board's  
5 decision. The Board may grant an owners license to an applicant  
6 that has not submitted the highest license bid, but if it does  
7 not select the highest bidder, the Board shall issue a written  
8 decision explaining why another applicant was selected and  
9 identifying the factors set forth in this Section that favored  
10 the winning bidder.

11 (e-5) In addition to licenses authorized under subsections  
12 (e) and (e-10), the Board may issue one owners license  
13 authorizing either the conduct of riverboat gambling  
14 operations from a home dock located in a municipality with a  
15 population of more than 500,000 inhabitants or the conduct of  
16 gambling operations in a casino located in a municipality with  
17 a population of more than 500,000 inhabitants.

18 The license authorized under this subsection (e-5) shall be  
19 awarded pursuant to a process of open and competitive bidding  
20 in accordance with Section 7.5. However, the city council of  
21 the municipality in which the casino or the home dock of the  
22 riverboat is located may make recommendations regarding the  
23 location, proposal for ownership, licensee, and any other  
24 decisions made by the Board in connection with the license  
25 issued under this subsection (e-5).

26 The license authorized under this subsection (e-5) may

1 authorize the conduct of riverboat gambling on Lake Michigan if  
2 the city council of the municipality in which the home dock is  
3 located approves the authorization in its recommendations  
4 under this subsection (e-5).

5 The license authorized under this subsection (e-5) shall be  
6 issued in a timely manner, assuming that a qualified applicant  
7 is available.

8 (e-10) In addition to licenses authorized under  
9 subsections (e) and (e-5), the Board shall issue each of the  
10 following 3 owners licenses pursuant to a process of open and  
11 competitive bidding in accordance with Section 7.5:

12 (1) One owners license authorizing the conduct of  
13 riverboat gambling operations from a home dock located  
14 outside of the City of Chicago, but in Cook County and in  
15 one of the following townships: Bloom, Thornton, Rich,  
16 Orland, Calumet, Worth, Palos, Bremen, Lyons, or Lemont  
17 Township.

18 (2) One owners license authorizing the conduct of  
19 riverboat gambling from a home dock located in a  
20 municipality that (A) has a population of at least 75,000  
21 inhabitants, (B) is bordered on the East by Lake Michigan,  
22 and (C) is located in a county, the entirety of which is  
23 located to the North of Cook County, and shall authorize  
24 its holder to conduct riverboat gambling on Lake Michigan.

25 (3) One owners license authorizing the conduct of  
26 riverboat gambling from a home dock located in a

1        municipality of which any portion is located within 10  
2        miles of any portion of O'Hare International Airport

3        The licenses authorized under this subsection (e-10) shall  
4        be issued in a timely manner, assuming that a qualified  
5        applicant is available.

6        (e-15) In addition to any other revocation powers granted  
7        to the Board under this Act, the Board may revoke the owners  
8        license of a licensee which fails to begin conducting gambling  
9        within 24 ~~15~~ months of receipt of the Board's approval of the  
10       application if the Board determines that license revocation is  
11       in the best interests of the State. The Board may grant a  
12       12-month extension on this requirement if the licensee is  
13       proceeding in good faith.

14       (f) The ~~first 10 owners~~ licenses issued under this Act  
15       shall permit the holder to own the riverboat or casino ~~up to 2~~  
16       ~~riverboats~~ and equipment ~~thereon~~ for a period of 3 years after  
17       the effective date of the license. Holders of the first 10  
18       owners licenses must pay the annual license fee for each of the  
19       3 years during which they are authorized to own riverboats.

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

1 unless the Board sets a shorter period.

2 (h) An owners license, except for the owners license issued  
3 under subsection (e-5), shall entitle the licensee to operate  
4 up to 2,000 gaming positions, however any positions operated in  
5 excess of 1,200 shall be subject to a one-time fee of \$25,000  
6 per position. In addition to the 2,000 gaming positions  
7 authorized by a licensee's owners license, a licensee may  
8 operate gaming positions that it acquires pursuant to the  
9 competitive bidding process established under this subsection  
10 (h). An owners license issued under subsection (e-5) shall  
11 entitle the licensee to operate up to 4,000 gaming positions.  
12 For each 4-year license period, a licensee shall certify to the  
13 Board the total number of gaming positions it will use during  
14 the license period. If a licensee certifies that it will use a  
15 given number of gaming positions during its license period and,  
16 in the Board's determination, fails to use some or all of those  
17 gaming positions, then the unused gaming positions shall become  
18 the property of the Board. If a licensee certifies that it will  
19 use fewer than 2,000 gaming positions, or 4,000 gaming  
20 positions in the case of the licensee that acquires its license  
21 under subsection (e-5), then the authorized but unused gaming  
22 positions shall become the property of the Board. The Board  
23 shall establish, by rule, a method for licensees to  
24 competitively bid for the right to use gaming positions that  
25 become the property of the Board under this subsection (h). A  
26 licensee, other than the licensee that acquires its license



1 under subsection (e-5), may not bid for additional gaming  
2 positions under this subsection (h) unless it uses all 2,000  
3 gaming positions authorized by its license. A licensee that  
4 acquires its license under subsection (e-5) may bid for gaming  
5 positions under this subsection (h) only if the licensee had  
6 unused gaming positions become the property of the Board, and  
7 in no event shall that licensee be authorized to operate more  
8 than 4,000 gaming positions ~~own up to 2 riverboats.~~

9 An owners licensee, other than the licensee that acquires  
10 its license under subsection (e-5) or (e-10), that is  
11 authorized to operate in excess of 2,000 positions under this  
12 subsection (h) may conduct riverboat gambling operations from a  
13 temporary facility pending the construction of a permanent  
14 facility or the remodeling of an existing facility to  
15 accommodate those additional positions until July 1, 2008. An  
16 owners licensee that acquires its license under subsection  
17 (e-10) may conduct gambling operations from a temporary  
18 facility pending the construction of a permanent facility for  
19 one year after the issuance of its license. The number of  
20 positions at such a temporary facility may not exceed the  
21 number of positions the licensee is authorized to operate in  
22 excess of 2,000. The Board shall make rules concerning the  
23 conduct of gambling from temporary facilities. ~~A licensee shall~~  
24 ~~limit the number of gambling participants to 1,200 for any such~~  
25 ~~owners license. A licensee may operate both of its riverboats~~  
26 ~~concurrently, provided that the total number of gambling~~

1 ~~participants on both riverboats does not exceed 1,200.~~  
2 ~~Riverboats licensed to operate on the Mississippi River and the~~  
3 ~~Illinois River south of Marshall County shall have an~~  
4 ~~authorized capacity of at least 500 persons. Any other~~  
5 ~~riverboat licensed under this Act shall have an authorized~~  
6 ~~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 or a casino,  
10 including a liquor license, a license to prepare and serve food  
11 for human consumption, and other necessary licenses. All use,  
12 occupation and excise taxes which apply to the sale of food and  
13 beverages in this State and all taxes imposed on the sale or  
14 use of tangible personal property apply to such sales aboard  
15 the riverboat or in a casino.

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. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,  
3 eff. 8-23-05; 94-804, eff. 5-26-06.)

4 (230 ILCS 10/7.1)

5 Sec. 7.1. Re-issuance of revoked or non-renewed owners  
6 licenses.

7 (a) If an owners license terminates or expires without  
8 renewal or the Board revokes or determines not to renew an  
9 owners license (including, without limitation, an owners  
10 license for a licensee that was not conducting riverboat  
11 gambling operations on January 1, 1998) and that revocation or  
12 determination is final, the Board may re-issue such license to  
13 a qualified applicant pursuant to an open and competitive  
14 bidding process, as set forth in Section 7.5, and subject to  
15 the maximum number of authorized licenses set forth in  
16 subsections (e), (e-5), and (e-10) of Section 7 ~~Section 7(e)~~.  
17 The Board may not re-issue a license authorized under  
18 subsection (e) in a manner that would authorize the conduct of  
19 gambling in a municipality any portion of which is within 25  
20 miles of a municipality in which a riverboat authorized under  
21 subsections (e-5) or (e-10) is located.

22 (b) To be a qualified applicant, a person, firm, or  
23 corporation cannot be ineligible to receive an owners license  
24 under Section 7(a) and must submit an application for an owners  
25 license that complies with Section 6. Each such applicant must

1 also submit evidence to the Board that minority persons and  
2 females hold ownership interests in the applicant of at least  
3 16% and 4% respectively.

4 (c) Notwithstanding anything to the contrary in Section  
5 7(e), an applicant may apply to the Board for approval of  
6 relocation of a re-issued license to a new home dock location  
7 authorized under Section 3(c) upon receipt of the approval from  
8 the municipality or county, as the case may be, pursuant to  
9 Section 7(j).

10 (d) In determining whether to grant a re-issued owners  
11 license to an applicant, the Board shall consider all of the  
12 factors set forth in Section ~~Sections~~ 7(b) and in Section 7(e),  
13 (e-5), or (e-10), whichever is applicable, ~~(e)~~ as well as the  
14 amount of the applicant's license bid. The Board may grant the  
15 re-issued owners license to an applicant that has not submitted  
16 the highest license bid, but if it does not select the highest  
17 bidder, the Board shall issue a written decision explaining why  
18 another applicant was selected and identifying the factors set  
19 forth in Section ~~Sections~~ 7(b) and in Section 7(e), (e-5), or  
20 (e-10), whichever is applicable, ~~(e)~~ that favored the winning  
21 bidder.

22 (e) Re-issued owners licenses shall be subject to annual  
23 license fees as provided for in Section 7(a) and shall be  
24 governed by the provisions of Sections 7(f), (g), (h), and (i).

25 (Source: P.A. 93-28, eff. 6-20-03.)

1 (230 ILCS 10/7.3)

2 Sec. 7.3. State conduct of gambling operations.

3 (a) If, after reviewing each application for a re-issued  
4 license, the Board determines that the highest prospective  
5 total revenue to the State would be derived from State conduct  
6 of the gambling operation in lieu of re-issuing the license,  
7 the Board shall inform each applicant of its decision. The  
8 Board shall thereafter have the authority, without obtaining an  
9 owners license, to conduct riverboat gambling operations as  
10 previously authorized by the terminated, expired, revoked, or  
11 nonrenewed license through a licensed manager selected  
12 pursuant to an open and competitive bidding process as set  
13 forth in Section 7.5 and as provided in Section 7.4.

14 (b) The Board may locate any riverboat on which a gambling  
15 operation is conducted by the State in any home dock location  
16 authorized by Section 3(c) upon receipt of approval from a  
17 majority vote of the governing body of the municipality or  
18 county, as the case may be, in which the riverboat will dock.

19 (c) The Board shall have jurisdiction over and shall  
20 supervise all gambling operations conducted by the State  
21 provided for in this Act and shall have all powers necessary  
22 and proper to fully and effectively execute the provisions of  
23 this Act relating to gambling operations conducted by the  
24 State.

25 (d) The maximum number of owners licenses authorized under  
26 Section 7 ~~7(e)~~ shall be reduced by one for each instance in

1 which the Board authorizes the State to conduct a riverboat  
2 gambling operation under subsection (a) in lieu of re-issuing a  
3 license to an applicant under Section 7.1.

4 (Source: P.A. 93-28, eff. 6-20-03.)

5 (230 ILCS 10/7.6 new)

6 Sec. 7.6. Electronic gaming.

7 (a) The General Assembly finds that the horse racing and  
8 riverboat gambling industries share many similarities and  
9 collectively comprise the bulk of the State's gaming industry.  
10 One feature in common to both industries is that each is highly  
11 regulated by the State of Illinois.

12 The General Assembly further finds, however, that despite  
13 their shared features each industry is distinct from the other  
14 in that horse racing is and continues to be intimately tied to  
15 Illinois' agricultural economy and is, at its core, a spectator  
16 sport. This distinction requires the General Assembly to  
17 utilize different methods to regulate and promote the horse  
18 racing industry throughout the State.

19 The General Assembly finds that in order to promote live  
20 horse racing as a spectator sport in Illinois and the  
21 agricultural economy of this State, it is necessary to allow  
22 electronic gaming at Illinois race tracks given the success of  
23 other states in increasing live racing purse accounts and  
24 improving the quality of horses participating in horse race  
25 meetings.

1       The General Assembly finds, however, that even though the  
2 authority to conduct electronic gaming is a uniform means to  
3 improve live horse racing in this State, electronic gaming must  
4 be regulated and implemented differently in southern Illinois  
5 versus the Chicago area. The General Assembly finds that  
6 Fairmount Park is the only race track operating on a year round  
7 basis in southern Illinois that offers live racing and for that  
8 matter only conducts live thoroughbred racing. The General  
9 Assembly finds that the current state of affairs deprives  
10 spectators and standardbred horsemen residing in southern  
11 Illinois of the opportunity to participate in live standardbred  
12 racing in a manner similar to spectators, thoroughbred  
13 horsemen, and standardbred horsemen residing in the Chicago  
14 area. The General Assembly declares that southern Illinois  
15 spectators and standardbred horsemen are entitled to have a  
16 similar opportunity to participate in live standardbred racing  
17 as spectators in the Chicago area. The General Assembly  
18 declares that in order to remove this disparity between  
19 southern Illinois and the Chicago area, it is necessary for the  
20 State to regulate Fairmount Park differently from horse race  
21 tracks found in the Chicago area and tie Fairmount Park's  
22 authorization to conduct electronic gaming to a commitment to  
23 conduct at least 50 days of standardbred racing as set forth in  
24 subsection (d) of this Section.

25       (b) The Illinois Gaming Board shall award one electronic  
26 gaming license to become effective on or after July 1, 2007 to

1 each organization licensee under the Illinois Horse Racing Act  
2 of 1975, subject to application and eligibility requirements of  
3 this Section. Within 60 days after the effective date of this  
4 amendatory Act of the 95th General Assembly, a person, firm, or  
5 corporation having operating control of a racetrack may submit  
6 an application for an electronic gaming license. The  
7 application shall specify the number of gaming positions the  
8 applicant intends to use.

9 The Board shall determine within 180 days after receiving  
10 an application for an electronic gaming license, whether to  
11 grant an electronic gaming license to the organization  
12 licensee. If the Board does not make a determination within 180  
13 days, the Board shall give a written explanation to the  
14 organization licensee as to why it has not reached a  
15 determination and when it reasonably expects to make a  
16 determination.

17 The electronic gaming licensee shall purchase the  
18 electronic gaming positions authorized under this Act within  
19 120 days after receiving its electronic gaming license. If an  
20 electronic gaming licensee is prepared to purchase the  
21 electronic gaming positions, but is temporarily prohibited  
22 from doing so by order of a court of competent jurisdiction or  
23 the Board, then the 120-day period is tolled until a resolution  
24 is reached. If an electronic gaming licensee does purchase  
25 electronic gaming positions within the 120-day period, then the  
26 electronic gaming licensee shall not be estopped from



1 proceeding to operate or operating electronic gaming  
2 positions, unless otherwise stated by a court of competent  
3 jurisdiction or the Board.

