

1 AN ACT in relation to gambling.

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

4 Section 5. The State Finance Act is amended by changing
5 Section 8.25e as follows:

6 (30 ILCS 105/8.25e) (from Ch. 127, par. 144.25e)

7 Sec. 8.25e. (a) The State Comptroller and the State
8 Treasurer shall automatically transfer on the first day of
9 each month, beginning on February 1, 1988 and ending on June
10 1, 2001, from the General Revenue Fund to each of the funds
11 then supplemented by the pari-mutuel tax pursuant to Section
12 28 of the Illinois Horse Racing Act of 1975, an amount equal
13 to (i) the amount of pari-mutuel tax deposited into such fund
14 during the month in fiscal year 1986 which corresponds to the
15 month preceding such transfer, minus (ii) the amount of
16 pari-mutuel tax (or the replacement transfer authorized by
17 Section 8g(d) of this Act and Section 28.1(d) of the Horse
18 Racing Act of 1975) deposited into such fund during the month
19 preceding such transfer; provided, however, that no transfer
20 shall be made to a fund if such amount for that fund is equal
21 to or less than zero and provided that no transfer shall be
22 made to a fund in any fiscal year after the amount deposited
23 into such fund exceeds the amount of pari-mutuel tax
24 deposited into such fund during fiscal year 1986.

25 (b) The State Comptroller and the State Treasurer shall
26 automatically transfer on the last day of each month,
27 beginning on October 1, 1989, from the General Revenue Fund
28 to the Metropolitan Exposition Auditorium and Office Building
29 Fund, the amount of \$2,750,000 plus any cumulative
30 deficiencies in such transfers for prior months, until the
31 sum of \$16,500,000 has been transferred for the fiscal year

1 beginning July 1, 1989 and until the sum of \$22,000,000 has
2 been transferred for each fiscal year thereafter.

3 (c) After the transfer of funds from the Metropolitan
4 Exposition Auditorium and Office Building Fund to the Bond
5 Retirement Fund pursuant to Section 15(b) of the Metropolitan
6 Civic Center Support Act, the State Comptroller and the State
7 Treasurer shall automatically transfer on the last day of
8 each month, beginning on October 1, 1989, from the
9 Metropolitan Exposition Auditorium and Office Building Fund
10 to the Park and Conservation Fund the amount of \$1,250,000
11 plus any cumulative deficiencies in such transfers for prior
12 months, until the sum of \$7,500,000 has been transferred for
13 the fiscal year beginning July 1, 1989 and until the sum of
14 \$10,000,000 has been transferred for each fiscal year
15 thereafter.

16 (Source: P.A. 91-25, eff. 6-9-99.)

17 Section 10. The Illinois Horse Racing Act of 1975 is
18 amended by changing Sections 26, 26.1, 27, and 28 and adding
19 Sections 27.2 and 32.2 as follows:

20 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

21 Sec. 26. Wagering.

22 (a) Any licensee may conduct and supervise the
23 pari-mutuel system of wagering, as defined in Section 3.12 of
24 this Act, on horse races conducted by an Illinois
25 organization licensee or conducted at a racetrack located in
26 another state or country and televised in Illinois in
27 accordance with subsection (g) of Section 26 of this Act.
28 Subject to the prior consent of the Board, licensees may
29 supplement any pari-mutuel pool in order to guarantee a
30 minimum distribution. Such pari-mutuel method of wagering
31 shall not, under any circumstances if conducted under the
32 provisions of this Act, be held or construed to be unlawful,

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

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

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

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

29 (c-5) From Beginning January 1, 2000 until July 1, 2002,
30 the sum held by any licensee for payment of outstanding
31 pari-mutuel tickets, if unclaimed prior to December 31 of the
32 next year, shall be retained by the licensee for payment of
33 such tickets until that date. Within 10 days thereafter, the
34 balance of such sum remaining unclaimed, less any uncashed

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

5 (c-10) Beginning July 1, 2002, the sum held by any
6 licensee for payment of outstanding pari-mutuel tickets, if
7 unclaimed prior to December 31 of the next year, shall be
8 retained by the licensee for payment of those tickets until
9 that date. Within 10 days thereafter, the balance of the sum
10 remaining unclaimed, less any uncashed supplements
11 contributed by the licensee for the purpose of guaranteeing
12 minimum distributions of any pari-mutuel pool, shall be paid
13 to the Illinois Veterans' Rehabilitation Fund of the State
14 treasury, except as provided in subsection (g) of Section 27.

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

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

29 (f) Notwithstanding the other provisions of this Act, an
30 organization licensee may contract with an entity in another
31 state or country to permit any legal wagering entity in
32 another state or country to accept wagers solely within such
33 other state or country on races conducted by the organization
34 licensee in this State. From Beginning January 1, 2000 until

1 July 1, 2002, these wagers shall not be subject to State
2 taxation. Except during the period beginning ~~Until~~ January
3 1, 2000 and ending June 30, 2002, when the out-of-State
4 entity conducts a pari-mutuel pool separate from the
5 organization licensee, a privilege tax equal to 7 1/2% of all
6 monies received by the organization licensee from entities in
7 other states or countries pursuant to such contracts is
8 imposed on the organization licensee, and such privilege tax
9 shall be remitted to the Department of Revenue within 48
10 hours of receipt of the moneys from the simulcast. When the
11 out-of-State entity conducts a combined pari-mutuel pool with
12 the organization licensee, the tax shall be 10% of all monies
13 received by the organization licensee with 25% of the
14 receipts from this 10% tax to be distributed to the county in
15 which the race was conducted.

