

**STATE OF ILLINOIS
ILLINOIS RACING BOARD**

**IN THE MATTER OF THE ISSUANCE OF ORGANIZATION LICENSES
AND THE ALLOTMENT OF THOROUGHBRED AND STANDARD BRED RACING
DATES FOR CALENDAR YEAR 2020**

ORDER

This matter came to be heard at the request of Board staff following a previous Board Order granting the request of Arlington Park Racecourse, LLC (“Arlington”) for the suspension of the opening of its 2020 race meet.

During the application period for 2020 dates, each applicant submitted a written waiver of the contested case provisions of the Illinois Administrative Procedure Act (5 ILCS 100/1, *et seq.*) with its submitted application and elected to present evidence to the Illinois Racing Board (“Board”) at an open meeting conducted on September 17, 2019 (“2020 Dates Hearing”) at the James R. Thompson Center and concluded on September 24, 2019. The Board heard testimony from witnesses for each of the applicants and considered the applications and exhibits submitted by each of them. In addition, the Board heard public comments from representatives of the Illinois Thoroughbred Horsemen’s Association (“ITHA”) and the Illinois Thoroughbred Breeders and Owners Foundation (“ITBOF”). At the 2020 Dates Hearing, the Board voted on the applications for organization licenses and race dates for 2020. At the next monthly scheduled Board meeting held on October 15, 2019, the Board voted to amend the motion passed at the 2020 Dates Hearing and executed the 2020 Dates Order.

It is the public policy of this State to: (a) support and enhance Illinois’ horse racing industry, which is a significant component within the agribusiness industry; (b) ensure Illinois’ horse racing industry remains competitive with neighboring states; (c) stimulate growth within

Illinois' horse racing industry, thereby encouraging new investment and development to produce additional tax revenues and to create additional jobs; (d) promote the further growth of tourism; (e) encourage the breeding of thoroughbred and standardbred horses in Illinois, and (f) ensure that public confidence and trust in the credibility and integrity of Illinois horse racing operations and the regulatory process is maintained. (230 ILCS 5/1.2).

On March 9, 2020 Governor Pritzker issued a Gubernatorial Disaster Proclamation declaring that all counties in the state are a disaster area due to the potential impact of COVID19. On March 20, 2020 Governor Pritzker issued Executive Order 2020-8 prohibited gatherings of more than ten people. On May 29, 2020 Governor Pritzker announced the extension of the Gubernatorial Disaster Proclamation and related executive orders until June 27, 2020.

At a meeting held on June 5, 2020, the Board heard testimony from Melissa Helton on behalf of Fairmount Park on the status of resuming their meet on Tuesday June 9, 2020 and their request to reassign live race days to race Mondays and Tuesdays with a post time of 4:30pm and also racing on Kentucky Derby Day, Saturday September 5, 2020 for a total of 27 live race days.

IT IS HEREBY ORDERED:

- 1) Paragraph 24 of the 2020 Dates Order executed on October 15, 2019 is amended to allot thoroughbred racing to Fairmount Park, to be conducted at Fairmount Park from June 9, 2020 through September 7, 2020 racing on Mondays and Tuesdays and also racing on Saturday September 5. (6/5/20 Tr., 19-22). Fairmount shall card no less than seven races per race program. *Id.* Post-time shall be 4:30 p.m. on Mondays and Tuesdays. On Saturdays 1:00 p.m. or 7:30 p.m. On Fridays 7:30 p.m. (Fairmount Agreement letter); (Staff Report, Ex. 1); (6/5/20 Tr., 19-22).
- 2) All other provisions of the 2020 Dates Order which are not in conflict with this Order

shall remain in full force and effect.

- 3) The Board's Commissioners unanimously approved the 2020 racing schedule by a vote of 9 to 0. (9/24/19 Tr. 56-57) The Board's Commissioners unanimously approved this amendment to the 2020 racing schedule by a vote of 6 to 0. (6/5/20 Tr., 22).
- 4) This is a final administrative decision subject to the Administrative Review Law. (230 ILCS 5/46). This decision may be challenged by the filing of an action for administrative review within thirty-five (35) days of deposit in the U.S. mail. (735 ILCS 5/3-103).
- 5) This document may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one document. Signatures may be transmitted by e-mail, facsimile, or hard copy.

**BOARD ORDER SIGNATURES
RACING DATES FOR 2020**

Daniel Beiser, Chairman



Marcus Davis

Charles MacKelvie

Thomas McCauley

Arlene Mulder

Benjamin Reyes

RECEIVED

JUN 25 2020

ILLINOIS
RACING BOARD
Action taken by the Board at its
June 5, 2020 meeting

Domenic DiCera, Executive Director

Date Executed

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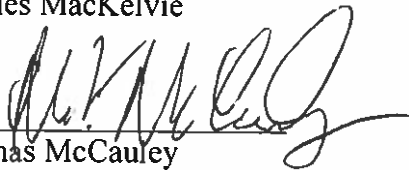
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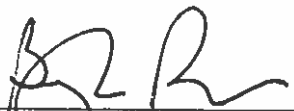
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