4 An electronic gaming license shall authorize its holder to  
5 conduct electronic gaming at its race track at the following  
6 times:

7 (1) on days when it conducts live racing at the track  
8 where its electronic gaming facility is located from the  
9 time the first race of the day at that track begins until  
10 the end of the final race of the day at that race track;  
11 and

12 (2) on days when it conducts simulcast wagering on  
13 races run in the United States from the time it first  
14 receives the simulcast signal until one hour after it stops  
15 receiving the simulcast signal. A license to conduct  
16 limited gaming and any renewal of a limited owners license  
17 shall authorize limited gaming for a period of 4 years.

18 (c) To be eligible to conduct electronic gaming, an  
19 organization licensee must (i) obtain an electronic gaming  
20 license, (ii) hold an organization license under the Illinois  
21 Horse Racing Act of 1975, (iii) hold an inter-track wagering  
22 license, (iv) pay a fee of \$12,500 for each position it is  
23 authorized to operate before beginning to conduct electronic  
24 gaming and an additional fee of \$12,500 for each position it is  
25 authorized to operate no later than 12 months after the date it  
26 first conducts electronic gaming, and (v) meet all other

1 requirements of this Act that apply to owners licensees.

2 With respect to the live racing requirement described in  
3 this subsection, an organization licensee must conduct the same  
4 number of days of thoroughbred or standardbred racing or both,  
5 as the case may be, as it was awarded by the Board, unless a  
6 lesser schedule of live racing is the result of (A) weather or  
7 unsafe track conditions due to acts of God or (B) a strike  
8 between the organization licensee and the associations  
9 representing the largest number of owners, trainers, jockeys,  
10 or standardbred drivers who race horses at that organization  
11 licensee's racing meeting.

12 (d) In addition to the other eligibility requirements of  
13 subsection (c), an organization licensee that holds an  
14 electronic gaming license authorizing it to conduct electronic  
15 gaming at Fairmount Park must apply for and conduct at least 50  
16 days of standardbred racing in calendar year 2008 and  
17 thereafter, unless a lesser schedule of live racing is the  
18 result of (A) weather or unsafe track conditions due to acts of  
19 God or (B) a strike between the organization licensee and the  
20 associations representing the largest number of owners,  
21 trainers, jockeys, or standardbred drivers who race horses at  
22 that organization licensee's racing meeting.

23 (e) The Board may approve electronic gaming licenses  
24 authorizing the conduct of electronic gaming by eligible  
25 organization licensees.

26 (f) In calendar year 2007, the Board may approve up to

1 3,800 aggregate gambling positions statewide as provided in  
2 this Section. The authority to operate positions under this  
3 Section in calendar year 2007 shall be allocated as follows:

4 (1) The organization licensee operating at Arlington  
5 Park Race Course may operate up to 1,150 gaming positions  
6 at a time;

7 (2) The organization licensees operating at Hawthorne  
8 Race Course, including the organization licensee formerly  
9 operating at Sportsman's Park, may collectively operate up  
10 to 1,000 gaming positions at a time;

11 (3) The organization licensee operating at Balmoral  
12 Park may operate up to 300 gaming positions at a time;

13 (4) The organization licensee operating at Maywood  
14 Park may operate up to 850 gaming positions at a time; and

15 (5) The organization licensee operating at Fairmount  
16 Park may operate up to 500 gaming positions at a time.

17 (g) For each calendar year after 2007 in which an  
18 electronic gaming licensee requests a number of racing days  
19 under its organization license that is less than 90% of the  
20 number of days of live racing it was awarded in 2007, the  
21 electronic gaming licensee may not conduct electronic gaming.

22 (h) On the second anniversary of the issuance of an  
23 electronic gaming license, the Gaming Board shall review the  
24 average daily live on-track handle at the race track where the  
25 electronic gaming licensee's electronic gaming facility is  
26 located. If the average daily live on-track handle at that race

1 track is lower than the average daily live on-track handle at  
2 that race track in calendar year 2005 by at least 10%, then the  
3 Board shall withdraw 10% of the gaming positions at that  
4 electronic gaming facility. If the average daily live on-track  
5 handle at that race track is higher than the average daily live  
6 on-track handle at the race track in calendar year 2005 by at  
7 least 10%, then the board shall allow that race track to  
8 operate up to 10% more additional electronic gaming positions,  
9 subject to the initial fees described in subsection (c) for  
10 each additional position allowed.

11 (i) In any calendar year that an organization licensee with  
12 an electronic gaming license conducts fewer races than they  
13 conducted in 2005, the revenues generated by the electronic  
14 gaming licensee from electronic gaming on the days when racing  
15 did not occur will be split evenly between that organization  
16 licensee's purse account and the Racing Industry Worker's Fund.

17 (j) Upon the renewal of an electronic gaming license at  
18 tracks located in counties other than Madison County, if an  
19 electronic gaming licensee had a higher average daily live  
20 on-track racing handle in the term of its previous electronic  
21 gaming license than in 2005, then the number of electronic  
22 gaming positions that the electronic gaming licensee may  
23 operate after its license is renewed shall be increased by a  
24 percentage equal to the percentage increase in average daily  
25 live on-track racing handle during that previous license term  
26 over calendar year 2005, but in no event by more than 10%. If

1 an electronic gaming licensee had a lower average daily live  
2 on-track racing handle in the term of its previous electronic  
3 gaming license than in 2005, then the percentage of gross  
4 gaming receipts due the licensee under subsection (b) of  
5 Section 56 for the new term shall be reduced by a percentage  
6 equal to the percentage decrease in average daily live on-track  
7 racing handle during the previous license term over calendar  
8 year 2005. For the new term, the reduction in an electronic  
9 gaming licensee's percentage of gross gaming receipts shall  
10 result in a corresponding and equal increase in the percentage  
11 of gross gaming receipts paid to purse equity accounts.

12 Upon the renewal of an electronic gaming license at a track  
13 located in Madison County, if an electronic gaming licensee had  
14 a higher average daily live on-track racing handle in the term  
15 of its previous electronic gaming license than in 1999, then  
16 the number of electronic gaming positions that the electronic  
17 gaming licensee may operate after its license is renewed shall  
18 be increased by a percentage equal to the percentage increase  
19 in average daily live on-track racing handle during that  
20 previous license term over calendar year 1999, but in no event  
21 by more than 10%. If an electronic gaming licensee had a lower  
22 average daily live on-track racing handle in the term of its  
23 previous electronic gaming license than in 1999, then the  
24 percentage of gross gaming receipts due the licensee under  
25 subsection (b) of Section 56 for the new term shall be reduced  
26 by a percentage equal to the percentage decrease in average

1 daily live on-track racing handle during the previous license  
2 term over calendar year 1999. For the new term, the reduction  
3 in an electronic gaming licensee's percentage of gross gaming  
4 receipts shall result in a corresponding and equal increase in  
5 the percentage of gross gaming receipts paid to purse equity  
6 accounts.

7 (k) Subject to the approval of the Illinois Gaming Board,  
8 an electronic gaming licensee may make modification or  
9 additions to any existing buildings and structures to comply  
10 with the requirements of this Act. The Illinois Gaming Board  
11 shall make its decision after consulting with the Illinois  
12 Racing Board. In no case, however, shall the Illinois Gaming  
13 Board approve any modification or addition that alters the  
14 grounds of the organizational licensee such that the act of  
15 live racing is an ancillary activity to electronic gaming.

16 Electronic gaming may take place in existing structures  
17 where inter track wagering is conducted at the race track or a  
18 facility within 300 yards of the race track in accordance with  
19 the provisions of this Act and the Illinois Horse Racing Act of  
20 1975.

21 (l) An electronic gaming licensee may conduct electronic  
22 gaming at a temporary facility pending the construction of a  
23 permanent facility or the remodeling of an existing facility to  
24 accommodate electronic gaming participants for up to 12 months  
25 after receiving an electronic gaming license. Upon request by  
26 an electronic gaming licensee and upon a showing of good cause

1 by the electronic gaming licensee, the Board shall extend the  
2 period during which the licensee may conduct electronic gaming  
3 at a temporary facility by up to 12 months. The Board shall  
4 make rules concerning the conduct of electronic gaming from  
5 temporary facilities.

6 (m) The Illinois Gaming Board must adopt emergency rules in  
7 accordance with Section 5-45 of the Illinois Administrative  
8 Procedure Act as necessary to ensure compliance with the  
9 provisions of this amendatory Act of the 95th General Assembly  
10 concerning electronic gaming. The adoption of emergency rules  
11 authorized by this subsection (j) shall be deemed to be  
12 necessary for the public interest, safety, and welfare.

13 (n) As soon as practical after a request is made by the  
14 Illinois Gaming Board, to minimize duplicate submissions by the  
15 applicant, the Illinois Racing Board must provide information  
16 on an applicant for an electronic gaming license to the  
17 Illinois Gaming Board.

18 (230 ILCS 10/7.7 new)

19 Sec. 7.7. Home rule. The regulation and licensing of  
20 electronic gaming and electronic gaming licensees are  
21 exclusive powers and functions of the State. A home rule unit  
22 may not regulate or license electronic gaming or electronic  
23 gaming licensees. This Section is a denial and limitation of  
24 home rule powers and functions under subsection (h) of Section  
25 6 of Article VII of the Illinois Constitution.

1 (230 ILCS 10/8) (from Ch. 120, par. 2408)

2 Sec. 8. Suppliers licenses.

3 (a) The Board may issue a suppliers license to such  
4 persons, firms or corporations which apply therefor upon the  
5 payment of a non-refundable application fee set by the Board,  
6 upon a determination by the Board that the applicant is  
7 eligible for a suppliers license and upon payment of a \$5,000  
8 annual license fee.

9 (b) The holder of a suppliers license is authorized to sell  
10 or lease, and to contract to sell or lease, gambling equipment  
11 and supplies to any licensee involved in the ownership or  
12 management of gambling operations.

13 (c) Gambling supplies and equipment may not be distributed  
14 unless supplies and equipment conform to standards adopted by  
15 rules of the Board.

16 (d) A person, firm or corporation is ineligible to receive  
17 a suppliers license if:

18 (1) the person has been convicted of a felony under the  
19 laws of this State, any other state, or the United States;

20 (2) the person has been convicted of any violation of  
21 Article 28 of the Criminal Code of 1961, or substantially  
22 similar laws of any other jurisdiction;

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

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



1           (5) the firm or corporation is one in which a person  
2 defined in (1), (2), (3) or (4), is an officer, director or  
3 managerial employee;

4           (6) the firm or corporation employs a person who  
5 participates in the management or operation of riverboat  
6 gambling authorized under this Act;

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

11           (e) Any person that supplies any equipment, devices, or  
12 supplies to a licensed riverboat or casino gambling operation  
13 or electronic gaming operation must first obtain a suppliers  
14 license. A supplier shall furnish to the Board a list of all  
15 equipment, devices and supplies offered for sale or lease in  
16 connection with gambling games authorized under this Act. A  
17 supplier shall keep books and records for the furnishing of  
18 equipment, devices and supplies to gambling operations  
19 separate and distinct from any other business that the supplier  
20 might operate. A supplier shall file a quarterly return with  
21 the Board listing all sales and leases. A supplier shall  
22 permanently affix its name to all its equipment, devices, and  
23 supplies for gambling operations. Any supplier's equipment,  
24 devices or supplies which are used by any person in an  
25 unauthorized gambling operation shall be forfeited to the  
26 State. A holder of an owners license or an electronic gaming

1 license ~~licensed owner~~ may own its own equipment, devices and  
2 supplies. Each holder of an owners license or an electronic  
3 gaming license under the Act shall file an annual report  
4 listing its inventories of gambling equipment, devices and  
5 supplies.

6 (f) Any person who knowingly makes a false statement on an  
7 application is guilty of a Class A misdemeanor.

8 (g) Any gambling equipment, devices and supplies provided  
9 by any licensed supplier may either be repaired on the  
10 riverboat, in a casino, or in an electronic gaming facility or  
11 removed from the riverboat, casino, or electronic gaming  
12 facility to a an on-shore facility owned by the holder of an  
13 owners license or electronic gaming license for repair.

14 (Source: P.A. 86-1029; 87-826.)

15 (230 ILCS 10/9) (from Ch. 120, par. 2409)

16 Sec. 9. Occupational licenses.

17 (a) The Board may issue an occupational license to an  
18 applicant upon the payment of a non-refundable fee set by the  
19 Board, upon a determination by the Board that the applicant is  
20 eligible for an occupational license and upon payment of an  
21 annual license fee in an amount to be established. To be  
22 eligible for an occupational license, an applicant must:

23 (1) be at least 21 years of age if the applicant will  
24 perform any function involved in gaming by patrons. Any  
25 applicant seeking an occupational license for a non-gaming

1 function shall be at least 18 years of age;

2 (2) not have been convicted of a felony offense, a  
3 violation of Article 28 of the Criminal Code of 1961, or a  
4 similar statute of any other jurisdiction, or a crime  
5 involving dishonesty or moral turpitude;

6 (3) have demonstrated a level of skill or knowledge  
7 which the Board determines to be necessary in order to  
8 operate gambling aboard a riverboat, in a casino, or at an  
9 electronic gaming facility; and

10 (4) have met standards for the holding of an  
11 occupational license as adopted by rules of the Board. Such  
12 rules shall provide that any person or entity seeking an  
13 occupational license to manage gambling operations  
14 hereunder shall be subject to background inquiries and  
15 further requirements similar to those required of  
16 applicants for an owners license. Furthermore, such rules  
17 shall provide that each such entity shall be permitted to  
18 manage gambling operations for only one licensed owner.

19 (b) Each application for an occupational license shall be  
20 on forms prescribed by the Board and shall contain all  
21 information required by the Board. The applicant shall set  
22 forth in the application: whether he has been issued prior  
23 gambling related licenses; whether he has been licensed in any  
24 other state under any other name, and, if so, such name and his  
25 age; and whether or not a permit or license issued to him in  
26 any other state has been suspended, restricted or revoked, and,

1 if so, for what period of time.

2 (c) Each applicant shall submit with his application, on  
3 forms provided by the Board, 2 sets of his fingerprints. The  
4 Board shall charge each applicant a fee set by the Department  
5 of State Police to defray the costs associated with the search  
6 and classification of fingerprints obtained by the Board with  
7 respect to the applicant's application. These fees shall be  
8 paid into the State Police Services Fund.

9 (d) The Board may in its discretion refuse an occupational  
10 license to any person: (1) who is unqualified to perform the  
11 duties required of such applicant; (2) who fails to disclose or  
12 states falsely any information called for in the application;  
13 (3) who has been found guilty of a violation of this Act or  
14 whose prior gambling related license or application therefor  
15 has been suspended, restricted, revoked or denied for just  
16 cause in any other state; or (4) for any other just cause.

17 (e) The Board may suspend, revoke or restrict any  
18 occupational licensee: (1) for violation of any provision of  
19 this Act; (2) for violation of any of the rules and regulations  
20 of the Board; (3) for any cause which, if known to the Board,  
21 would have disqualified the applicant from receiving such  
22 license; or (4) for default in the payment of any obligation or  
23 debt due to the State of Illinois; or (5) for any other just  
24 cause.

25 (f) A person who knowingly makes a false statement on an  
26 application is guilty of a Class A misdemeanor.

1 (g) Any license issued pursuant to this Section shall be  
2 valid for a period of one year from the date of issuance.