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

24 (g) A host track may accept interstate simulcast wagers
25 on horse races conducted in other states or countries and
26 shall control the number of signals and types of breeds of
27 racing in its simulcast program, subject to the disapproval
28 of the Board. The Board may prohibit a simulcast program
29 only if it finds that the simulcast program is clearly
30 adverse to the integrity of racing. The host track simulcast
31 program shall include the signal of live racing of all
32 organization licensees. All non-host licensees shall carry
33 the host track simulcast program and accept wagers on all
34 races included as part of the simulcast program upon which

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

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

31 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
32 intertrack wagering licensee other than the host track
33 may receive supplemental interstate simulcasts only with
34 the consent of the host track, except when the Board

1 finds that the simulcast is clearly adverse to the
2 integrity of racing. Consent granted under this
3 paragraph (2) to any intertrack wagering licensee shall
4 be deemed consent to all non-host licensees. The
5 interstate commission fee for the supplemental interstate
6 simulcast shall be paid by all participating non-host
7 licensees.

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

25 Beginning July 1, 2002, from the sums permitted to
26 be retained pursuant to this subsection, each intertrack
27 wagering location licensee shall pay 1% of the
28 pari-mutuel handle wagered on simulcast wagering to the
29 Horse Racing Tax Allocation Fund, subject to the
30 provisions of subparagraph (B) of paragraph (11) of
31 subsection (h) of this Section.

32 (4) A licensee who receives an interstate simulcast
33 may combine its gross or net pools with pools at the
34 sending racetracks pursuant to rules established by the

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

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

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

21 (B) For wagers placed on interstate simulcast
22 races, supplemental simulcasts as defined in
23 subparagraphs (1) and (2), and separately pooled
24 races conducted outside of the State of Illinois
25 made at a non-host licensee, 25% to the host track,
26 25% to the non-host licensee, and 50% to the purses
27 at the host track.

28 (6) Notwithstanding any provision in this Act to
29 the contrary, non-host licensees who derive their
30 licenses from a track located in a county with a
31 population in excess of 230,000 and that borders the
32 Mississippi River may receive supplemental interstate
33 simulcast races at all times subject to Board approval,
34 which shall be withheld only upon a finding that a

1 supplemental interstate simulcast is clearly adverse to
2 the integrity of racing.

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

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

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

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

32 (D) Between the third Saturday in February and
33 December 31, when the interstate simulcast occurs
34 between the hours of 6:30 a.m. and 6:30 p.m., the

1 purse share to its thoroughbred purse account;

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

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

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

20 (B) Twenty percent shall be deposited into the
21 Illinois Colt Stakes Purse Distribution Fund and
22 shall be paid to purses for standardbred races for
23 Illinois conceived and foaled horses conducted at
24 any county fairgrounds. The moneys deposited into
25 the Fund pursuant to this subparagraph (B) shall be
26 deposited within 2 weeks after the day they were
27 generated, shall be in addition to and not in lieu
28 of any other moneys paid to standardbred purses
29 under this Act, and shall not be commingled with
30 other moneys paid into that Fund. The moneys
31 deposited pursuant to this subparagraph (B) shall be
32 allocated as provided by the Department of
33 Agriculture, with the advice and assistance of the
34 Illinois Standardbred Breeders Fund Advisory Board.

1 (7.2) Notwithstanding any other provision of this
2 Act to the contrary, if no thoroughbred racing is
3 conducted at a racetrack located in Madison County during
4 any calendar year beginning on or after January 1, 2002,
5 all moneys derived by that racetrack from simulcast
6 wagering and inter-track wagering that (1) are to be used
7 for purses and (2) are generated between the hours of
8 6:30 a.m. and 6:30 p.m. during that calendar year shall
9 be deposited as follows:

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

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

33 (7.3) If no live standardbred racing is conducted
34 at a racetrack located in Madison County in calendar year

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

7 (A) Eighty percent to that licensee's
8 thoroughbred purse account to be used for
9 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
13 Stakes Purse Distribution Fund before January 1, 2002
14 shall result in the immediate revocation of the
15 licensee's organization license, inter-track wagering
16 license, and inter-track wagering location license.

17 Moneys paid into the Illinois Colt Stakes Purse
18 Distribution Fund pursuant to this paragraph (7.3) shall
19 be 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
25 Illinois Standardbred Breeders Fund Advisory Board, shall
26 be in addition to and not in lieu of any other moneys
27 paid to standardbred purses under this Act, and shall not
28 be commingled with any other moneys paid into that Fund.

29 (7.4) If live standardbred racing is conducted at a
30 racetrack located in Madison County at any time in
31 calendar year 2001 before the payment required under
32 paragraph (7.3) has been made, the organization licensee
33 who is licensed to conduct racing at that racetrack shall
34 pay all moneys derived by that racetrack from simulcast

1 wagering and inter-track wagering during calendar years
2 2000 and 2001 that (1) are to be used for purses and (2)
3 are generated between the hours of 6:30 p.m. and 6:30
4 a.m. during 2000 or 2001 to the standardbred purse
5 account at that racetrack to be used for standardbred
6 purses.

7 (8) Notwithstanding any provision in this Act to
8 the contrary, an organization licensee from a track
9 located in a county with a population in excess of
10 230,000 and that borders the Mississippi River and its
11 affiliated non-host licensees shall not be entitled to
12 share in any retention generated on racing, inter-track
13 wagering, or simulcast wagering at any other Illinois
14 wagering facility.

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

31 (9) (Blank).

32 (10) (Blank).

33 (11) (Blank).

34 (12) The Board shall have authority to compel all

1 host tracks to receive the simulcast of any or all races
 2 conducted at the Springfield or DuQuoin State fairgrounds
 3 and include all such races as part of their simulcast
 4 programs.

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

1 January--31--of--the--succeeding--year.--In--the--event--a
2 wagering--facility--entitled--to--a--payment--under--this
3 paragraph--(13)--is--affiliated--with--a--race--track--that
4 maintains--purse--accounts--for--both--standardbred--and
5 thoroughbred--racing,--the--amount--to--be--paid--to--the
6 wagering--facility--shall--be--divided--between--each--purse
7 account--pro-rata,--based--on--the--amount--of--Illinois--handle
8 on--Illinois--standardbred--and--thoroughbred--racing
9 respectively--at--the--wagering--facility--during--the--previous
10 calendar--year.--Annually,--the--General--Assembly--shall
11 appropriate--sufficient--funds--from--the--General--Revenue
12 Fund--to--the--Department--of--Agriculture--for--payment--into
13 the--thoroughbred--and--standardbred--horse--racing--purse
14 accounts--at--Illinois--pari-mutuel--tracks.--The--amount--paid
15 to--each--purse--account--shall--be--the--amount--certified--by
16 the--Illinois--Racing--Board--in--January--to--be--transferred
17 from--each--account--to--each--eligible--racing--facility--in
18 accordance--with--the--provisions--of--this--Section.

