

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

**PART 435
INTER-TRACK WAGERING FACILITIES**

Section

435.20	Application for Intertrack Wagering License
435.30	Board Approval of an Application
435.40	Penalties and Conditions
435.50	Board Office
435.110	Licensing of Employees
435.120	Concessionaire License
435.130	Prohibited Practices by Employees

Section 435.20 Application for Inter-track Wagering License

- a) Each application for an inter-track wagering license filed with the Illinois Racing Board (Board) must contain the information and be accompanied by the documents or exhibits specified by the Board.
- b) Each application for an inter-track wagering license shall also contain a plan of operation that shall include:
 - 1) a feasibility report that shows:
 - A) the anticipated revenue to be generated from the inter-track wagering facility;
 - B) the expenditures expected to be incurred by the facility;
 - C) the level of attendance expected and the area from which attendance is anticipated to be drawn to the inter-track wagering facility;
 - D) level of anticipated inter-track wagering;
 - E) a demographic study or market survey depicting the applicants on-track attendance; and
 - F) the probable impact of the inter-track wagering facility on revenue to local government.
 - 2) an application for an inter-track wagering license shall also show:
 - A) the number of simulcast racing programs to be displayed;
 - B) the amount and source of revenue necessary to acquire and construct the inter-track wagering facility;

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

- C) the type of communication and transmission equipment to be utilized ;
- D) the type and operation of the totalizator equipment that must be operated as prescribed by 11 Ill. Adm. Code 432 and 433;
- E) a security plan that shall include, but not be limited to, as description of the security measures to protect the inter-track wagering facility, to control crowds, to safeguard the transmission and reception of simulcast signals, and to control the transmission of wagering data to effect combined common parimutuel wagering pools;
- F) the accommodations available to the public;
- G) a good faith affirmative action plan to recruit, train and upgrade minorities and females in all classifications within the licensee;
- H) a certificate of compliance or approval from the Illinois Workers' Compensation Commission that the applicant has complied with, and has elected to be bound by, the provisions of the Workers' Compensation Act (820 ILCS 305); and
- I) a current Municipal or County Health and Safety Report and a current State Fire Inspection Report. Updated State Fire Inspection reports shall be submitted by each inter-track wagering facility no later than July 15 of each year of operation. Updated Health and Safety reports shall be submitted by each inter-track wagering facility no later than January 15 and July 15 of each year of operation.

Section 435.30 Board Approval of an Application

The Board shall consider every completed application for a license to conduct inter-track wagering at an inter-track wagering facility at a hearing before the Board. The Board shall approve or deny the application in accordance with Section 26(h)(3) of the Horse Racing Act of 1975 (Act) (Ill. Rev. Stat 1985, ch 8, par 37-1 et seq.). The Board will take such action within sixty days of the filing of the application unless the applicant requests and is granted a continuance.

Section 435.40 Penalties and Conditions

- a) Each license shall specify the person to whom it is issued, the dates on which such wagering is permitted, the tracks or location where the wagering is to be conducted, and a recital that all wagering under such license is subject to the Act, the rules and regulations of the Board and any requirements imposed by

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

the Board as a condition for the exercise of the license. The Board may impose as a condition of licensure any provisions which it determines meets the criteria contained in Section 26(h)(3) of the Act.

- b) The Board may impose a civil penalty of up to \$5,000 against individuals and up to \$10,000 against organization licensees, inter-track wagering licensees, and inter-track wagering location licensees for each violation of the terms of the Act relating to the conduct of inter-track wagering, any rules adopted by the Board, any order of the Board, any action, or failure to act, which the Board finds and determines a detriment or impediment to inter-track wagering, or any requirement imposed as a condition of licensure pursuant to Section 435.40(a).
- c) Any modifications of the conditions of licensure may be requested by the Board or the licensee and may be approved at a public meeting of the Board in accordance with 11 Ill. Adm. Code 206 and Section 26(h)(3) of the Act.
- d) No licensee of an inter-track wagering facility shall discontinue operations at the facility until a reasonable period of time after notice of such intention has been transmitted to the Board.

Section 435.50 Board Office

Each inter-track wagering facility shall provide adequate working space at the inter-track wagering facility for Board employees to carry out their duties of inspection and regulation.

Section 435.110 Licensing of Employees

- a) All persons performing work or services at an inter-track wagering facility shall be licensed by the Board. All persons shall carry their photo identification badge on their person, within the facility, at all times. This Section does not apply to any persons employed as a pari-mutuel clerk, parking attendant, security guard or employee of concessionaire.
- b) Licensing of persons pursuant to this Section is governed by the provisions of 11 Ill. Adm. Code 502, Subparts A, B and C.

Section 435.120 Concessionaire License

No concessionaire shall operate at any inter-track wagering facility in Illinois without an occupational license issued by the board. Licensing of concessionaires shall be governed, in all respects not specified herein, by the provisions of 11 Ill. Adm. Code 402

Section 435.130 Prohibited Practices by Employees

ILLINOIS REGISTER
ILLINOIS RACING BOARD
NOTICE OF ADOPTED RULES

- a) No pari-mutuel clerk, parking attendant or security guard shall commit any act prohibited under Section 15.2 of the Act during the period of their employment at an inter-track wagering facility.
- b) The licensee of any inter-track wagering facility shall provide the Board with immediate written notice of any prohibited activity by parimutuel clerks, security guards or parking lot attendants at an inter-track wagering facility.

SOURCE: Emergency rules adopted at 12 Ill. Reg. 6805, effective March 23, 1988, for a maximum of 140 days; adopted at 12 Ill. Reg. 11235, effective June 20, 1988; amended at 16 Ill. Reg. 13073, effective August 10, 1992; amended at 19 Ill. Reg. 13914, effective October 1, 1995; amended at 36 Ill. Reg. effective January 1, 2012; amended at 41 Ill. Reg. _____, effective September 1, 2017.