3 (h) Nothing in this Act shall be interpreted to prohibit a  
4 licensed owner or electronic gaming licensee from entering into  
5 an agreement with a school approved under the Private Business  
6 and Vocational Schools Act for the training of any occupational  
7 licensee. Any training offered by such a school shall be in  
8 accordance with a written agreement between the licensed owner  
9 or electronic gaming licensee and the school.

10 (i) Any training provided for occupational licensees may be  
11 conducted either at the site of the gambling facility ~~on the~~  
12 ~~riverboat~~ or at a school with which a licensed owner or  
13 electronic gaming licensee has entered into an agreement  
14 pursuant to subsection (h).

15 (Source: P.A. 86-1029; 87-826.)

16 (230 ILCS 10/11) (from Ch. 120, par. 2411)

17 Sec. 11. Conduct of gambling. Gambling may be conducted by  
18 licensed owners or licensed managers on behalf of the State  
19 aboard riverboats or by licensed owners in a casino. If  
20 authorized by the Board by rule, an owners licensee may move up  
21 to 15% of its slot machines from its riverboat to its home dock  
22 facility and use those slot machines to conduct gambling,  
23 provided that the slot machines are located in an area that is  
24 accessible only to persons who are at least 21 years of age and  
25 provided that the admission tax imposed under Section 12 has

1 been paid for all persons who use those slot machines. Gambling  
2 may be conducted by electronic gaming licensees at limited  
3 gaming facilities. Gambling authorized under this Section  
4 shall be subject to the following standards:

5 (1) A licensee may conduct riverboat gambling  
6 authorized under this Act regardless of whether it conducts  
7 excursion cruises. A licensee may permit the continuous  
8 ingress and egress of passengers for the purpose of  
9 gambling.

10 (2) (Blank).

11 (3) Minimum and maximum wagers on games shall be set by  
12 the licensee.

13 (4) Agents of the Board and the Department of State  
14 Police may board and inspect any riverboat, enter and  
15 inspect any portion of a casino, or enter and inspect any  
16 portion of an electronic gaming facility where electronic  
17 gaming is conducted at any time for the purpose of  
18 determining whether this Act is being complied with. Every  
19 riverboat, if under way and being hailed by a law  
20 enforcement officer or agent of the Board, must stop  
21 immediately and lay to.

22 (5) Employees of the Board shall have the right to be  
23 present on the riverboat or in the casino or on adjacent  
24 facilities under the control of the licensee and at the  
25 electronic gaming facility under the control of the  
26 electronic gaming licensee.

1           (6) Gambling equipment and supplies customarily used  
2           in conducting riverboat or casino gambling or electronic  
3           gaming must be purchased or leased only from suppliers  
4           licensed for such purpose under this Act.

5           (7) Persons licensed under this Act shall permit no  
6           form of wagering on gambling games except as permitted by  
7           this Act.

8           (8) Wagers may be received only from a person present  
9           on a licensed riverboat, in a casino, or at an electronic  
10          gaming facility. No person present on a licensed riverboat,   
11          in a casino, or at an electronic gaming facility shall  
12          place or attempt to place a wager on behalf of another  
13          person who is not present on the riverboat, in the casino,  
14          or at the electronic gaming facility.

15          (9) Wagering, including electronic gaming, shall not  
16          be conducted with money or other negotiable currency.

17          (10) A person under age 21 shall not be permitted on an  
18          area of a riverboat or casino where gambling is being  
19          conducted or at an electronic gaming facility where  
20          gambling is conducted, except for a person at least 18  
21          years of age who is an employee of the riverboat or casino  
22          gambling operation or electronic gaming operation. No  
23          employee under age 21 shall perform any function involved  
24          in gambling by the patrons. No person under age 21 shall be  
25          permitted to make a wager under this Act.

26          (11) Gambling excursion cruises are permitted only

1 when the waterway for which the riverboat is licensed is  
2 navigable, as determined by the Board in consultation with  
3 the U.S. Army Corps of Engineers. This paragraph (11) does  
4 not limit the ability of a licensee to conduct gambling  
5 authorized under this Act when gambling excursion cruises  
6 are not permitted.

7 (12) All tokens, chips, or electronic cards used to  
8 make wagers must be purchased (i) from a licensed owner or  
9 manager, in the case of a riverboat, either aboard the a  
10 riverboat or at an onshore facility which has been approved  
11 by the Board and which is located where the riverboat  
12 docks, (ii) in the case of a casino, from a licensed owner  
13 at the casino, or (iii) from an electronic gaming licensee  
14 at the electronic gaming facility. The tokens, chips or  
15 electronic cards may be purchased by means of an agreement  
16 under which the owner or manager extends credit to the  
17 patron. Such tokens, chips or electronic cards may be used  
18 while aboard the riverboat, in the casino, or at the  
19 electronic gaming facility only for the purpose of making  
20 wagers on gambling games.

21 (13) Notwithstanding any other Section of this Act, in  
22 addition to the other licenses authorized under this Act,  
23 the Board may issue special event licenses allowing persons  
24 who are not otherwise licensed to conduct riverboat  
25 gambling to conduct such gambling on a specified date or  
26 series of dates. Riverboat gambling under such a license



1 may take place on a riverboat not normally used for  
2 riverboat gambling. The Board shall establish standards,  
3 fees and fines for, and limitations upon, such licenses,  
4 which may differ from the standards, fees, fines and  
5 limitations otherwise applicable under this Act. All such  
6 fees shall be deposited into the State Gaming Fund. All  
7 such fines shall be deposited into the Education Assistance  
8 Fund, created by Public Act 86-0018, of the State of  
9 Illinois.

10 (14) In addition to the above, gambling must be  
11 conducted in accordance with all rules adopted by the  
12 Board.

13 (Source: P.A. 93-28, eff. 6-20-03.)

14 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

15 Sec. 11.1. Collection of amounts owing under credit  
16 agreements. Notwithstanding any applicable statutory provision  
17 to the contrary, a licensed owner or manager or electronic  
18 gaming licensee who extends credit to a ~~riverboat~~ gambling  
19 patron pursuant to Section 11 (a) (12) of this Act is expressly  
20 authorized to institute a cause of action to collect any  
21 amounts due and owing under the extension of credit, as well as  
22 the owner's or manager's costs, expenses and reasonable  
23 attorney's fees incurred in collection.

24 (Source: P.A. 93-28, eff. 6-20-03.)

1 (230 ILCS 10/12) (from Ch. 120, par. 2412)

2 Sec. 12. Admission tax; fees.

3 (a) A tax is hereby imposed upon admissions to riverboat  
4 and casino gambling facilities ~~riverboats~~ operated by licensed  
5 owners authorized pursuant to this Act. Until July 1, 2002, the  
6 rate is \$2 per person admitted. From July 1, 2002 until July 1,  
7 2003, the rate is \$3 per person admitted. From July 1, 2003  
8 until August 23, 2005 (the effective date of Public Act 94-673)  
9 ~~this amendatory Act of the 94th General Assembly~~, for a  
10 licensee that admitted 1,000,000 persons or fewer in the  
11 previous calendar year, the rate is \$3 per person admitted; for  
12 a licensee that admitted more than 1,000,000 but no more than  
13 2,300,000 persons in the previous calendar year, the rate is \$4  
14 per person admitted; and for a licensee that admitted more than  
15 2,300,000 persons in the previous calendar year, the rate is \$5  
16 per person admitted. From August 23, 2005 (the effective date  
17 of Public Act 94-673) until the effective date of this  
18 amendatory Act of the 95th General Assembly ~~Beginning on the~~  
19 ~~effective date of this amendatory Act of the 94th General~~  
20 ~~Assembly~~, for a licensee that admitted 1,000,000 persons or  
21 fewer in calendar year 2004, the rate is \$2 per person  
22 admitted, and for all other licensees the rate is \$3 per person  
23 admitted. Beginning on the effective date of this amendatory  
24 Act of the 95th General Assembly, the rate is \$2 per person for  
25 the first 1,500,000 persons admitted by a licensee per year and  
26 \$3 per person for all persons admitted by that licensee in

1 excess of 1,500,000 per year. This admission tax is imposed  
2 upon the licensed owner conducting gambling.

3 (1) The admission tax shall be paid for each admission,  
4 except that a person who exits a riverboat gambling  
5 facility and reenters that riverboat gambling facility  
6 within a reasonable time, as determined by the Board by  
7 rule, shall be subject only to the initial admission tax.

8 (2) (Blank).

9 (3) The owners ~~riverboat~~ licensee may issue tax-free  
10 passes to actual and necessary officials and employees of  
11 the licensee or other persons actually working on the  
12 riverboat or in the casino.

13 (4) The number and issuance of tax-free passes is  
14 subject to the rules of the Board, and a list of all  
15 persons to whom the tax-free passes are issued shall be  
16 filed with the Board.

17 (a-5) A fee is hereby imposed upon admissions operated by  
18 licensed managers on behalf of the State pursuant to Section  
19 7.3 at the rates provided in this subsection (a-5). Until the  
20 effective date of this amendatory Act of the 95th General  
21 Assembly, For a licensee that admitted 1,000,000 persons or  
22 fewer in the previous calendar year, the rate is \$3 per person  
23 admitted; for a licensee that admitted more than 1,000,000 but  
24 no more than 2,300,000 persons in the previous calendar year,  
25 the rate is \$4 per person admitted; and for a licensee that  
26 admitted more than 2,300,000 persons in the previous calendar

1 year, the rate is \$5 per person admitted. Beginning on the  
2 effective date of this amendatory Act of the 95th General  
3 Assembly, the rate is \$2 per person for the first 1,500,000  
4 persons admitted by a licensee per year and \$3 per person for  
5 all persons admitted by that licensee in excess of 1,500,000  
6 per year.

7 (1) The admission fee shall be paid for each admission.

8 (2) (Blank).

9 (3) The licensed manager may issue fee-free passes to  
10 actual and necessary officials and employees of the manager  
11 or other persons actually working on the riverboat.

12 (4) The number and issuance of fee-free passes is  
13 subject to the rules of the Board, and a list of all  
14 persons to whom the fee-free passes are issued shall be  
15 filed with the Board.

16 (b) From the tax imposed under subsection (a) and the fee  
17 imposed under subsection (a-5), a municipality shall receive  
18 from the State \$1 for each person embarking on a riverboat  
19 docked within the municipality or entering a casino located  
20 within the municipality, and a county shall receive \$1 for each  
21 person entering a casino or embarking on a riverboat docked  
22 within the county but outside the boundaries of any  
23 municipality. The municipality's or county's share shall be  
24 collected by the Board on behalf of the State and remitted  
25 quarterly by the State, subject to appropriation, to the  
26 treasurer of the unit of local government for deposit in the

1 general fund.

2 (c) The licensed owner shall pay the entire admission tax  
3 to the Board and the licensed manager shall pay the entire  
4 admission fee to the Board. Such payments shall be made daily.  
5 Accompanying each payment shall be a return on forms provided  
6 by the Board which shall include other information regarding  
7 admissions as the Board may require. Failure to submit either  
8 the payment or the return within the specified time may result  
9 in suspension or revocation of the owners or managers license.

10 (d) The Board shall administer and collect the admission  
11 tax imposed by this Section, to the extent practicable, in a  
12 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
13 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the  
14 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
15 Penalty and Interest Act.

16 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,  
17 eff. 8-23-05.)

18 (230 ILCS 10/13) (from Ch. 120, par. 2413)

19 Sec. 13. Wagering tax; rate; distribution.

20 (a) Until January 1, 1998, a tax is imposed on the adjusted  
21 gross receipts received from gambling games authorized under  
22 this Act at the rate of 20%.

23 (a-1) From January 1, 1998 until July 1, 2002, a privilege  
24 tax is imposed on persons engaged in the business of conducting  
25 riverboat gambling operations, based on the adjusted gross

1 receipts received by a licensed owner from gambling games  
2 authorized under this Act at the following rates:

3 15% of annual adjusted gross receipts up to and  
4 including \$25,000,000;

5 20% of annual adjusted gross receipts in excess of  
6 \$25,000,000 but not exceeding \$50,000,000;

7 25% of annual adjusted gross receipts in excess of  
8 \$50,000,000 but not exceeding \$75,000,000;

9 30% of annual adjusted gross receipts in excess of  
10 \$75,000,000 but not exceeding \$100,000,000;

11 35% of annual adjusted gross receipts in excess of  
12 \$100,000,000.

13 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
14 is imposed on persons engaged in the business of conducting  
15 riverboat gambling operations, other than licensed managers  
16 conducting riverboat gambling operations on behalf of the  
17 State, based on the adjusted gross receipts received by a  
18 licensed owner from gambling games authorized under this Act at  
19 the following rates:

20 15% of annual adjusted gross receipts up to and  
21 including \$25,000,000;

22 22.5% of annual adjusted gross receipts in excess of  
23 \$25,000,000 but not exceeding \$50,000,000;

24 27.5% of annual adjusted gross receipts in excess of  
25 \$50,000,000 but not exceeding \$75,000,000;

26 32.5% of annual adjusted gross receipts in excess of

1           \$75,000,000 but not exceeding \$100,000,000;

2           37.5% of annual adjusted gross receipts in excess of  
3           \$100,000,000 but not exceeding \$150,000,000;

4           45% of annual adjusted gross receipts in excess of  
5           \$150,000,000 but not exceeding \$200,000,000;

6           50% of annual adjusted gross receipts in excess of  
7           \$200,000,000.

8           (a-3) Beginning July 1, 2003, a privilege tax is imposed on  
9           persons engaged in the business of conducting riverboat  
10           gambling operations, other than licensed managers conducting  
11           riverboat gambling operations on behalf of the State, based on  
12           the adjusted gross receipts received by a licensed owner from  
13           gambling games authorized under this Act at the following  
14           rates:

15           15% of annual adjusted gross receipts up to and  
16           including \$25,000,000;

17           27.5% of annual adjusted gross receipts in excess of  
18           \$25,000,000 but not exceeding \$37,500,000;

19           32.5% of annual adjusted gross receipts in excess of  
20           \$37,500,000 but not exceeding \$50,000,000;

21           37.5% of annual adjusted gross receipts in excess of  
22           \$50,000,000 but not exceeding \$75,000,000;

23           45% of annual adjusted gross receipts in excess of  
24           \$75,000,000 but not exceeding \$100,000,000;

25           50% of annual adjusted gross receipts in excess of  
26           \$100,000,000 but not exceeding \$250,000,000;

1           70% of annual adjusted gross receipts in excess of  
2           \$250,000,000.

3           An amount equal to the amount of wagering taxes collected  
4           under this subsection (a-3) that are in addition to the amount  
5           of wagering taxes that would have been collected if the  
6           wagering tax rates under subsection (a-2) were in effect shall  
7           be paid into the Common School Fund.

8           The privilege tax imposed under this subsection (a-3) shall  
9           no longer be imposed beginning on the earlier of (i) July 1,  
10          2005; (ii) the first date after June 20, 2003 that riverboat  
11          gambling operations are conducted pursuant to a dormant  
12          license; or (iii) the first day that riverboat gambling  
13          operations are conducted under the authority of an owners  
14          license that is in addition to the 10 owners licenses initially  
15          authorized under this Act. For the purposes of this subsection  
16          (a-3), the term "dormant license" means an owners license that  
17          is authorized by this Act under which no riverboat gambling  
18          operations are being conducted on June 20, 2003.