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

- 23 (1) Any person licensed to conduct a race meeting
- 24 (i) at a track where 60 or more days of racing were
- 25 conducted during the immediately preceding calendar year
- 26 or where over the 5 immediately preceding calendar years
- 27 an average of 30 or more days of racing were conducted
- 28 annually may be issued an inter-track wagering license;
- 29 (ii) at a track located in a county that is bounded by
- 30 the Mississippi River, which has a population of less
- 31 than 150,000 according to the 1990 decennial census, and
- 32 an average of at least 60 days of racing per year between
- 33 1985 and 1993 may be issued an inter-track wagering
- 34 license; or (iii) at a track located in Madison County

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

30 (2) The Board shall examine the applications with
31 respect to their conformity with this Act and the rules
32 and regulations imposed by the Board. If found to be in
33 compliance with the Act and rules and regulations of the
34 Board, the Board may then issue a license to conduct

1 inter-track wagering and simulcast wagering to such
2 applicant. All such applications shall be acted upon by
3 the Board at a meeting to be held on such date as may be
4 fixed by the Board.

5 (3) In granting licenses to conduct inter-track
6 wagering and simulcast wagering, the Board shall give due
7 consideration to the best interests of the public, of
8 horse racing, and of maximizing revenue to the State.

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

20 (5) Each license to conduct inter-track wagering
21 and simulcast wagering shall specify the person to whom
22 it is issued, the dates on which such wagering is
23 permitted, and the track or location where the wagering
24 is to be conducted.

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

30 (7) An inter-track wagering licensee or inter-track
31 wagering location licensee may accept wagers at the track
32 or location where it is licensed, or as otherwise
33 provided under this Act.

34 (8) Inter-track wagering or simulcast wagering

1 shall not be conducted at any track less than 5 miles
2 from a track at which a racing meeting is in progress.

3 (8.1) Inter-track wagering location licensees who
4 derive their licenses from a particular organization
5 licensee shall conduct inter-track wagering and simulcast
6 wagering only at locations which are either within 90
7 miles of that race track where the particular
8 organization licensee is licensed to conduct racing, or
9 within 135 miles of that race track where the particular
10 organization licensee is licensed to conduct racing in
11 the case of race tracks in counties of less than 400,000
12 that were operating on or before June 1, 1986. However,
13 inter-track wagering and simulcast wagering shall not be
14 conducted by those licensees at any location within 5
15 miles of any race track at which a horse race meeting has
16 been licensed in the current year, unless the person
17 having operating control of such race track has given its
18 written consent to such inter-track wagering location
19 licensees, which consent must be filed with the Board at
20 or prior to the time application is made.

21 (8.2) Inter-track wagering or simulcast wagering
22 shall not be conducted by an inter-track wagering
23 location licensee at any location within 500 feet of an
24 existing church or existing school, nor within 500 feet
25 of the residences of more than 50 registered voters
26 without receiving written permission from a majority of
27 the registered voters at such residences. Such written
28 permission statements shall be filed with the Board. The
29 distance of 500 feet shall be measured to the nearest
30 part of any building used for worship services, education
31 programs, residential purposes, or conducting inter-track
32 wagering by an inter-track wagering location licensee,
33 and not to property boundaries. However, inter-track
34 wagering or simulcast wagering may be conducted at a site

1 within 500 feet of a church, school or residences of 50
2 or more registered voters if such church, school or
3 residences have been erected or established, or such
4 voters have been registered, after the Board issues the
5 original inter-track wagering location license at the
6 site in question. Inter-track wagering location licensees
7 may conduct inter-track wagering and simulcast wagering
8 only in areas that are zoned for commercial or
9 manufacturing purposes or in areas for which a special
10 use has been approved by the local zoning authority.
11 However, no license to conduct inter-track wagering and
12 simulcast wagering shall be granted by the Board with
13 respect to any inter-track wagering location within the
14 jurisdiction of any local zoning authority which has, by
15 ordinance or by resolution, prohibited the establishment
16 of an inter-track wagering location within its
17 jurisdiction. However, inter-track wagering and
18 simulcast wagering may be conducted at a site if such
19 ordinance or resolution is enacted after the Board
20 licenses the original inter-track wagering location
21 licensee for the site in question.

22 (9) (Blank).

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

33 (10.1) Except as provided in subsection (g) of
34 Section 27 of this Act, inter-track wagering location

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

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

25 (A) That portion of all moneys wagered on
26 standardbred racing that is required under this Act
27 to be paid to purses shall be paid to purses for
28 standardbred races.

29 (B) That portion of all moneys wagered on
30 thoroughbred racing that is required under this Act
31 to be paid to purses shall be paid to purses for
32 thoroughbred races.