19          (a-4) ~~From Beginning on~~ the first day on which the tax  
20          imposed under subsection (a-3) is no longer imposed until the  
21          effective date of this amendatory Act of the 95th General  
22          Assembly, a privilege tax is imposed on persons engaged in the  
23          business of conducting riverboat gambling operations, other  
24          than licensed managers conducting riverboat gambling  
25          operations on behalf of the State, based on the adjusted gross  
26          receipts received by a licensed owner from gambling games



1 authorized under this Act at the following rates:

2 15% of annual adjusted gross receipts up to and  
3 including \$25,000,000;

4 22.5% of annual adjusted gross receipts in excess of  
5 \$25,000,000 but not exceeding \$50,000,000;

6 27.5% of annual adjusted gross receipts in excess of  
7 \$50,000,000 but not exceeding \$75,000,000;

8 32.5% of annual adjusted gross receipts in excess of  
9 \$75,000,000 but not exceeding \$100,000,000;

10 37.5% of annual adjusted gross receipts in excess of  
11 \$100,000,000 but not exceeding \$150,000,000;

12 45% of annual adjusted gross receipts in excess of  
13 \$150,000,000 but not exceeding \$200,000,000;

14 50% of annual adjusted gross receipts in excess of  
15 \$200,000,000.

16 (a-5) Beginning on the effective date of this amendatory  
17 Act of the 95th General Assembly, a privilege tax is imposed on  
18 persons engaged in the business of conducting riverboat or  
19 casino gambling operations, based on the adjusted gross  
20 receipts received by a licensed owner from gambling games  
21 authorized under this Act, and on persons conducting electronic  
22 gaming, based on the adjusted gross receipts received by an  
23 electronic gaming licensee from electronic gambling, at the  
24 following rates:

25 15% of annual adjusted gross receipts up to and  
26 including \$25,000,000;

1           20% of annual adjusted gross receipts in excess of  
2           \$25,000,000 but not exceeding \$50,000,000;

3           25% of annual adjusted gross receipts in excess of  
4           \$50,000,000 but not exceeding \$75,000,000;

5           30% of annual adjusted gross receipts in excess of  
6           \$75,000,000 but not exceeding \$100,000,000;

7           35% of annual adjusted gross receipts in excess of  
8           \$100,000,000 but not exceeding \$400,000,000;

9           40% of annual adjusted gross receipts in excess of  
10          \$400,000,000 but not exceeding \$450,000,000;

11          45% of annual adjusted gross receipts in excess of  
12          \$450,000,000 but not exceeding \$500,000,000;

13          50% of annual adjusted gross receipts in excess of  
14          \$500,000,000.

15           (a-8) Riverboat gambling operations conducted by a  
16           licensed manager on behalf of the State are not subject to the  
17           tax imposed under this Section.

18           (a-10) The taxes imposed by this Section shall be paid by  
19           the licensed owner or electronic gaming licensee to the Board  
20           not later than 3:00 o'clock p.m. of the day after the day when  
21           the wagers were made.

22           (a-15) If the privilege tax imposed under subsection (a-3)  
23           is no longer imposed pursuant to item (i) of the last paragraph  
24           of subsection (a-3), then by June 15 of each year, each owners  
25           licensee, other than an owners licensee that admitted 1,000,000  
26           persons or fewer in calendar year 2004, must, in addition to

1 the payment of all amounts otherwise due under this Section,  
2 pay to the Board a reconciliation payment in the amount, if  
3 any, by which the licensed owner's base amount exceeds the  
4 amount of net privilege tax paid by the licensed owner to the  
5 Board in the then current State fiscal year. A licensed owner's  
6 net privilege tax obligation due for the balance of the State  
7 fiscal year shall be reduced up to the total of the amount paid  
8 by the licensed owner in its June 15 reconciliation payment.  
9 The obligation imposed by this subsection (a-15) is binding on  
10 any person, firm, corporation, or other entity that acquires an  
11 ownership interest in any such owners license. The obligation  
12 imposed under this subsection (a-15) terminates on the earliest  
13 of: (i) July 1, 2007, (ii) the first day after the effective  
14 date of this amendatory Act of the 94th General Assembly that  
15 riverboat gambling operations are conducted pursuant to a  
16 dormant license, (iii) the first day that riverboat gambling  
17 operations are conducted under the authority of an owners  
18 license that is in addition to the 10 owners licenses initially  
19 authorized under this Act, or (iv) the first day that a  
20 licensee under the Illinois Horse Racing Act of 1975 conducts  
21 gaming operations with slot machines or other electronic gaming  
22 devices. The Board must reduce the obligation imposed under  
23 this subsection (a-15) by an amount the Board deems reasonable  
24 for any of the following reasons: (A) an act or acts of God,  
25 (B) an act of bioterrorism or terrorism or a bioterrorism or  
26 terrorism threat that was investigated by a law enforcement

1 agency, or (C) a condition beyond the control of the owners  
2 licensee that does not result from any act or omission by the  
3 owners licensee or any of its agents and that poses a hazardous  
4 threat to the health and safety of patrons. If an owners  
5 licensee pays an amount in excess of its liability under this  
6 Section, the Board shall apply the overpayment to future  
7 payments required under this Section.

8 For purposes of this subsection (a-15):

9 "Act of God" means an incident caused by the operation of  
10 an extraordinary force that cannot be foreseen, that cannot be  
11 avoided by the exercise of due care, and for which no person  
12 can be held liable.

13 "Base amount" means the following:

14 For a riverboat in Alton, \$31,000,000.

15 For a riverboat in East Peoria, \$43,000,000.

16 For the Empress riverboat in Joliet, \$86,000,000.

17 For a riverboat in Metropolis, \$45,000,000.

18 For the Harrah's riverboat in Joliet, \$114,000,000.

19 For a riverboat in Aurora, \$86,000,000.

20 For a riverboat in East St. Louis, \$48,500,000.

21 For a riverboat in Elgin, \$198,000,000.

22 "Dormant license" has the meaning ascribed to it in  
23 subsection (a-3).

24 "Net privilege tax" means all privilege taxes paid by a  
25 licensed owner to the Board under this Section, less all  
26 payments made from the State Gaming Fund pursuant to subsection

1 (b) of this Section.

2 The changes made to this subsection (a-15) by Public Act  
3 94-839 ~~this amendatory Act of the 94th General Assembly~~ are  
4 intended to restate and clarify the intent of Public Act 94-673  
5 with respect to the amount of the payments required to be made  
6 under this subsection by an owners licensee to the Board.

7 (b) Until January 1, 1998, 25% of the tax revenue deposited  
8 in the State Gaming Fund under this Section shall be paid,  
9 subject to appropriation by the General Assembly, to the unit  
10 of local government which is designated as the home dock of the  
11 riverboat. Except as otherwise provided in this subsection (b),  
12 beginning ~~Beginning~~ January 1, 1998, from the tax revenue from  
13 riverboat or casino gambling deposited in the State Gaming Fund  
14 under this Section, an amount equal to 5% of adjusted gross  
15 receipts generated by a casino or a riverboat shall be paid  
16 monthly, subject to appropriation by the General Assembly, to  
17 the unit of local government in which the casino is located or  
18 that is designated as the home dock of the riverboat.

19 For calendar year 2007 and each year thereafter, a licensee  
20 shall not pay more money to the unit of local government (1)  
21 that is designated as the home dock of its riverboat or (2) in  
22 which its casino is located, than it paid in calendar year  
23 2006. In the case of an owners licensee that first begins  
24 conducting riverboat or casino gambling operations on or after  
25 the effective date of this amendatory Act of the 95th General  
26 Assembly, the term "calendar year 2006" as used in this

1 subsection (b) means the owners licensee's first full year of  
2 conducting riverboat gambling operations.

3 (b-5) Beginning on the effective date of this amendatory  
4 Act of the 95th General Assembly, from the tax revenue from  
5 electronic gaming deposited into the State Gaming Fund under  
6 this Section, an amount equal to 1% of the adjusted gross  
7 receipts generated by an electronic gaming licensee shall be  
8 paid monthly, subject to appropriation, to the municipality in  
9 which the electronic gaming facility is located. If an  
10 electronic gaming facility is not located within a  
11 municipality, then an amount equal to 1% of the adjusted gross  
12 receipts generated by the electronic gaming licensee shall be  
13 paid monthly, subject to appropriation, to the county in which  
14 the electronic gaming facility is located.

15 (b-10) Beginning on the effective date of this amendatory  
16 Act of the 95th General Assembly, from the tax revenue from  
17 electronic gaming deposited into the State Gaming Fund under  
18 this Section, an amount equal to 1% of the adjusted gross  
19 receipts generated by an electronic gaming licensee, but in no  
20 event more than \$25,000,000 in any year, shall be paid monthly  
21 into the Intercity Development Fund.

22 (b-12) Beginning on the effective date of this amendatory  
23 Act of the 95th General Assembly, from the tax revenue from  
24 electronic gaming deposited into the State Gaming Fund under  
25 this Section, an amount equal to 2% of the adjusted gross  
26 receipts generated by an electronic gaming licensee, but in no

1 event more than \$6,000,000 in any year, shall be paid monthly  
2 into the Illinois Colt Stakes Purse Distribution Fund to be  
3 used for horse racing purses at the Illinois State Fair and  
4 DuQuoin State Fair, for bonus programs to pay owners of horses  
5 that win multiple stake races that are restricted to Illinois  
6 conceived and foaled horses, and for drug testing of horses at  
7 county fairs authorized in Section 34.3 of the Illinois Horse  
8 Racing Act of 1975.

9 (b-15) Beginning on the effective date of this amendatory  
10 Act of the 95th General Assembly, after the payments required  
11 under subsections (b), (b-5), (b-10), and (b-12) have been  
12 made, the first \$5,000,000 of tax revenue derived from  
13 electronic gaming shall be paid to the Department of Human  
14 Services to be used for compulsive gambling programs and the  
15 next \$2,000,000 of tax revenue derived from electronic gaming  
16 shall be paid to the Department of Agriculture to be used to  
17 premium reimbursement at Illinois county fairs under the  
18 Agricultural Fair Act. From the tax revenue deposited in the  
19 State Gaming Fund pursuant to riverboat gambling operations  
20 conducted by a licensed manager on behalf of the State, an  
21 amount equal to 5% of adjusted gross receipts generated  
22 pursuant to those riverboat gambling operations shall be paid  
23 monthly, subject to appropriation by the General Assembly, to  
24 the unit of local government that is designated as the home  
25 dock of the riverboat upon which those riverboat gambling  
26 operations are conducted.

1       (b-20) Beginning on the effective date of this amendatory  
2 Act of the 95th General Assembly, after the payments required  
3 under subsections (b), (b-5), (b-10), (b-12), and (b-15) have  
4 been made, from the tax revenue from electronic gaming  
5 deposited into the State Gaming Fund under this Section, the  
6 following payments shall be made:

7           (1) \$250,000 to the Illinois Racing Quarterhorse  
8 Breeders Fund.

9           (2) \$400,000 to the University of Illinois for equine  
10 research.

11           (3) \$400,000 to Southern Illinois University for  
12 equine research.

13       (b-25) Beginning on the effective date of this amendatory  
14 Act of the 95th General Assembly, after the payments required  
15 under subsections (b), (b-5), (b-10), (b-12), (b-15), and  
16 (b-20) have been made, from the tax revenue from electronic  
17 gaming deposited into the State Gaming Fund under this Section,  
18 an amount equal to 15% of the adjusted gross receipts generated  
19 by an electronic gaming licensee, minus the distribution  
20 provided pursuant to subsection (b) of Section 56 of the  
21 Illinois Horse Racing Act of 1975 to purse equity accounts,  
22 shall be paid monthly to the electronic gaming licensee for  
23 deposit into their purse equity accounts.

24       (b-30) Beginning on the effective date of this amendatory  
25 act of the 95th General Assembly, after the payments required  
26 under subsections (b), (b-5), (b-10), (b-12), (b-15), (b-20),



1 and (b-25) have been made, from the tax revenue from electronic  
2 gaming deposited into the State Gaming Fund under this Section,  
3 an amount equal to \$1,250,000 shall be paid monthly to the  
4 Illinois Racing Board for the purpose of making grants to  
5 non-profit organizations that provide medical and family,  
6 counseling, and similar services to persons who reside or work  
7 on the backstretch of Illinois racetracks.

8 (c) Appropriations, as approved by the General Assembly,  
9 may be made from the State Gaming Fund to the Department of  
10 Revenue and the Department of State Police for the  
11 administration and enforcement of this Act, or to the  
12 Department of Human Services for the administration of programs  
13 to treat problem gambling.

14 (c-5) (Blank). Before the effective date of this amendatory  
15 Act of the 94th General Assembly and beginning 2 years after  
16 the effective date of this amendatory Act of the 94th General  
17 Assembly, after the payments required under subsections (b) and  
18 (c) have been made, an amount equal to 15% of the adjusted  
19 gross receipts of (1) an owners licensee that relocates  
20 pursuant to Section 11.2, (2) an owners licensee conducting  
21 riverboat gambling operations pursuant to an owners license  
22 that is initially issued after June 25, 1999, or (3) the first  
23 riverboat gambling operations conducted by a licensed manager  
24 on behalf of the State under Section 7.3, whichever comes  
25 first, shall be paid from the State Gaming Fund into the Horse  
26 Racing Equity Fund.

1           (c-10) (Blank). ~~Each year the General Assembly shall~~  
2 ~~appropriate from the General Revenue Fund to the Education~~  
3 ~~Assistance Fund an amount equal to the amount paid into the~~  
4 ~~Horse Racing Equity Fund pursuant to subsection (c-5) in the~~  
5 ~~prior calendar year.~~

6           (c-12) After the payments required under subsections (b),  
7 (b-5), (b-10), (b-12), (b-15), (b-20), (b-25), and (c) have  
8 been made, an amount equal to 2% of the adjusted gross receipts  
9 of a licensee conducting gambling operations in a home rule  
10 county with a population in excess of 3,000,000 inhabitants  
11 pursuant to a license issued by the Board under this Act after  
12 the effective date of this amendatory Act of the 95th General  
13 Assembly shall be paid from the State Gaming Fund to that home  
14 rule county.

15           (c-15) After the payments required under subsections (b)  
16 ~~and~~, (c), ~~and (c-5)~~ have been made, an amount equal to 2% of  
17 the adjusted gross receipts of (1) an owners licensee that  
18 relocates pursuant to Section 11.2, (2) an owners licensee  
19 conducting riverboat gambling operations pursuant to an owners  
20 license that is initially issued after June 25, 1999, or (3)  
21 the first riverboat gambling operations conducted by a licensed  
22 manager on behalf of the State under Section 7.3, whichever  
23 comes first, shall be paid, subject to appropriation from the  
24 General Assembly, from the State Gaming Fund to each home rule  
25 county with a population of over 3,000,000 inhabitants for the  
26 purpose of enhancing the county's criminal justice system.

1 (c-20) Each year the General Assembly shall appropriate  
2 from the General Revenue Fund to the Education Assistance Fund  
3 an amount equal to the amount paid to each home rule county  
4 with a population of over 3,000,000 inhabitants pursuant to  
5 subsection (c-15) in the prior calendar year.

6 (c-25) After the payments required under subsections (b),  
7 (c), ~~(c-5)~~ and (c-15) have been made, an amount equal to 2% of  
8 the adjusted gross receipts of (1) an owners licensee that  
9 relocates pursuant to Section 11.2, (2) an owners licensee  
10 conducting riverboat gambling operations pursuant to an owners  
11 license that is initially issued after June 25, 1999, or (3)  
12 the first riverboat gambling operations conducted by a licensed  
13 manager on behalf of the State under Section 7.3, whichever  
14 comes first, shall be paid from the State Gaming Fund to  
15 Chicago State University.

16 (d) From time to time, the Board shall transfer the  
17 remainder of the funds generated by this Act into the Education  
18 Assistance Fund, created by Public Act 86-0018, of the State of  
19 Illinois.

20 (e) Nothing in this Act shall prohibit the unit of local  
21 government designated as the home dock of the riverboat or the  
22 municipality in which a casino is located from entering into  
23 agreements with other units of local government in this State  
24 or in other states to share its portion of the tax revenue.

25 (f) To the extent practicable, the Board shall administer  
26 and collect the wagering taxes imposed by this Section in a

1 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
2 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
3 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
4 Penalty and Interest Act.

5 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,  
6 eff. 8-23-05; 94-804, eff. 5-26-06; 94-839, eff. 6-6-06;  
7 revised 8-3-06.)

8 (230 ILCS 10/14) (from Ch. 120, par. 2414)

9 Sec. 14. Licensees - Records - Reports - Supervision.

10 (a) ~~A~~ Licensed owners and electronic gaming licensees ~~owner~~  
11 shall keep their ~~his~~ books and records so as to clearly show  
12 the following:

13 (1) The amount received daily from admission fees.

14 (2) The total amount of gross receipts.

15 (3) The total amount of the adjusted gross receipts.

16 (b) ~~The~~ Licensed owners and electronic gaming licensees  
17 ~~owner~~ shall furnish to the Board reports and information as the  
18 Board may require with respect to its activities on forms  
19 designed and supplied for such purpose by the Board.

20 (c) The books and records kept by a licensed owner or  
21 electronic gaming licensee as provided by this Section are  
22 public records and the examination, publication, and  
23 dissemination of the books and records are governed by the  
24 provisions of The Freedom of Information Act.

25 (Source: P.A. 86-1029.)

1 (230 ILCS 10/18) (from Ch. 120, par. 2418)

2 Sec. 18. Prohibited Activities - Penalty.

3 (a) A person is guilty of a Class A misdemeanor for doing  
4 any of the following:

5 (1) Conducting gambling where wagering is used or to be  
6 used without a license issued by the Board.

7 (2) Conducting gambling where wagering is permitted  
8 other than in the manner specified by Section 11.

9 (b) A person is guilty of a Class B misdemeanor for doing  
10 any of the following:

11 (1) permitting a person under 21 years to make a wager;

12 or

13 (2) violating paragraph (12) of subsection (a) of  
14 Section 11 of this Act.

15 (c) A person wagering or accepting a wager at any location  
16 outside the riverboat, casino, or electronic gaming facility in  
17 violation of paragraph ~~is subject to the penalties in~~  
18 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the  
19 Criminal Code of 1961 is subject to the penalties provided in  
20 that Section.

21 (d) A person commits a Class 4 felony and, in addition,  
22 shall be barred for life from gambling operations ~~riverboats~~  
23 under the jurisdiction of the Board, if the person does any of  
24 the following:

25 (1) Offers, promises, or gives anything of value or

1 benefit to a person who is connected with a riverboat or  
2 casino owner or electronic gaming licensee including, but  
3 not limited to, an officer or employee of a licensed owner  
4 or electronic gaming licensee or holder of an occupational  
5 license pursuant to an agreement or arrangement or with the  
6 intent that the promise or thing of value or benefit will  
7 influence the actions of the person to whom the offer,  
8 promise, or gift was made in order to affect or attempt to  
9 affect the outcome of a gambling game, or to influence  
10 official action of a member of the Board.

11 (2) Solicits or knowingly accepts or receives a promise  
12 of anything of value or benefit while the person is  
13 connected with a riverboat, casino, or electronic gaming  
14 facility, including, but not limited to, an officer or  
15 employee of a licensed owner or electronic gaming licensee,  
16 or the holder of an occupational license, pursuant to an  
17 understanding or arrangement or with the intent that the  
18 promise or thing of value or benefit will influence the  
19 actions of the person to affect or attempt to affect the  
20 outcome of a gambling game, or to influence official action  
21 of a member of the Board.

22 (3) Uses or possesses with the intent to use a device  
23 to assist:

24 (i) In projecting the outcome of the game.

25 (ii) In keeping track of the cards played.

26 (iii) In analyzing the probability of the

1 occurrence of an event relating to the gambling game.

2 (iv) In analyzing the strategy for playing or  
3 betting to be used in the game except as permitted by  
4 the Board.

5 (4) Cheats at a gambling game.

6 (5) Manufactures, sells, or distributes any cards,  
7 chips, dice, game or device which is intended to be used to  
8 violate any provision of this Act.

9 (6) Alters or misrepresents the outcome of a gambling  
10 game on which wagers have been made after the outcome is  
11 made sure but before it is revealed to the players.

12 (7) Places a bet after acquiring knowledge, not  
13 available to all players, of the outcome of the gambling  
14 game which is subject of the bet or to aid a person in  
15 acquiring the knowledge for the purpose of placing a bet  
16 contingent on that outcome.

17 (8) Claims, collects, or takes, or attempts to claim,  
18 collect, or take, money or anything of value in or from the  
19 gambling games, with intent to defraud, without having made  
20 a wager contingent on winning a gambling game, or claims,  
21 collects, or takes an amount of money or thing of value of  
22 greater value than the amount won.

23 (9) Uses counterfeit chips or tokens in a gambling  
24 game.

25 (10) Possesses any key or device designed for the  
26 purpose of opening, entering, or affecting the operation of

1 a gambling game, drop box, or an electronic or mechanical  
2 device connected with the gambling game or for removing  
3 coins, tokens, chips or other contents of a gambling game.  
4 This paragraph (10) does not apply to a gambling licensee  
5 or employee of a gambling licensee acting in furtherance of  
6 the employee's employment.

7 (e) The possession of more than one of the devices  
8 described in subsection (d), paragraphs (3), (5) or (10)  
9 permits a rebuttable presumption that the possessor intended to  
10 use the devices for cheating.

11 An action to prosecute any crime occurring on a riverboat  
12 shall be tried in the county of the dock at which the riverboat  
13 is based. An action to prosecute any crime occurring in a  
14 casino shall be tried in the county in which the casino is  
15 located.

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

17 (230 ILCS 10/19) (from Ch. 120, par. 2419)

18 Sec. 19. Forfeiture of property.

19 (a) Except as provided in subsection (b), any riverboat,  
20 casino, or electronic gaming facility used for the conduct of  
21 gambling games in violation of this Act shall be considered a  
22 gambling place in violation of Section 28-3 of the Criminal  
23 Code of 1961, as now or hereafter amended. Every gambling  
24 device found on a riverboat, in a casino, or at an electronic  
25 gaming facility operating gambling games in violation of this



1 Act and every slot machine found at an electronic gaming  
2 facility operating gambling games in violation of this Act  
3 shall be subject to seizure, confiscation and destruction as  
4 provided in Section 28-5 of the Criminal Code of 1961, as now  
5 or hereafter amended.

6 (b) It is not a violation of this Act for a riverboat or  
7 other watercraft which is licensed for gaming by a contiguous  
8 state to dock on the shores of this State if the municipality  
9 having jurisdiction of the shores, or the county in the case of  
10 unincorporated areas, has granted permission for docking and no  
11 gaming is conducted on the riverboat or other watercraft while  
12 it is docked on the shores of this State. No gambling device  
13 shall be subject to seizure, confiscation or destruction if the  
14 gambling device is located on a riverboat or other watercraft  
15 which is licensed for gaming by a contiguous state and which is  
16 docked on the shores of this State if the municipality having  
17 jurisdiction of the shores, or the county in the case of  
18 unincorporated areas, has granted permission for docking and no  
19 gaming is conducted on the riverboat or other watercraft while  
20 it is docked on the shores of this State.

21 (Source: P.A. 86-1029.)

22 (230 ILCS 10/20) (from Ch. 120, par. 2420)

23 Sec. 20. Prohibited activities - civil penalties. Any  
24 person who conducts a gambling operation without first  
25 obtaining a license to do so, or who continues to conduct such

1 games after revocation of his license, or any licensee who  
2 conducts or allows to be conducted any unauthorized gambling  
3 games on a riverboat, in a casino, or at an electronic gaming  
4 facility where it is authorized to conduct its ~~riverboat~~  
5 gambling operation, in addition to other penalties provided,  
6 shall be subject to a civil penalty equal to the amount of  
7 gross receipts derived from wagering on the gambling games,  
8 whether unauthorized or authorized, conducted on that day as  
9 well as confiscation and forfeiture of all gambling game  
10 equipment used in the conduct of unauthorized gambling games.

11 (Source: P.A. 86-1029.)

12 Section 935. The Illinois Pull Tabs and Jar Games Act is  
13 amended by changing Sections 1.1, 4, and 5 as follows:

14 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

15 Sec. 1.1. Definitions. As used in this Act:

16 "Pull tabs" and "jar games" means a game using  
17 single-folded or banded tickets or a card, the face of which is  
18 initially covered or otherwise hidden from view in order to  
19 conceal a number, symbol or set of symbols, some of which are  
20 winners. Players with winning tickets receive a prize stated on  
21 a promotional display or "flare". Pull tabs also means a game  
22 in which prizes are won by pulling a tab from a board thereby  
23 revealing a number which corresponds to the number for a given  
24 prize.

1       Except in the case of bingo event games, each winning pull  
2 tab or slip shall be predetermined. The right to participate in  
3 such games shall not cost more than \$2. Except for prizes  
4 awarded as part of a progressive game, no single prize shall  
5 exceed \$500. There shall be no more than 6,000 tickets in a  
6 game.

7       "Pull tabs and jar games", as used in this Act, does not  
8 include the following: numbers, policy, bolita or similar  
9 games, dice, slot machines, bookmaking and wagering pools with  
10 respect to a sporting event, or that game commonly known as  
11 punch boards, or any other game or activity not expressly  
12 defined in this Section.

13       "Organization" means a corporation, agency, partnership,  
14 association, firm or other entity consisting of 2 or more  
15 persons joined by a common interest or purpose.

16       "Non-profit organization" means an organization or  
17 institution organized and conducted on a not-for-profit basis  
18 with no personal profit inuring to anyone as a result of the  
19 operation.

20       "Charitable organization" means an organization or  
21 institution organized and operated to benefit an indefinite  
22 number of the public.

23       "Educational organization" means an organization or  
24 institution organized and operated to provide systematic  
25 instruction in useful branches of learning by methods common to  
26 schools and institutions of learning which compare favorably in

1 their scope and intensity with the course of study presented in  
2 tax-supported schools.

3 "Religious organization" means any church, congregation,  
4 society, or organization founded for the purpose of religious  
5 worship.

6 "Fraternal organization" means an organization of persons,  
7 including but not limited to ethnic organizations, having a  
8 common interest, organized and operated exclusively to promote  
9 the welfare of its members and to benefit the general public on  
10 a continuing and consistent basis.

11 "Veterans' organization" means an organization comprised  
12 of members of which substantially all are individuals who are  
13 veterans or spouses, widows, or widowers of veterans, the  
14 primary purpose of which is to promote the welfare of its  
15 members and to provide assistance to the general public in such  
16 a way as to confer a public benefit.

17 "Labor organization" means an organization composed of  
18 labor unions or workers organized with the objective of  
19 betterment of the conditions of those engaged in such pursuit  
20 and the development of a higher degree of efficiency in their  
21 respective occupations.

22 "Youth athletic organization" means an organization having  
23 as its exclusive purpose the promotion and provision of  
24 athletic activities for youth aged 18 and under.

25 "Senior citizens organization" means an organization or  
26 association comprised of members of which substantially all are

1 individuals who are senior citizens, as defined in the Illinois  
2 Act on the Aging, the primary purpose of which is to promote  
3 the welfare of its members.

4 "Progressive game" means a pull tab game that has a portion  
5 of its predetermined prize payout designated to a progressive  
6 jackpot that, if not won, is carried forward and added to the  
7 jackpot of subsequent games until won.

8 "Bingo event game" means a pull tab game played with pull  
9 tab tickets where the winner has not been designated in advance  
10 by the manufacturer, but is determined by chance.

11 (Source: P.A. 90-536, eff. 1-1-98.)

12 (230 ILCS 20/4) (from Ch. 120, par. 1054)

13 Sec. 4. The conducting of pull tabs and jar games is  
14 subject to the following restrictions:

15 (1) The entire net proceeds of any pull tabs or jar games,  
16 except as otherwise approved in this Act, must be exclusively  
17 devoted to the lawful purposes of the organization permitted to  
18 conduct such drawings.

19 (2) No person except a bona fide member or employee of the  
20 sponsoring organization may participate in the management or  
21 operation of such pull tabs or jar games; however, nothing  
22 herein shall conflict with pull tabs and jar games conducted  
23 under the provisions of the Charitable Games Act.

24 (3) No person may receive any remuneration or profit for  
25 participating in the management or operation of such pull tabs

1 or jar games; however, nothing herein shall conflict with pull  
2 tabs and jar games conducted under the provisions of the  
3 Charitable Games Act.

4 (4) The price paid for a single chance or right to  
5 participate in a game licensed under this Act shall not exceed  
6 \$2. ~~The aggregate value of all prizes or merchandise awarded in  
7 any single day of pull tabs and jar games shall not exceed  
8 \$5,000, except that in adjoining counties having 200,000 to  
9 275,000 inhabitants each, and in counties which are adjacent to  
10 either of such adjoining counties and are adjacent to total of  
11 not more than 2 counties in this State, the value of all prizes  
12 or merchandise awarded may not exceed \$5,000 in a single day.~~

13 (5) No person under the age of 18 years shall play or  
14 participate in games under this Act. A person under the age of  
15 18 years may be within the area where pull tabs and jar games  
16 are being conducted only when accompanied by his parent or  
17 guardian.

18 (6) Pull tabs and jar games shall be conducted only on  
19 premises owned or occupied by licensed organizations and used  
20 by its members for general activities, or on premises owned or  
21 rented for conducting the game of bingo, or as permitted in  
22 subsection (4) of Section 3.

23 (Source: P.A. 90-536, eff. 1-1-98; 90-808, eff. 12-1-98.)