33 (11) (A) After payment of the privilege or
34 pari-mutuel tax, any other applicable taxes, and the

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

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

1 1, 2000, except as provided in subsection (g) of Section
2 27 of this Act, 1% of the pari-mutuel handle wagered on
3 inter-track wagering and simulcast wagering at each
4 inter-track wagering location licensee facility to the
5 Horse Racing Tax Allocation Fund, provided that, to the
6 extent the total amount collected and distributed to the
7 Horse Racing Tax Allocation Fund under this subsection
8 (h) during any calendar year exceeds the amount collected
9 and distributed to the Horse Racing Tax Allocation Fund
10 during calendar year 1994, that excess amount shall be
11 redistributed (I) to all inter-track wagering location
12 licensees, based on each licensee's pro-rata share of the
13 total handle from inter-track wagering and simulcast
14 wagering for all inter-track wagering location licensees
15 during the calendar year in which this provision is
16 applicable; then (II) the amounts redistributed to each
17 inter-track wagering location licensee as described in
18 subpart (I) shall be further redistributed as provided in
19 subparagraph (B) of paragraph (5) of subsection (g) of
20 this Section 26 provided first, that the shares of those
21 amounts, which are to be redistributed to the host track
22 or to purses at the host track under subparagraph (B) of
23 paragraph (5) of subsection (g) of this Section 26 shall
24 be redistributed based on each host track's pro rata
25 share of the total inter-track wagering and simulcast
26 wagering handle at all host tracks during the calendar
27 year in question, and second, that any amounts
28 redistributed as described in part (I) to an inter-track
29 wagering location licensee that accepts wagers on races
30 conducted by an organization licensee that conducts a
31 race meet in a county with a population in excess of
32 230,000 and that borders the Mississippi River shall be
33 further redistributed as provided in subparagraphs (D)
34 and (E) of paragraph (7) of subsection (g) of this

1 Section 26, with the portion of that further
2 redistribution allocated to purses at that organization
3 licensee to be divided between standardbred purses and
4 thoroughbred purses based on the amounts otherwise
5 allocated to purses at that organization licensee during
6 the calendar year in question; (iv) beginning July 1,
7 2002, except as provided in subsection (g) of Section 27,
8 1% of the pari-mutuel handle wagered on inter-track
9 wagering and simulcast wagering at each inter-track
10 wagering location licensee facility to the Horse Racing
11 Tax Allocation Fund, provided that, to the extent the
12 total amount collected and distributed to the Horse
13 Racing Tax Allocation Fund under this subsection (h)
14 during any calendar year exceeds the amount collected and
15 distributed to the Horse Racing Tax Allocation Fund in
16 calendar year 1994, that excess amount shall be
17 redistributed (I) to all inter-track wagering location
18 licensees, based on each licensees' pro-rata share of the
19 total handle from inter-track wagering and simulcast
20 wagering for all inter-track wagering location licensees
21 during the calendar year in which this provision is
22 applicable; then (II) the amounts redistributed to each
23 inter-track wagering location licensee as described in
24 subpart (I) shall be further redistributed as provided in
25 subparagraph (B) of paragraph (5) of subsection (g)
26 provided, first, that the shares of those amounts, which
27 are to be redistributed to the host track or to purses at
28 the host track under subparagraph (b) of subparagraph (5)
29 of subsection (g) shall be redistributed based on each
30 host track's pro rata share of the total inter-track
31 wagering and simulcast wagering handle at all host tracks
32 during the calendar year in question and, second, that
33 any amounts redistributed as described in part (I) to an
34 inter-track wagering location licensee that accepts

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

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

25 (C) There is hereby created the Horse Racing Tax
26 Allocation Fund which shall remain in existence until
27 December 31, 1999. Moneys remaining in the Fund after
28 December 31, 1999 shall be paid into the General Revenue
29 Fund. Until January 1, 2000, all monies paid into the
30 Horse Racing Tax Allocation Fund pursuant to this
31 paragraph (11) by inter-track wagering location licensees
32 located in park districts of 500,000 population or less,
33 or in a municipality that is not included within any park
34 district but is included within a conservation district

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

6 Two-sevenths to the Department of Agriculture.
7 Fifty percent of this two-sevenths shall be used to
8 promote the Illinois horse racing and breeding
9 industry, and shall be distributed by the Department
10 of Agriculture upon the advice of a 9-member
11 committee appointed by the Governor consisting of
12 the following members: the Director of Agriculture,
13 who shall serve as chairman; 2 representatives of
14 organization licensees conducting thoroughbred race
15 meetings in this State, recommended by those
16 licensees; 2 representatives of organization
17 licensees conducting standardbred race meetings in
18 this State, recommended by those licensees; a
19 representative of the Illinois Thoroughbred Breeders
20 and Owners Foundation, recommended by that
21 Foundation; a representative of the Illinois
22 Standardbred Owners and Breeders Association,
23 recommended by that Association; a representative of
24 the Horsemen's Benevolent and Protective Association
25 or any successor organization thereto established in
26 Illinois comprised of the largest number of owners
27 and trainers, recommended by that Association or
28 that successor organization; and a representative of
29 the Illinois Harness Horsemen's Association,
30 recommended by that Association. Committee members
31 shall serve for terms of 2 years, commencing January
32 1 of each even-numbered year. If a representative
33 of any of the above-named entities has not been
34 recommended by January 1 of any even-numbered year,

1 the Governor shall appoint a committee member to
2 fill that position. Committee members shall receive
3 no compensation for their services as members but
4 shall be reimbursed for all actual and necessary
5 expenses and disbursements incurred in the
6 performance of their official duties. The remaining
7 50% of this two-sevenths shall be distributed to
8 county fairs for premiums and rehabilitation as set
9 forth in the Agricultural Fair Act;

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

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

22 One-seventh to the Agricultural Premium Fund to
23 be used for distribution to agricultural home
24 economics extension councils in accordance with "An
25 Act in relation to additional support and finances
26 for the Agricultural and Home Economic Extension
27 Councils in the several counties of this State and
28 making an appropriation therefor", approved July 24,
29 1967.

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

34 Two-sevenths to the Department of Agriculture.

1 Fifty percent of this two-sevenths shall be used to
2 promote the Illinois horse racing and breeding
3 industry, and shall be distributed by the Department
4 of Agriculture upon the advice of a 9-member
5 committee appointed by the Governor consisting of
6 the following members: the Director of Agriculture,
7 who shall serve as chairman; 2 representatives of
8 organization licensees conducting thoroughbred race
9 meetings in this State, recommended by those
10 licensees; 2 representatives of organization
11 licensees conducting standardbred race meetings in
12 this State, recommended by those licensees; a
13 representative of the Illinois Thoroughbred Breeders
14 and Owners Foundation, recommended by that
15 Foundation; a representative of the Illinois
16 Standardbred Owners and Breeders Association,
17 recommended by that Association; a representative of
18 the Horsemen's Benevolent and Protective Association
19 or any successor organization thereto established in
20 Illinois comprised of the largest number of owners
21 and trainers, recommended by that Association or
22 that successor organization; and a representative of
23 the Illinois Harness Horsemen's Association,
24 recommended by that Association. Committee members
25 shall serve for terms of 2 years, commencing January
26 1 of each even-numbered year. If a representative
27 of any of the above-named entities has not been
28 recommended by January 1 of any even-numbered year,
29 the Governor shall appoint a committee member to
30 fill that position. Committee members shall receive
31 no compensation for their services as members but
32 shall be reimbursed for all actual and necessary
33 expenses and disbursements incurred in the
34 performance of their official duties. The remaining

1 50% of this two-sevenths shall be distributed to
 2 county fairs for premiums and rehabilitation as set
 3 forth in the Agricultural Fair Act;

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

11 One-seventh to the Agricultural Premium Fund to
 12 be used for distribution to agricultural home
 13 economics extension councils in accordance with "An
 14 Act in relation to additional support and finances
 15 for the Agricultural and Home Economic Extension
 16 Councils in the several counties of this State and
 17 making an appropriation therefor", approved July 24,
 18 1967. This subparagraph (C) shall be inoperative and
 19 of no force and effect on and after January 1, 2000.

20 (C-5) There is hereby created the Horse Racing Tax
 21 Allocation Fund. All moneys paid into the Horse Racing
 22 Tax Allocation Fund pursuant to this paragraph (11) by
 23 inter-track wagering location licensees located in park
 24 districts of 500,000 population or less, or in a
 25 municipality that is not included within any park
 26 district but is included within a conservation district
 27 and is the county seat of a county that (i) is contiguous
 28 to the state of Indiana and (ii) has a 1990 population of
 29 88,257 according to the United States Bureau of the
 30 Census, and operating on May 1, 1994 shall be allocated
 31 by appropriation as follows:

32 Two-sevenths to the Department of Agriculture.
 33 Fifty percent of this two-sevenths shall be used to
 34 promote the Illinois horse racing and breeding

1 industry, and shall be distributed by the Department
2 of Agriculture upon the advice of a 9-member
3 committee appointed by the Governor consisting of
4 the following members: the Director of Agriculture,
5 who shall serve as chairman; 2 representatives of
6 organization licensees conducting thoroughbred race
7 meetings in this State, recommended by those
8 licensees; 2 representatives of organization
9 licensees conducting standardbred race meetings in
10 this State, recommended by those licensees; a
11 representative of the Illinois Thoroughbred Breeders
12 and Owners Foundation, recommended by that
13 Foundation; a representative of the Illinois
14 Standardbred Owners and Breeders Association,
15 recommended by that Association; a representative of
16 the Horsemen's Benevolent and Protective Association
17 or any successor organization thereto established in
18 Illinois comprised of the largest number of owners
19 and trainers, recommended by that Association or
20 that successor organization; and a representative of
21 the Illinois Harness Horsemen's Association,
22 recommended by that Association. Committee members
23 shall serve for terms of 2 years, commencing January
24 1 of each even-numbered year. If a representative
25 of any of the above-named entities has not been
26 recommended by January 1 of any even-numbered year,
27 the Governor shall appoint a committee member to
28 fill that position. Committee members shall receive
29 no compensation for their services as members but
30 shall be reimbursed for all actual and necessary
31 expenses and disbursements incurred in the
32 performance of their official duties. The remaining
33 50% of this two-sevenths shall be distributed to
34 county fairs for premiums and rehabilitation as set

1 forth in the Agricultural Fair Act;
2 Four-sevenths to park districts or
3 municipalities that do not have a park district of
4 500,000 population or less for museum purposes (if
5 an inter-track wagering location licensee is located
6 in such a park district) or to conservation
7 districts for museum purposes (if an inter-track
8 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)
12 is contiguous to the state of Indiana and (ii) has a
13 1990 population of 88,257 according to the United
14 States Bureau of the Census, except that if the
15 conservation district does not maintain a museum,
16 the monies shall be allocated equally between the
17 county and the municipality in which the inter-track
18 wagering location licensee is located for general
19 purposes) or to a municipal recreation board for
20 park purposes (if an inter-track wagering location
21 licensee is located in a municipality that is not
22 included within any park district and park
23 maintenance is the function of the municipal
24 recreation board and the municipality has a 1990
25 population of 9,302 according to the United States
26 Bureau of the Census); provided that the moneys are
27 distributed to each park district or conservation
28 district or municipality that does not have a park
29 district in an amount equal to four-sevenths of the
30 amount collected by each inter-track wagering
31 location licensee within the park district or
32 conservation district or municipality for the Fund.
33 Any park district or municipality not maintaining a
34 museum may deposit the monies in the corporate fund

1 of the park district or municipality where the
2 inter-track wagering location is located, to be used
3 for general purposes; and

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

12 All other moneys paid into the Horse Racing Tax
13 Allocation Fund pursuant to this paragraph (11) shall be
14 allocated by appropriation as follows:

15 Two-sevenths to the Department of Agriculture.
16 Fifty percent of this two-sevenths shall be used to
17 promote the Illinois horse racing and breeding
18 industry, and shall be distributed by the Department
19 of Agriculture upon the advice of a 9-member
20 committee appointed by the Governor consisting of
21 the following members: the Director of Agriculture,
22 who shall serve as chairman; 2 representatives of
23 organization licensees conducting thoroughbred race
24 meetings in this State, recommended by those
25 licensees; 2 representatives of organization
26 licensees conducting standardbred race meetings in
27 this State, recommended by those licensees; a
28 representative of the Illinois Thoroughbred Breeders
29 and Owners Foundation, recommended by that
30 Foundation; a representative of the Illinois
31 Standardbred Owners and Breeders Association,
32 recommended by that Association; a representative of
33 the Horsemen's Benevolent and Protective Association
34 or any successor organization thereto established in

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

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

26 One-seventh to the Agricultural Premium Fund to
27 be used for distribution to agricultural home
28 economics extension councils in accordance with "An
29 Act in relation to additional support and finances
30 for the Agricultural and Home Economic Extension
31 Councils in the several counties of this State and
32 making an appropriation therefor", approved July 24,
33 1967.