24 (230 ILCS 20/5) (from Ch. 120, par. 1055)

25 Sec. 5. There shall be paid to the Department of Revenue 5%

1 of the gross proceeds of any pull tabs and jar games conducted  
2 under this Act. Such payments shall be made 4 times per year,  
3 between the first and the 20th day of April, July, October and  
4 January. Payment must be made by money order or certified  
5 check. Accompanying each payment shall be a report, on forms  
6 provided by the Department of Revenue, listing the number of  
7 drawings conducted, the gross income derived therefrom and such  
8 other information as the Department of Revenue may require.  
9 Failure to submit either the payment or the report within the  
10 specified time shall result in automatic revocation of the  
11 license. All payments made to the Department of Revenue under  
12 this Act shall be deposited as follows:

13 (a) 50% shall be deposited in the Common School Fund; and

14 (b) 50% shall be deposited in the Illinois Gaming Law  
15 Enforcement Fund. Of the monies deposited in the Illinois  
16 Gaming Law Enforcement Fund under this Section, the General  
17 Assembly shall appropriate two-thirds to the Department of  
18 Revenue, Department of State Police and the Office of the  
19 Attorney General for State law enforcement purposes, and  
20 one-third shall be appropriated to the Department of Revenue  
21 for the purpose of distribution in the form of grants to  
22 counties or municipalities for law enforcement purposes. The  
23 amounts of grants to counties or municipalities shall bear the  
24 same ratio as the number of licenses issued in counties or  
25 municipalities bears to the total number of licenses issued in  
26 the State. In computing the number of licenses issued in a

1 county, licenses issued for locations within a municipality's  
2 boundaries shall be excluded.

3 The Department of Revenue shall license suppliers and  
4 manufacturers of pull tabs and jar games at an annual fee of  
5 \$5,000. Suppliers and manufacturers shall meet the  
6 requirements and qualifications established by rule by the  
7 Department. Licensed manufacturers shall sell pull tabs and jar  
8 games only to licensed suppliers. Licensed suppliers shall buy  
9 pull tabs and jar games only from licensed manufacturers and  
10 shall sell pull tabs and jar games only to licensed  
11 organizations. Licensed organizations shall buy pull tabs and  
12 jar games only from licensed suppliers.

13 The Department of Revenue shall adopt by rule minimum  
14 quality production standards for pull tabs and jar games. In  
15 determining such standards, the Department shall consider the  
16 standards adopted by the National Association of Gambling  
17 Regulatory Agencies and the National Association of  
18 Fundraising Ticket Manufacturers. ~~Such standards shall include~~  
19 ~~the name of the supplier which shall appear in plain view to~~  
20 ~~the casual observer on the face side of each pull tab ticket~~  
21 ~~and on each jar game ticket.~~ The pull tab ticket shall contain  
22 the name of the game, the selling price of the ticket, the  
23 amount of the prize and the serial number of the ticket. The  
24 back side of a pull tab ticket shall contain a series of  
25 perforated tabs ~~marked "open here"~~. The logo of the  
26 manufacturer shall be clearly visible on each jar game ticket.



1           The Department of Revenue shall adopt rules necessary to  
2 provide for the proper accounting and control of activities  
3 under this Act, to ensure that the proper taxes are paid, that  
4 the proceeds from the activities under this Act are used  
5 lawfully, and to prevent illegal activity associated with the  
6 use of pull tabs and jar games.

7           The provisions of Section 2a of the Retailers' Occupation  
8 Tax Act pertaining to the furnishing of a bond or other  
9 security are incorporated by reference into this Act and are  
10 applicable to licensees under this Act as a precondition of  
11 obtaining a license under this Act. The provisions of Sections  
12 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,  
13 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and  
14 Section 3-7 of the Uniform Penalty and Interest Act, which are  
15 not inconsistent with this Act shall apply, as far as  
16 practicable, to the subject matter of this Act to the same  
17 extent as if such provisions were included in this Act. For the  
18 purposes of this Act, references in such incorporated Sections  
19 of the Retailers' Occupation Tax Act to retailers, sellers or  
20 persons engaged in the business of selling tangible personal  
21 property means persons engaged in conducting pull tabs and jar  
22 games and references in such incorporated Sections of the  
23 Retailers' Occupation Tax Act to sales of tangible personal  
24 property mean the conducting of pull tabs and jar games and the  
25 making of charges for participating in such drawings.

26           (Source: P.A. 87-205; 87-895.)

1           Section 940. The Liquor Control Act of 1934 is amended by  
2 changing Sections 5-1 and 6-30 as follows:

3           (235 ILCS 5/5-1) (from Ch. 43, par. 115)

4           Sec. 5-1. Licenses issued by the Illinois Liquor Control  
5 Commission shall be of the following classes:

- 6           (a) Manufacturer's license - Class 1. Distiller, Class 2.  
7 Rectifier, Class 3. Brewer, Class 4. First Class Wine  
8 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.  
9 First Class Winemaker, Class 7. Second Class Winemaker, Class  
10 8. Limited Wine Manufacturer,  
11           (b) Distributor's license,  
12           (c) Importing Distributor's license,  
13           (d) Retailer's license,  
14           (e) Special Event Retailer's license (not-for-profit),  
15           (f) Railroad license,  
16           (g) Boat license,  
17           (h) Non-Beverage User's license,  
18           (i) Wine-maker's premises license,  
19           (j) Airplane license,  
20           (k) Foreign importer's license,  
21           (l) Broker's license,  
22           (m) Non-resident dealer's license,  
23           (n) Brew Pub license,  
24           (o) Auction liquor license,

1 (p) Caterer retailer license,

2 (q) Special use permit license.

3 No person, firm, partnership, corporation, or other legal  
4 business entity that is engaged in the manufacturing of wine  
5 may concurrently obtain and hold a wine-maker's license and a  
6 wine manufacturer's license.

7 (a) A manufacturer's license shall allow the manufacture,  
8 importation in bulk, storage, distribution and sale of  
9 alcoholic liquor to persons without the State, as may be  
10 permitted by law and to licensees in this State as follows:

11 Class 1. A Distiller may make sales and deliveries of  
12 alcoholic liquor to distillers, rectifiers, importing  
13 distributors, distributors and non-beverage users and to no  
14 other licensees.

15 Class 2. A Rectifier, who is not a distiller, as defined  
16 herein, may make sales and deliveries of alcoholic liquor to  
17 rectifiers, importing distributors, distributors, retailers  
18 and non-beverage users and to no other licensees.

19 Class 3. A Brewer may make sales and deliveries of beer to  
20 importing distributors, distributors, and to non-licensees,  
21 and to retailers provided the brewer obtains an importing  
22 distributor's license or distributor's license in accordance  
23 with the provisions of this Act.

24 Class 4. A first class wine-manufacturer may make sales and  
25 deliveries of up to 50,000 gallons of wine to manufacturers,  
26 importing distributors and distributors, and to no other

1 licensees.

2 Class 5. A second class Wine manufacturer may make sales  
3 and deliveries of more than 50,000 gallons of wine to  
4 manufacturers, importing distributors and distributors and to  
5 no other licensees.

6 Class 6. A first-class wine-maker's license shall allow the  
7 manufacture of up to 50,000 gallons of wine per year, and the  
8 storage and sale of such wine to distributors in the State and  
9 to persons without the State, as may be permitted by law. A  
10 first-class wine-maker's license shall allow the sale of no  
11 more than 5,000 gallons of the licensee's wine to retailers.  
12 The State Commission shall issue only one first-class  
13 wine-maker's license to any person, firm, partnership,  
14 corporation, or other legal business entity that is engaged in  
15 the making of less than 50,000 gallons of wine annually that  
16 applies for a first-class wine-maker's license. No subsidiary  
17 or affiliate thereof, nor any officer, associate, member,  
18 partner, representative, employee, agent, or shareholder may  
19 be issued an additional wine-maker's license by the State  
20 Commission.

21 Class 7. A second-class wine-maker's license shall allow  
22 the manufacture of between 50,000 and 100,000 gallons of wine  
23 per year, and the storage and sale of such wine to distributors  
24 in this State and to persons without the State, as may be  
25 permitted by law. A second-class wine-maker's license shall  
26 allow the sale of no more than 10,000 gallons of the licensee's

1 wine directly to retailers. The State Commission shall issue  
2 only one second-class wine-maker's license to any person, firm,  
3 partnership, corporation, or other legal business entity that  
4 is engaged in the making of less than 100,000 gallons of wine  
5 annually that applies for a second-class wine-maker's license.  
6 No subsidiary or affiliate thereof, or any officer, associate,  
7 member, partner, representative, employee, agent, or  
8 shareholder may be issued an additional wine-maker's license by  
9 the State Commission.

10 Class 8. A limited wine-manufacturer may make sales and  
11 deliveries not to exceed 40,000 gallons of wine per year to  
12 distributors, and to non-licensees in accordance with the  
13 provisions of this Act.

14 (a-1) A manufacturer which is licensed in this State to  
15 make sales or deliveries of alcoholic liquor and which enlists  
16 agents, representatives, or individuals acting on its behalf  
17 who contact licensed retailers on a regular and continual basis  
18 in this State must register those agents, representatives, or  
19 persons acting on its behalf with the State Commission.

20 Registration of agents, representatives, or persons acting  
21 on behalf of a manufacturer is fulfilled by submitting a form  
22 to the Commission. The form shall be developed by the  
23 Commission and shall include the name and address of the  
24 applicant, the name and address of the manufacturer he or she  
25 represents, the territory or areas assigned to sell to or  
26 discuss pricing terms of alcoholic liquor, and any other

1 questions deemed appropriate and necessary. All statements in  
2 the forms required to be made by law or by rule shall be deemed  
3 material, and any person who knowingly misstates any material  
4 fact under oath in an application is guilty of a Class B  
5 misdemeanor. Fraud, misrepresentation, false statements,  
6 misleading statements, evasions, or suppression of material  
7 facts in the securing of a registration are grounds for  
8 suspension or revocation of the registration.

9 (b) A distributor's license shall allow the wholesale  
10 purchase and storage of alcoholic liquors and sale of alcoholic  
11 liquors to licensees in this State and to persons without the  
12 State, as may be permitted by law.

13 (c) An importing distributor's license may be issued to and  
14 held by those only who are duly licensed distributors, upon the  
15 filing of an application by a duly licensed distributor, with  
16 the Commission and the Commission shall, without the payment of  
17 any fee, immediately issue such importing distributor's  
18 license to the applicant, which shall allow the importation of  
19 alcoholic liquor by the licensee into this State from any point  
20 in the United States outside this State, and the purchase of  
21 alcoholic liquor in barrels, casks or other bulk containers and  
22 the bottling of such alcoholic liquors before resale thereof,  
23 but all bottles or containers so filled shall be sealed,  
24 labeled, stamped and otherwise made to comply with all  
25 provisions, rules and regulations governing manufacturers in  
26 the preparation and bottling of alcoholic liquors. The

1 importing distributor's license shall permit such licensee to  
2 purchase alcoholic liquor from Illinois licensed non-resident  
3 dealers and foreign importers only.

4 (d) A retailer's license shall allow the licensee to sell  
5 and offer for sale at retail, only in the premises specified in  
6 the license, alcoholic liquor for use or consumption, but not  
7 for resale in any form: Provided that any retail license issued  
8 to a manufacturer shall only permit the manufacturer to sell  
9 beer at retail on the premises actually occupied by the  
10 manufacturer. For the purpose of further describing the type of  
11 business conducted at a retail licensed premises, a retailer's  
12 licensee may be designated by the State Commission as (i) an on  
13 premise consumption retailer, (ii) an off premise sale  
14 retailer, or (iii) a combined on premise consumption and off  
15 premise sale retailer.

16 Notwithstanding any other provision of this subsection  
17 (d), a retail licensee may sell alcoholic liquors to a special  
18 event retailer licensee for resale to the extent permitted  
19 under subsection (e).

20 (e) A special event retailer's license (not-for-profit)  
21 shall permit the licensee to purchase alcoholic liquors from an  
22 Illinois licensed distributor (unless the licensee purchases  
23 less than \$500 of alcoholic liquors for the special event, in  
24 which case the licensee may purchase the alcoholic liquors from  
25 a licensed retailer) and shall allow the licensee to sell and  
26 offer for sale, at retail, alcoholic liquors for use or

1 consumption, but not for resale in any form and only at the  
2 location and on the specific dates designated for the special  
3 event in the license. An applicant for a special event retailer  
4 license must (i) furnish with the application: (A) a resale  
5 number issued under Section 2c of the Retailers' Occupation Tax  
6 Act or evidence that the applicant is registered under Section  
7 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
8 exemption identification number issued under Section 1g of the  
9 Retailers' Occupation Tax Act, and a certification to the  
10 Commission that the purchase of alcoholic liquors will be a  
11 tax-exempt purchase, or (C) a statement that the applicant is  
12 not registered under Section 2a of the Retailers' Occupation  
13 Tax Act, does not hold a resale number under Section 2c of the  
14 Retailers' Occupation Tax Act, and does not hold an exemption  
15 number under Section 1g of the Retailers' Occupation Tax Act,  
16 in which event the Commission shall set forth on the special  
17 event retailer's license a statement to that effect; (ii)  
18 submit with the application proof satisfactory to the State  
19 Commission that the applicant will provide dram shop liability  
20 insurance in the maximum limits; and (iii) show proof  
21 satisfactory to the State Commission that the applicant has  
22 obtained local authority approval.

23 (f) A railroad license shall permit the licensee to import  
24 alcoholic liquors into this State from any point in the United  
25 States outside this State and to store such alcoholic liquors  
26 in this State; to make wholesale purchases of alcoholic liquors



1 directly from manufacturers, foreign importers, distributors  
2 and importing distributors from within or outside this State;  
3 and to store such alcoholic liquors in this State; provided  
4 that the above powers may be exercised only in connection with  
5 the importation, purchase or storage of alcoholic liquors to be  
6 sold or dispensed on a club, buffet, lounge or dining car  
7 operated on an electric, gas or steam railway in this State;  
8 and provided further, that railroad licensees exercising the  
9 above powers shall be subject to all provisions of Article VIII  
10 of this Act as applied to importing distributors. A railroad  
11 license shall also permit the licensee to sell or dispense  
12 alcoholic liquors on any club, buffet, lounge or dining car  
13 operated on an electric, gas or steam railway regularly  
14 operated by a common carrier in this State, but shall not  
15 permit the sale for resale of any alcoholic liquors to any  
16 licensee within this State. A license shall be obtained for  
17 each car in which such sales are made.

18 (g) A boat license shall allow the sale of alcoholic liquor  
19 in individual drinks, on any passenger boat regularly operated  
20 as a common carrier on navigable waters in this State or on any  
21 riverboat operated under the Riverboat and Casino Gambling Act,  
22 which boat or riverboat maintains a public dining room or  
23 restaurant thereon.