34 (D) Except as provided in paragraph (11) of

1 this subsection (h), with respect to purse
2 allocation from intertrack wagering, the monies so
3 retained shall be divided as follows:

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

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

26 (iii) If the inter-track wagering is
27 being conducted by an inter-track wagering
28 location licensee, except an intertrack
29 wagering location licensee that derives its
30 license from an organization licensee located
31 in a county with a population in excess of
32 230,000 and bounded by the Mississippi River,
33 the entire purse allocation for Illinois races
34 shall be to purses at the track where the race

1 meeting being wagered on is being held.

2 (12) The Board shall have all powers necessary and
3 proper to fully supervise and control the conduct of
4 inter-track wagering and simulcast wagering by
5 inter-track wagering licensees and inter-track wagering
6 location licensees, including, but not limited to the
7 following:

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

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

24 (C) The Board, and any person or persons to
25 whom it delegates this power, may eject or exclude
26 from any licensee's facilities, any person whose
27 conduct or reputation is such that his presence on
28 such premises may, in the opinion of the Board, call
29 into the question the honesty and integrity of, or
30 interfere with the orderly conduct of such wagering;
31 provided, however, that no person shall be excluded
32 or ejected from such premises solely on the grounds
33 of race, color, creed, national origin, ancestry, or
34 sex.

1 (D) (Blank).

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

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

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

23 (13) The Department of Agriculture may enter into
24 agreements with licensees authorizing such licensees to
25 conduct inter-track wagering on races to be held at the
26 licensed race meetings conducted by the Department of
27 Agriculture. Such agreement shall specify the races of
28 the Department of Agriculture's licensed race meeting
29 upon which the licensees will conduct wagering. In the
30 event that a licensee conducts inter-track pari-mutuel
31 wagering on races from the Illinois State Fair or DuQuoin
32 State Fair which are in addition to the licensee's
33 previously approved racing program, those races shall be
34 considered a separate racing day for the purpose of

1 determining the daily handle and computing the privilege
 2 or pari-mutuel tax on that daily handle as provided in
 3 Sections 27 and 27.2 ~~27.1~~. Such agreements shall be
 4 approved by the Board before such wagering may be
 5 conducted. In determining whether to grant approval, the
 6 Board shall give due consideration to the best interests
 7 of the public and of horse racing. The provisions of
 8 paragraphs (1), (8), (8.1), and (8.2) of subsection (h)
 9 of this Section which are not specified in this paragraph
 10 (13) shall not apply to licensed race meetings conducted
 11 by the Department of Agriculture at the Illinois State
 12 Fair in Sangamon County or the DuQuoin State Fair in
 13 Perry County, or to any wagering conducted on those race
 14 meetings.

15 (i) Notwithstanding the other provisions of this Act,
 16 the conduct of wagering at wagering facilities is authorized
 17 on all days, except as limited by subsection (b) of Section
 18 19 of this Act.

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

20 (230 ILCS 5/26.1) (from Ch. 8, par. 37-26.1)

21 Sec. 26.1. For all pari-mutuel wagering conducted
 22 pursuant to this Act, breakage shall be at all times computed
 23 on the basis of not to exceed 10¢ on the dollar. If there is
 24 a minus pool, the breakage shall be computed on the basis of
 25 not to exceed 5¢ on the dollar. Breakage shall be calculated
 26 only after the amounts retained by licensees pursuant to
 27 Sections 26 and 26.2 of this Act, and all applicable
 28 surcharges, are taken out of winning wagers and winnings from
 29 wagers. From Beginning January 1, 2000 until July 1, 2002,
 30 all breakage shall be retained by licensees, with 50% of
 31 breakage to be used by licensees for racetrack improvements
 32 at the racetrack from which the wagering facility derives its
 33 license. ~~The remaining 50% is to be allocated 50% to the~~

1 ~~purse--account--for--the--licensee--from--which--the--wagering~~
 2 ~~facility--derives--its--license--and--50%--to--the--licensee.~~
 3 (Source: P.A. 91-40, eff. 6-25-99.)

4 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

5 Sec. 27. (a) In addition to the organization license fee
 6 provided by this Act, except during the period beginning
 7 until January 1, 2000 and ending June 30, 2002, a graduated
 8 privilege tax is hereby imposed for conducting the
 9 pari-mutuel system of wagering permitted under this Act.
 10 Except during the period beginning until January 1, 2000 and
 11 ending June 30, 2002, except as provided in subsection (g) of
 12 Section 27 of this Act, all of the breakage of each racing
 13 day held by any licensee in the State shall be paid to the
 14 State. Except during the period beginning until January 1,
 15 2000 and ending June 30, 2002, such daily graduated privilege
 16 tax shall be paid by the licensee from the amount permitted
 17 to be retained under this Act. Until January 1, 2000, each
 18 day's graduated privilege tax, breakage, and Horse Racing Tax
 19 Allocation funds shall be remitted to the Department of
 20 Revenue within 48 hours after the close of the racing day
 21 upon which it is assessed or within such other time as the
 22 Board prescribes. Beginning July 1, 2002, each day's
 23 privilege tax, breakage, and Illinois Horse Racing Tax
 24 Allocation funds shall be remitted to the Department of
 25 Revenue within 48 hours of the close of the racing day upon
 26 which it is collected or within such other time as the Board
 27 may prescribe. The privilege tax hereby imposed, except
 28 during the period beginning until January 1, 2000 and ending
 29 June 30, 2002, shall be a flat tax at the rate of 2% of the
 30 daily pari-mutuel handle except as provided in Section 27.1.

31 In addition, every organization licensee, except as
 32 provided in Section 27.1 of this Act, which conducts multiple
 33 wagering shall pay, except during the period beginning until

1 January 1, 2000 and ending June 30, 2002, as a privilege tax
2 on multiple wagers an amount equal to 1.25% of all moneys
3 wagered each day on such multiple wagers, plus an additional
4 amount equal to 3.5% of the amount wagered each day on any
5 other multiple wager which involves a single betting interest
6 on 3 or more horses. The licensee shall remit the amount of
7 such taxes to the Department of Revenue within 48 hours after
8 the close of the racing day on which it is assessed or within
9 such other time as the Board prescribes.

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

12 (a-5) From Beginning on January 1, 2000 until July 1,
13 2002, a flat pari-mutuel tax at the rate of 1.5% of the daily
14 pari-mutuel handle is imposed at all pari-mutuel wagering
15 facilities, which shall be remitted to the Department of
16 Revenue within 48 hours after the close of the racing day
17 upon which it is assessed or within such other time as the
18 Board prescribes.

19 (b) On or before December 31, 1999 and on or after July
20 1, 2002, if ~~in the event that~~ any organization licensee
21 conducts 2 separate programs of races on any day, each such
22 program shall be considered a separate racing day for
23 purposes of determining the daily handle and computing the
24 privilege tax on such daily handle as provided in subsection
25 (a) of this Section.

26 (c) Licensees shall at all times keep accurate books and
27 records of all monies wagered on each day of a race meeting
28 and of the taxes paid to the Department of Revenue under the
29 provisions of this Section. The Board or its duly authorized
30 representative or representatives shall at all reasonable
31 times have access to such records for the purpose of
32 examining and checking the same and ascertaining whether the
33 proper amount of taxes is being paid as provided. The Board
34 shall require verified reports and a statement of the total

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

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

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

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

1 pursuant to rule, cause the fees to be distributed to the
2 county or municipality.

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

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

22 (ii) each thoroughbred and standardbred
23 organization licensee issued an organization licensee in
24 that succeeding allocation year shall be allocated an
25 amount equal to the product of its percentage of total
26 Illinois live thoroughbred or standardbred wagering in
27 calendar year 1994 (the total to be determined based on
28 the sum of 1994 on-track wagering for all organization
29 licensees issued organization licenses in both the
30 allocation year and the preceding year) multiplied by the
31 total amount allocated for standardbred or thoroughbred
32 purses, provided that the first \$1,500,000 of the amount
33 allocated to standardbred purses under item (i) shall be
34 allocated to the Department of Agriculture to be expended

1 with the assistance and advice of the Illinois
2 Standardbred Breeders Funds Advisory Board for the
3 purposes listed in subsection (g) of Section 31 of this
4 Act, before the amount allocated to standardbred purses
5 under item (i) is allocated to standardbred organization
6 licensees in the succeeding allocation year.

7 To the extent the excess amount of taxes and fees to be
8 collected and distributed to State and local governmental
9 authorities exceeds \$11 million, that excess amount shall be
10 collected and distributed to State and local authorities as
11 provided for under this Act.

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

13 (230 ILCS 5/27.2 new)

14 Sec. 27.2. Daily graduated tax. An organization licensee
15 whose track facilities operated in a county with fewer than
16 400,000 inhabitants on or before June 1, 1986, shall be
17 subject to a daily graduated tax of 1% of the first \$400,000
18 of daily pari-mutuel handle and 2% of such handle in excess
19 of \$400,000.

20 Every inter-track wagering licensee and inter-track
21 wagering location licensee shall be subject to a daily
22 graduated tax of 1% of the first \$400,000 of its daily
23 pari-mutuel handle and 2% of such handle in excess of
24 \$400,000.

25 An organization licensee whose track facilities operated
26 in a county with fewer than 400,000 inhabitants on or before
27 June 1, 1986, every inter-track wagering licensee and
28 inter-track wagering location licensee, shall pay as a
29 privilege tax on multiple wagers an amount equal to .75% of
30 all moneys wagered each day on such multiple wagers, plus an
31 additional amount equal to 2.5% of the amount wagered each
32 day on any other multiple wager which involves a single
33 betting interest on 3 or more horses.

1 (230 ILCS 5/28) (from Ch. 8, par. 37-28)
2 Sec. 28. Except as provided in subsection (g) of Section
3 27 of this Act, moneys collected shall be distributed
4 according to the provisions of this Section 28.

5 (a) Thirty per cent of the total of all monies received
6 by the State as privilege taxes shall be paid into the
7 Metropolitan Fair and Exposition Authority Reconstruction
8 Fund in the State treasury until such Fund contains
9 sufficient money to pay in full, both principal and interest,
10 all of the outstanding bonds issued pursuant to the Fair and
11 Exposition Authority Reconstruction Act, approved July 31,
12 1967, as amended, and thereafter shall be paid into the
13 Metropolitan Exposition Auditorium and Office Building Fund
14 in the State Treasury.

15 (b) Four and one-half per cent of the total of all
16 monies received by the State as privilege taxes shall be paid
17 into the State treasury into a special Fund to be known as
18 the Metropolitan Exposition, Auditorium, and Office Building
19 Fund.

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

23 (d) Seven per cent of the total of all monies received
24 by the State as privilege taxes shall be paid into the Fair
25 and Exposition Fund in the State treasury; provided, however,
26 that when all bonds issued prior to July 1, 1984 by the
27 Metropolitan Fair and Exposition Authority shall have been
28 paid or payment shall have been provided for upon a refunding
29 of those bonds, thereafter 1/12 of \$1,665,662 of such monies
30 shall be paid each month into the Build Illinois Fund, and
31 the remainder into the Fair and Exposition Fund. All excess
32 monies shall be allocated to the Department of Agriculture
33 for distribution to county fairs for premiums and
34 rehabilitation as set forth in the Agricultural Fair Act.

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

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

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

10 (g-5) Beginning July 1, 2002, that part representing 50%
11 of 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
14 in Section 32.2.