24 (h) A non-beverage user's license shall allow the licensee  
25 to purchase alcoholic liquor from a licensed manufacturer or  
26 importing distributor, without the imposition of any tax upon

1 the business of such licensed manufacturer or importing  
 2 distributor as to such alcoholic liquor to be used by such  
 3 licensee solely for the non-beverage purposes set forth in  
 4 subsection (a) of Section 8-1 of this Act, and such licenses  
 5 shall be divided and classified and shall permit the purchase,  
 6 possession and use of limited and stated quantities of  
 7 alcoholic liquor as follows:

- 8 Class 1, not to exceed ..... 500 gallons
- 9 Class 2, not to exceed ..... 1,000 gallons
- 10 Class 3, not to exceed ..... 5,000 gallons
- 11 Class 4, not to exceed ..... 10,000 gallons
- 12 Class 5, not to exceed ..... 50,000 gallons

13 (i) A wine-maker's premises license shall allow a licensee  
 14 that concurrently holds a first-class wine-maker's license to  
 15 sell and offer for sale at retail in the premises specified in  
 16 such license not more than 50,000 gallons of the first-class  
 17 wine-maker's wine that is made at the first-class wine-maker's  
 18 licensed premises per year for use or consumption, but not for  
 19 resale in any form. A wine-maker's premises license shall allow  
 20 a licensee who concurrently holds a second-class wine-maker's  
 21 license to sell and offer for sale at retail in the premises  
 22 specified in such license up to 100,000 gallons of the  
 23 second-class wine-maker's wine that is made at the second-class  
 24 wine-maker's licensed premises per year for use or consumption  
 25 but not for resale in any form. A wine-maker's premises license  
 26 shall allow a licensee that concurrently holds a first-class

1 wine-maker's license or a second-class wine-maker's license to  
2 sell and offer for sale at retail at the premises specified in  
3 the wine-maker's premises license, for use or consumption but  
4 not for resale in any form, any beer, wine, and spirits  
5 purchased from a licensed distributor. Upon approval from the  
6 State Commission, a wine-maker's premises license shall allow  
7 the licensee to sell and offer for sale at (i) the wine-maker's  
8 licensed premises and (ii) at up to 2 additional locations for  
9 use and consumption and not for resale. Each location shall  
10 require additional licensing per location as specified in  
11 Section 5-3 of this Act.

12 (j) An airplane license shall permit the licensee to import  
13 alcoholic liquors into this State from any point in the United  
14 States outside this State and to store such alcoholic liquors  
15 in this State; to make wholesale purchases of alcoholic liquors  
16 directly from manufacturers, foreign importers, distributors  
17 and importing distributors from within or outside this State;  
18 and to store such alcoholic liquors in this State; provided  
19 that the above powers may be exercised only in connection with  
20 the importation, purchase or storage of alcoholic liquors to be  
21 sold or dispensed on an airplane; and provided further, that  
22 airplane licensees exercising the above powers shall be subject  
23 to all provisions of Article VIII of this Act as applied to  
24 importing distributors. An airplane licensee shall also permit  
25 the sale or dispensing of alcoholic liquors on any passenger  
26 airplane regularly operated by a common carrier in this State,

1 but shall not permit the sale for resale of any alcoholic  
2 liquors to any licensee within this State. A single airplane  
3 license shall be required of an airline company if liquor  
4 service is provided on board aircraft in this State. The annual  
5 fee for such license shall be as determined in Section 5-3.

6 (k) A foreign importer's license shall permit such licensee  
7 to purchase alcoholic liquor from Illinois licensed  
8 non-resident dealers only, and to import alcoholic liquor other  
9 than in bulk from any point outside the United States and to  
10 sell such alcoholic liquor to Illinois licensed importing  
11 distributors and to no one else in Illinois; provided that the  
12 foreign importer registers with the State Commission every  
13 brand of alcoholic liquor that it proposes to sell to Illinois  
14 licensees during the license period and provided further that  
15 the foreign importer complies with all of the provisions of  
16 Section 6-9 of this Act with respect to registration of such  
17 Illinois licensees as may be granted the right to sell such  
18 brands at wholesale.

19 (l) (i) A broker's license shall be required of all persons  
20 who solicit orders for, offer to sell or offer to supply  
21 alcoholic liquor to retailers in the State of Illinois, or who  
22 offer to retailers to ship or cause to be shipped or to make  
23 contact with distillers, rectifiers, brewers or manufacturers  
24 or any other party within or without the State of Illinois in  
25 order that alcoholic liquors be shipped to a distributor,  
26 importing distributor or foreign importer, whether such

1 solicitation or offer is consummated within or without the  
2 State of Illinois.

3 No holder of a retailer's license issued by the Illinois  
4 Liquor Control Commission shall purchase or receive any  
5 alcoholic liquor, the order for which was solicited or offered  
6 for sale to such retailer by a broker unless the broker is the  
7 holder of a valid broker's license.

8 The broker shall, upon the acceptance by a retailer of the  
9 broker's solicitation of an order or offer to sell or supply or  
10 deliver or have delivered alcoholic liquors, promptly forward  
11 to the Illinois Liquor Control Commission a notification of  
12 said transaction in such form as the Commission may by  
13 regulations prescribe.

14 (ii) A broker's license shall be required of a person  
15 within this State, other than a retail licensee, who, for a fee  
16 or commission, promotes, solicits, or accepts orders for  
17 alcoholic liquor, for use or consumption and not for resale, to  
18 be shipped from this State and delivered to residents outside  
19 of this State by an express company, common carrier, or  
20 contract carrier. This Section does not apply to any person who  
21 promotes, solicits, or accepts orders for wine as specifically  
22 authorized in Section 6-29 of this Act.

23 A broker's license under this subsection (1) shall not  
24 entitle the holder to buy or sell any alcoholic liquors for his  
25 own account or to take or deliver title to such alcoholic  
26 liquors.

1           This subsection (1) shall not apply to distributors,  
2 employees of distributors, or employees of a manufacturer who  
3 has registered the trademark, brand or name of the alcoholic  
4 liquor pursuant to Section 6-9 of this Act, and who regularly  
5 sells such alcoholic liquor in the State of Illinois only to  
6 its registrants thereunder.

7           Any agent, representative, or person subject to  
8 registration pursuant to subsection (a-1) of this Section shall  
9 not be eligible to receive a broker's license.

10          (m) A non-resident dealer's license shall permit such  
11 licensee to ship into and warehouse alcoholic liquor into this  
12 State from any point outside of this State, and to sell such  
13 alcoholic liquor to Illinois licensed foreign importers and  
14 importing distributors and to no one else in this State;  
15 provided that said non-resident dealer shall register with the  
16 Illinois Liquor Control Commission each and every brand of  
17 alcoholic liquor which it proposes to sell to Illinois  
18 licensees during the license period; and further provided that  
19 it shall comply with all of the provisions of Section 6-9  
20 hereof with respect to registration of such Illinois licensees  
21 as may be granted the right to sell such brands at wholesale.

22          (n) A brew pub license shall allow the licensee to  
23 manufacture beer only on the premises specified in the license,  
24 to make sales of the beer manufactured on the premises to  
25 importing distributors, distributors, and to non-licensees for  
26 use and consumption, to store the beer upon the premises, and

1 to sell and offer for sale at retail from the licensed  
2 premises, provided that a brew pub licensee shall not sell for  
3 off-premises consumption more than 50,000 gallons per year.

4 (o) A caterer retailer license shall allow the holder to  
5 serve alcoholic liquors as an incidental part of a food service  
6 that serves prepared meals which excludes the serving of snacks  
7 as the primary meal, either on or off-site whether licensed or  
8 unlicensed.

9 (p) An auction liquor license shall allow the licensee to  
10 sell and offer for sale at auction wine and spirits for use or  
11 consumption, or for resale by an Illinois liquor licensee in  
12 accordance with provisions of this Act. An auction liquor  
13 license will be issued to a person and it will permit the  
14 auction liquor licensee to hold the auction anywhere in the  
15 State. An auction liquor license must be obtained for each  
16 auction at least 14 days in advance of the auction date.

17 (q) A special use permit license shall allow an Illinois  
18 licensed retailer to transfer a portion of its alcoholic liquor  
19 inventory from its retail licensed premises to the premises  
20 specified in the license hereby created, and to sell or offer  
21 for sale at retail, only in the premises specified in the  
22 license hereby created, the transferred alcoholic liquor for  
23 use or consumption, but not for resale in any form. A special  
24 use permit license may be granted for the following time  
25 periods: one day or less; 2 or more days to a maximum of 15 days  
26 per location in any 12 month period. An applicant for the

1 special use permit license must also submit with the  
2 application proof satisfactory to the State Commission that the  
3 applicant will provide dram shop liability insurance to the  
4 maximum limits and have local authority approval.

5 (Source: P.A. 92-105, eff. 1-1-02; 92-378, eff. 8-16-01;  
6 92-651, eff. 7-11-02; 92-672, eff. 7-16-02; 93-923, eff.  
7 8-12-04; 93-1057, eff. 12-2-04; revised 12-6-04.)

8 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

9 Sec. 6-30. Notwithstanding any other provision of this Act,  
10 the Illinois Gaming Board shall have exclusive authority to  
11 establish the hours for sale and consumption of alcoholic  
12 liquor on board a riverboat during riverboat gambling  
13 excursions and in a casino conducted in accordance with the  
14 Riverboat and Casino Gambling Act.

15 (Source: P.A. 87-826.)

16 Section 945. The Criminal Code of 1961 is amended by  
17 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as  
18 follows:

19 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

20 Sec. 28-1. Gambling.

21 (a) A person commits gambling when he:

22 (1) Plays a game of chance or skill for money or other  
23 thing of value, unless excepted in subsection (b) of this



1 Section; or

2 (2) Makes a wager upon the result of any game, contest,  
3 or any political nomination, appointment or election; or

4 (3) Operates, keeps, owns, uses, purchases, exhibits,  
5 rents, sells, bargains for the sale or lease of,  
6 manufactures or distributes any gambling device; or

7 (4) Contracts to have or give himself or another the  
8 option to buy or sell, or contracts to buy or sell, at a  
9 future time, any grain or other commodity whatsoever, or  
10 any stock or security of any company, where it is at the  
11 time of making such contract intended by both parties  
12 thereto that the contract to buy or sell, or the option,  
13 whenever exercised, or the contract resulting therefrom,  
14 shall be settled, not by the receipt or delivery of such  
15 property, but by the payment only of differences in prices  
16 thereof; however, the issuance, purchase, sale, exercise,  
17 endorsement or guarantee, by or through a person registered  
18 with the Secretary of State pursuant to Section 8 of the  
19 Illinois Securities Law of 1953, or by or through a person  
20 exempt from such registration under said Section 8, of a  
21 put, call, or other option to buy or sell securities which  
22 have been registered with the Secretary of State or which  
23 are exempt from such registration under Section 3 of the  
24 Illinois Securities Law of 1953 is not gambling within the  
25 meaning of this paragraph (4); or

26 (5) Knowingly owns or possesses any book, instrument or

1 apparatus by means of which bets or wagers have been, or  
2 are, recorded or registered, or knowingly possesses any  
3 money which he has received in the course of a bet or  
4 wager; or

5 (6) Sells pools upon the result of any game or contest  
6 of skill or chance, political nomination, appointment or  
7 election; or

8 (7) Sets up or promotes any lottery or sells, offers to  
9 sell or transfers any ticket or share for any lottery; or

10 (8) Sets up or promotes any policy game or sells,  
11 offers to sell or knowingly possesses or transfers any  
12 policy ticket, slip, record, document or other similar  
13 device; or

14 (9) Knowingly drafts, prints or publishes any lottery  
15 ticket or share, or any policy ticket, slip, record,  
16 document or similar device, except for such activity  
17 related to lotteries, bingo games and raffles authorized by  
18 and conducted in accordance with the laws of Illinois or  
19 any other state or foreign government; or

20 (10) Knowingly advertises any lottery or policy game,  
21 except for such activity related to lotteries, bingo games  
22 and raffles authorized by and conducted in accordance with  
23 the laws of Illinois or any other state; or

24 (11) Knowingly transmits information as to wagers,  
25 betting odds, or changes in betting odds by telephone,  
26 telegraph, radio, semaphore or similar means; or knowingly

1       installs or maintains equipment for the transmission or  
2       receipt of such information; except that nothing in this  
3       subdivision (11) prohibits transmission or receipt of such  
4       information for use in news reporting of sporting events or  
5       contests; or

6               (12) Knowingly establishes, maintains, or operates an  
7       Internet site that permits a person to play a game of  
8       chance or skill for money or other thing of value by means  
9       of the Internet or to make a wager upon the result of any  
10      game, contest, political nomination, appointment, or  
11      election by means of the Internet.

12      (b) Participants in any of the following activities shall  
13      not be convicted of gambling therefor:

14              (1) Agreements to compensate for loss caused by the  
15      happening of chance including without limitation contracts  
16      of indemnity or guaranty and life or health or accident  
17      insurance;

18              (2) Offers of prizes, award or compensation to the  
19      actual contestants in any bona fide contest for the  
20      determination of skill, speed, strength or endurance or to  
21      the owners of animals or vehicles entered in such contest;

22              (3) Pari-mutuel betting as authorized by the law of  
23      this State;

24              (4) Manufacture of gambling devices, including the  
25      acquisition of essential parts therefor and the assembly  
26      thereof, for transportation in interstate or foreign

1 commerce to any place outside this State when such  
2 transportation is not prohibited by any applicable Federal  
3 law;

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

6 (6) Lotteries when conducted by the State of Illinois  
7 in accordance with the Illinois Lottery Law;

8 (7) Possession of an antique slot machine that is  
9 neither used nor intended to be used in the operation or  
10 promotion of any unlawful gambling activity or enterprise.  
11 For the purpose of this subparagraph (b) (7), an antique  
12 slot machine is one manufactured 25 years ago or earlier;

13 (8) Raffles when conducted in accordance with the  
14 Raffles Act;

15 (9) Charitable games when conducted in accordance with  
16 the Charitable Games Act;

17 (10) Pull tabs and jar games when conducted under the  
18 Illinois Pull Tabs and Jar Games Act; or

19 (11) Gambling games ~~conducted on riverboats~~ when  
20 authorized by the Riverboat and Casino Gambling Act.

21 (c) Sentence.

22 Gambling under subsection (a) (1) or (a) (2) of this Section  
23 is a Class A misdemeanor. Gambling under any of subsections  
24 (a) (3) through (a) (11) of this Section is a Class A  
25 misdemeanor. A second or subsequent conviction under any of  
26 subsections (a) (3) through (a) (11), is a Class 4 felony.

1 Gambling under subsection (a)(12) of this Section is a Class A  
2 misdemeanor. A second or subsequent conviction under  
3 subsection (a)(12) is a Class 4 felony.

4 (d) Circumstantial evidence.

5 In prosecutions under subsection (a)(1) through (a)(12) of  
6 this Section circumstantial evidence shall have the same  
7 validity and weight as in any criminal prosecution.

8 (Source: P.A. 91-257, eff. 1-1-00.)

9 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

10 Sec. 28-1.1. Syndicated gambling.

11 (a) Declaration of Purpose. Recognizing the close  
12 relationship between professional gambling and other organized  
13 crime, it is declared to be the policy of the legislature to  
14 restrain persons from engaging in the business of gambling for  
15 profit in this State. This Section shall be liberally construed  
16 and administered with a view to carrying out this policy.

17 (b) A person commits syndicated gambling when he operates a  
18 "policy game" or engages in the business of bookmaking.

19 (c) A person "operates a policy game" when he knowingly  
20 uses any premises or property for the purpose of receiving or  
21 knowingly does receive from what is commonly called "policy":

22 (1) money from a person other than the better or player  
23 whose bets or plays are represented by such money; or

24 (2) written "policy game" records, made or used over  
25 any period of time, from a person other than the better or

1 player whose bets or plays are represented by such written  
2 record.

3 (d) A person engages in bookmaking when he receives or  
4 accepts more than five bets or wagers upon the result of any  
5 trials or contests of skill, speed or power of endurance or  
6 upon any lot, chance, casualty, unknown or contingent event  
7 whatsoever, which bets or wagers shall be of such size that the  
8 total of the amounts of money paid or promised to be paid to  
9 such bookmaker on account thereof shall exceed \$2,000.  
10 Bookmaking is the receiving or accepting of such bets or wagers  
11 regardless of the form or manner in which the bookmaker records  
12 them.

13 (e) Participants in any of the following activities shall  
14 not be convicted of syndicated gambling:

15 (1) Agreements to compensate for loss caused by the  
16 happening of chance including without limitation contracts  
17 of indemnity or guaranty and life or health or accident  
18 insurance; and

19 (2) Offers of prizes, award or compensation to the  
20 actual contestants in any bona fide contest for the  
21 determination of skill, speed, strength or endurance or to  
22 the owners of animals or vehicles entered in such contest;  
23 and

24 (3) Pari-mutuel betting as authorized by law of this  
25 State; and

26 (4) Manufacture of gambling devices, including the

1 acquisition of essential parts therefor and the assembly  
2 thereof, for transportation in interstate or foreign  
3 commerce to any place outside this State when such  
4 transportation is not prohibited by any applicable Federal  
5 law; and

6 (5) Raffles when conducted in accordance with the  
7 Raffles Act; and

8 (6) Gambling games conducted on riverboats, in  
9 casinos, or at electronic gaming facilities when  
10 authorized by the Riverboat and Casino Gambling Act.

11 (f) Sentence. Syndicated gambling is a Class 3 felony.

12 (Source: P.A. 86-1029; 87-435.)

13 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

14 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is  
15 any real estate, vehicle, boat or any other property whatsoever  
16 used for the purposes of gambling other than gambling conducted  
17 in the manner authorized by the Riverboat and Casino Gambling  
18 Act. Any person who knowingly permits any premises or property  
19 owned or occupied by him or under his control to be used as a  
20 gambling place commits a Class A misdemeanor. Each subsequent  
21 offense is a Class 4 felony. When any premises is determined by  
22 the circuit court to be a gambling place:

23 (a) Such premises is a public nuisance and may be proceeded  
24 against as such, and

25 (b) All licenses, permits or certificates issued by the

1 State of Illinois or any subdivision or public agency thereof  
2 authorizing the serving of food or liquor on such premises  
3 shall be void; and no license, permit or certificate so  
4 cancelled shall be reissued for such premises for a period of  
5 60 days thereafter; nor shall any person convicted of keeping a  
6 gambling place be reissued such license for one year from his  
7 conviction and, after a second conviction of keeping a gambling  
8 place, any such person shall not be reissued such license, and

9 (c) Such premises of any person who knowingly permits  
10 thereon a violation of any Section of this Article shall be  
11 held liable for, and may be sold to pay any unsatisfied  
12 judgment that may be recovered and any unsatisfied fine that  
13 may be levied under any Section of this Article.

14 (Source: P.A. 86-1029.)

15 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

16 Sec. 28-5. Seizure of gambling devices and gambling funds.

17 (a) Every device designed for gambling which is incapable  
18 of lawful use or every device used unlawfully for gambling  
19 shall be considered a "gambling device", and shall be subject  
20 to seizure, confiscation and destruction by the Department of  
21 State Police or by any municipal, or other local authority,  
22 within whose jurisdiction the same may be found. As used in  
23 this Section, a "gambling device" includes any slot machine,  
24 and includes any machine or device constructed for the  
25 reception of money or other thing of value and so constructed



1 as to return, or to cause someone to return, on chance to the  
2 player thereof money, property or a right to receive money or  
3 property. With the exception of any device designed for  
4 gambling which is incapable of lawful use, no gambling device  
5 shall be forfeited or destroyed unless an individual with a  
6 property interest in said device knows of the unlawful use of  
7 the device.

8 (b) Every gambling device shall be seized and forfeited to  
9 the county wherein such seizure occurs. Any money or other  
10 thing of value integrally related to acts of gambling shall be  
11 seized and forfeited to the county wherein such seizure occurs.

12 (c) If, within 60 days after any seizure pursuant to  
13 subparagraph (b) of this Section, a person having any property  
14 interest in the seized property is charged with an offense, the  
15 court which renders judgment upon such charge shall, within 30  
16 days after such judgment, conduct a forfeiture hearing to  
17 determine whether such property was a gambling device at the  
18 time of seizure. Such hearing shall be commenced by a written  
19 petition by the State, including material allegations of fact,  
20 the name and address of every person determined by the State to  
21 have any property interest in the seized property, a  
22 representation that written notice of the date, time and place  
23 of such hearing has been mailed to every such person by  
24 certified mail at least 10 days before such date, and a request  
25 for forfeiture. Every such person may appear as a party and  
26 present evidence at such hearing. The quantum of proof required

1 shall be a preponderance of the evidence, and the burden of  
2 proof shall be on the State. If the court determines that the  
3 seized property was a gambling device at the time of seizure,  
4 an order of forfeiture and disposition of the seized property  
5 shall be entered: a gambling device shall be received by the  
6 State's Attorney, who shall effect its destruction, except that  
7 valuable parts thereof may be liquidated and the resultant  
8 money shall be deposited in the general fund of the county  
9 wherein such seizure occurred; money and other things of value  
10 shall be received by the State's Attorney and, upon  
11 liquidation, shall be deposited in the general fund of the  
12 county wherein such seizure occurred. However, in the event  
13 that a defendant raises the defense that the seized slot  
14 machine is an antique slot machine described in subparagraph  
15 (b) (7) of Section 28-1 of this Code and therefore he is exempt  
16 from the charge of a gambling activity participant, the seized  
17 antique slot machine shall not be destroyed or otherwise  
18 altered until a final determination is made by the Court as to  
19 whether it is such an antique slot machine. Upon a final  
20 determination by the Court of this question in favor of the  
21 defendant, such slot machine shall be immediately returned to  
22 the defendant. Such order of forfeiture and disposition shall,  
23 for the purposes of appeal, be a final order and judgment in a  
24 civil proceeding.

25 (d) If a seizure pursuant to subparagraph (b) of this  
26 Section is not followed by a charge pursuant to subparagraph

1 (c) of this Section, or if the prosecution of such charge is  
2 permanently terminated or indefinitely discontinued without  
3 any judgment of conviction or acquittal (1) the State's  
4 Attorney shall commence an in rem proceeding for the forfeiture  
5 and destruction of a gambling device, or for the forfeiture and  
6 deposit in the general fund of the county of any seized money  
7 or other things of value, or both, in the circuit court and (2)  
8 any person having any property interest in such seized gambling  
9 device, money or other thing of value may commence separate  
10 civil proceedings in the manner provided by law.

11 (e) Any gambling device displayed for sale to a riverboat  
12 gambling operation, casino gambling operation, or electronic  
13 gaming facility or used to train occupational licensees of a  
14 riverboat gambling operation, casino gambling operation, or  
15 electronic gaming facility as authorized under the Riverboat  
16 and Casino Gambling Act is exempt from seizure under this  
17 Section.

18 (f) Any gambling equipment, devices and supplies provided  
19 by a licensed supplier in accordance with the Riverboat and  
20 Casino Gambling Act which are removed from a the riverboat,  
21 casino, or electronic gaming facility for repair are exempt  
22 from seizure under this Section.

23 (Source: P.A. 87-826.)

24 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

25 Sec. 28-7. Gambling contracts void.

1 (a) All promises, notes, bills, bonds, covenants,  
2 contracts, agreements, judgments, mortgages, or other  
3 securities or conveyances made, given, granted, drawn, or  
4 entered into, or executed by any person whatsoever, where the  
5 whole or any part of the consideration thereof is for any money  
6 or thing of value, won or obtained in violation of any Section  
7 of this Article are null and void.

8 (b) Any obligation void under this Section may be set aside  
9 and vacated by any court of competent jurisdiction, upon a  
10 complaint filed for that purpose, by the person so granting,  
11 giving, entering into, or executing the same, or by his  
12 executors or administrators, or by any creditor, heir, legatee,  
13 purchaser or other person interested therein; or if a judgment,  
14 the same may be set aside on motion of any person stated above,  
15 on due notice thereof given.

16 (c) No assignment of any obligation void under this Section  
17 may in any manner affect the defense of the person giving,  
18 granting, drawing, entering into or executing such obligation,  
19 or the remedies of any person interested therein.

20 (d) This Section shall not prevent a licensed owner of a  
21 riverboat gambling operation, casino gambling operation, or an  
22 electronic gaming licensee under the Riverboat and Casino  
23 Gambling Act and the Illinois Horse Racing Act of 1975 from  
24 instituting a cause of action to collect any amount due and  
25 owing under an extension of credit to a ~~riverboat~~ gambling  
26 patron as authorized under Section 11.1 of the Riverboat and

1 Casino Gambling Act.

2 (Source: P.A. 87-826.)

3 Section 950. The Payday Loan Reform Act is amended by  
4 changing Section 3-5 as follows:

5 (815 ILCS 122/3-5)

6 Sec. 3-5. Licensure.

7 (a) A license to make a payday loan shall state the  
8 address, including city and state, at which the business is to  
9 be conducted and shall state fully the name of the licensee.  
10 The license shall be conspicuously posted in the place of  
11 business of the licensee and shall not be transferable or  
12 assignable.

13 (b) An application for a license shall be in writing and in  
14 a form prescribed by the Secretary. The Secretary may not issue  
15 a payday loan license unless and until the following findings  
16 are made:

17 (1) that the financial responsibility, experience,  
18 character, and general fitness of the applicant are such as  
19 to command the confidence of the public and to warrant the  
20 belief that the business will be operated lawfully and  
21 fairly and within the provisions and purposes of this Act;  
22 and

23 (2) that the applicant has submitted such other  
24 information as the Secretary may deem necessary.

1 (c) A license shall be issued for no longer than one year,  
2 and no renewal of a license may be provided if a licensee has  
3 substantially violated this Act and has not cured the violation  
4 to the satisfaction of the Department.

5 (d) A licensee shall appoint, in writing, the Secretary as  
6 attorney-in-fact upon whom all lawful process against the  
7 licensee may be served with the same legal force and validity  
8 as if served on the licensee. A copy of the written  
9 appointment, duly certified, shall be filed in the office of  
10 the Secretary, and a copy thereof certified by the Secretary  
11 shall be sufficient evidence to subject a licensee to  
12 jurisdiction in a court of law. This appointment shall remain  
13 in effect while any liability remains outstanding in this State  
14 against the licensee. When summons is served upon the Secretary  
15 as attorney-in-fact for a licensee, the Secretary shall  
16 immediately notify the licensee by registered mail, enclosing  
17 the summons and specifying the hour and day of service.

18 (e) A licensee must pay an annual fee of \$1,000. In  
19 addition to the license fee, the reasonable expense of any  
20 examination or hearing by the Secretary under any provisions of  
21 this Act shall be borne by the licensee. If a licensee fails to  
22 renew its license by December 31, its license shall  
23 automatically expire; however, the Secretary, in his or her  
24 discretion, may reinstate an expired license upon:

25 (1) payment of the annual fee within 30 days of the  
26 date of expiration; and

1 (2) proof of good cause for failure to renew.

2 (f) Not more than one place of business shall be maintained  
3 under the same license, but the Secretary may issue more than  
4 one license to the same licensee upon compliance with all the  
5 provisions of this Act governing issuance of a single license.  
6 The location, except those locations already in existence as of  
7 June 1, 2005, may not be within one mile of a horse race track  
8 subject to the Illinois Horse Racing Act of 1975, within one  
9 mile of a facility at which gambling is conducted under the  
10 Riverboat and Casino Gambling Act, within one mile of the  
11 location at which a riverboat subject to the Riverboat and  
12 Casino Gambling Act docks, or within one mile of any State of  
13 Illinois or United States military base or naval installation.

14 (g) No licensee shall conduct the business of making loans  
15 under this Act within any office, suite, room, or place of  
16 business in which any other business is solicited or engaged in  
17 unless the other business is licensed by the Department or, in  
18 the opinion of the Secretary, the other business would not be  
19 contrary to the best interests of consumers and is authorized  
20 by the Secretary in writing.

21 (h) The Secretary shall maintain a list of licensees that  
22 shall be available to interested consumers and lenders and the  
23 public. The Secretary shall maintain a toll-free number whereby  
24 consumers may obtain information about licensees. The  
25 Secretary shall also establish a complaint process under which  
26 an aggrieved consumer may file a complaint against a licensee

1 or non-licensee who violates any provision of this Act.

2 (Source: P.A. 94-13, eff. 12-6-05.)

3 Section 955. The Travel Promotion Consumer Protection Act  
4 is amended by changing Section 2 as follows:

5 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

6 Sec. 2. Definitions.

7 (a) "Travel promoter" means a person, including a tour  
8 operator, who sells, provides, furnishes, contracts for,  
9 arranges or advertises that he or she will arrange wholesale or  
10 retail transportation by air, land, sea or navigable stream,  
11 either separately or in conjunction with other services.  
12 "Travel promoter" does not include (1) an air carrier; (2) a  
13 sea carrier; (3) an officially appointed agent of an air  
14 carrier who is a member in good standing of the Airline  
15 Reporting Corporation; (4) a travel promoter who has in force  
16 \$1,000,000 or more of liability insurance coverage for  
17 professional errors and omissions and a surety bond or  
18 equivalent surety in the amount of \$100,000 or more for the  
19 benefit of consumers in the event of a bankruptcy on the part  
20 of the travel promoter; or (5) a riverboat subject to  
21 regulation under the Riverboat and Casino Gambling Act.

22 (b) "Advertise" means to make any representation in the  
23 solicitation of passengers and includes communication with  
24 other members of the same partnership, corporation, joint



1 venture, association, organization, group or other entity.

2 (c) "Passenger" means a person on whose behalf money or  
3 other consideration has been given or is to be given to  
4 another, including another member of the same partnership,  
5 corporation, joint venture, association, organization, group  
6 or other entity, for travel.

7 (d) "Ticket or voucher" means a writing or combination of  
8 writings which is itself good and sufficient to obtain  
9 transportation and other services for which the passenger has  
10 contracted.

11 (Source: P.A. 91-357, eff. 7-29-99.)

12 (230 ILCS 5/54 rep.)

13 Section 960. The Illinois Horse Racing Act of 1975 is  
14 amended by repealing Section 54.

15 Section 965. "An Act in relation to gambling, amending  
16 named Acts", approved June 25, 1999, Public Act 91-40, is  
17 amended by changing Section 30 as follows:

18 (P.A. 91-40, Sec. 30)

19 Sec. 30. Severability. If any provision of this Act (Public  
20 Act 91-40) or the application thereof to any person or  
21 circumstance is held invalid, that invalidity does not affect  
22 the other provisions or applications of the Act which can be  
23 given effect without the invalid application or provision, and

1 to this end the provisions of this Act are severable. This  
2 severability applies without regard to whether the action  
3 challenging the validity was brought before the effective date  
4 of this amendatory Act of the 95th General Assembly.

5 ~~Inseverability. The provisions of this Act are mutually~~  
6 ~~dependent and inseverable. If any provision is held invalid~~  
7 ~~other than as applied to a particular person or circumstance,~~  
8 ~~then this entire Act is invalid.~~

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

10 Section 970. The State Finance Act is amended by adding  
11 Section 5.675 as follows:

12 (30 ILCS 105/5.675 new)

13 Sec. 5.675. The Intercity Development Fund.

14 Section 999. Effective date. This Act takes effect July 1,  
15 2007."