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

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

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

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

30 (2) for the distribution to county fairs,
31 vocational agriculture section fairs, agricultural
32 societies, and agricultural extension clubs in accordance
33 with the Agricultural Fair Act, as amended;

34 (3) for payment of prize monies and premiums

1 awarded and for expenses incurred in connection with the
2 International Livestock Exposition and the Mid-Continent
3 Livestock Exposition held in Illinois, which premiums,
4 and awards must be approved, and paid by the Illinois
5 Department of Agriculture;

6 (4) for personal service of county agricultural
7 advisors and county home advisors;

8 (5) for distribution to agricultural home economic
9 extension councils in accordance with "An Act in relation
10 to additional support and finance for the Agricultural
11 and Home Economic Extension Councils in the several
12 counties in this State and making an appropriation
13 therefor", approved July 24, 1967, as amended;

14 (6) for research on equine disease, including a
15 development center therefor;

16 (7) for training scholarships for study on equine
17 diseases to students at the University of Illinois
18 College of Veterinary Medicine;

19 (8) for the rehabilitation, repair and maintenance
20 of the Illinois and DuQuoin State Fair Grounds and the
21 structures and facilities thereon and the construction of
22 permanent improvements on such Fair Grounds, including
23 such structures, facilities and property located on such
24 State Fair Grounds which are under the custody and
25 control of the Department of Agriculture;

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

29 (10) for the expenses of the Department of Commerce
30 and Community Affairs under Sections 605-620, 605-625,
31 and 605-630 of the Department of Commerce and Community
32 Affairs Law (20 ILCS 605/605-620, 605/605-625, and
33 605/605-630);

34 (11) for remodeling, expanding, and reconstructing

1 facilities destroyed by fire of any Fair and Exposition
2 Authority in counties with a population of 1,000,000 or
3 more inhabitants;

4 (12) for the purpose of assisting in the care and
5 general rehabilitation of disabled veterans of any war
6 and their surviving spouses and orphans;

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

9 (14) for the Department of Agriculture for soil
10 surveys and soil and water conservation purposes;

11 (15) for the Department of Agriculture for grants
12 to the City of Chicago for conducting the Chicagofest.

13 (k) To the extent that monies paid by the Board to the
14 Agricultural Premium Fund are in the opinion of the Governor
15 in excess of the amount necessary for the purposes herein
16 stated, the Governor shall notify the Comptroller and the
17 State Treasurer of such fact, who, upon receipt of such
18 notification, shall transfer such excess monies from the
19 Agricultural Premium Fund to the General Revenue Fund.

20 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00; 92-16,
21 eff. 6-28-01.)

22 (230 ILCS 5/32.2)

23 Sec. 32.2. Illinois Race Track Improvement Fund.

24 (a) There is hereby created in the State Treasury a fund
25 to be known as the Illinois Race Track Improvement Fund,
26 referred to in this Section as the Fund, to consist of monies
27 paid into it pursuant to Section 28. Except as provided in
28 subsection (g) of Section 27 of this Act, moneys credited to
29 the Fund shall be distributed by the Treasurer on order of
30 the Board.

31 (b) Except as provided in subsection (g) of Section 28,
32 50% of the breakage of each meeting shall be collected by the
33 Department of Revenue and deposited with the State Treasurer

1 in an account established for each organization licensee who
2 held such meeting at any track in a given racing year.

3 (c) The Racing Board shall use this Fund to aid tracks
4 in improving their facilities. Expenditures from the Fund
5 shall be equitably distributed between frontside and backside
6 improvements for each organization licensee, taking into
7 account the amount an organization licensee may spend or has
8 spent on frontside and backside improvements over the course
9 of a multi-year capital improvement plan, which plan shall be
10 updated each year and subject to the review and approval of
11 the Board. The Board shall have discretion to deny a request
12 for reimbursement from the Fund if it determines that the
13 proposed expenditures are not consistent with the approved
14 capital improvement plan. An organization licensee shall be
15 required to file an updated plan each year with any
16 application to conduct racing.

17 (d) Monies shall be distributed from the Fund to tracks
18 for the cost of erection, improving or acquisition of seating
19 stands, buildings or other structures, ground or track, for
20 the necessary purchase or required restoration of depreciable
21 property and equipment used in the operation of a race track,
22 or for the payment of the cost of amortization of debt
23 contracted with the approval of the Board for any or all such
24 purposes. The fund shall also be used to reimburse race
25 tracks for the added expenses incurred when it is necessary
26 to establish training facilities for horses eligible to
27 compete at operating race tracks due to the existence of an
28 overflow of eligible horses using the training facilities at
29 the operating tracks, or if it is determined by the Board to
30 be in the best interests of racing.

31 (e) The Board shall adopt procedural rules governing
32 information required, deadlines for filing, and types of
33 application forms to be observed by the tracks seeking moneys
34 from the Fund.

1 (f) The Board shall keep accurate records of moneys
2 deposited in each account for each licensee. If in any given
3 year a track does not tender any application for moneys from
4 the Fund or tenders an application which is not in accordance
5 with the provisions of this Section the Department of Revenue
6 shall allow such unexpended moneys to remain in the account
7 for utilization at a later date in accordance with
8 subsections (c) through (e).

9 Section 15. The State Finance Act is amended by adding
10 Sections 5.570 and 5.571 as follows:

11 (30 ILCS 105/5.570 new)

12 Sec. 5.570. The Illinois Race Track Improvement Fund.

13 (30 ILCS 105/5.571 new)

14 Sec. 5.571. The Horse Racing Tax Allocation Fund.

15 (230 ILCS 5/32.1 rep.)

16 Section 20. The Illinois Horse Racing Act of 1975 is
17 amended by repealing Section 32.1.

18 (230 ILCS 5/28.1 rep.)

19 Section 25. The Illinois Horse Racing Act of 1975 is
20 amended by repealing Section 28.1.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law, except that Section 20 takes effect January 1,
23 2003.