

**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 on 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 April 23, 2020 Governor Pritzker announced his intent to extend the Gubernatorial Disaster Proclamation and related executive orders until May 30, 2020.

Arlington submitted a written statement requesting the suspension of the start of its 2020 race meet citing the interruption of its business operations due to the COVID-19 pandemic conditions and its economic consequences, the delay in completing the inspections required by paragraph 38 of the 2020 Dates Order, and the lack of an agreement and consent from the horsemen's organization. Tony Petrillo and Shawn Wood provided testimony on behalf of Arlington Park Racecourse in support of their request.

David McCaffrey of the Illinois Thoroughbred Horsemen's Association (ITHA) also provided testimony on the status of the agreement negotiations between ITHA and Arlington Park Racecourse.

During any calendar period in which no organization licensee has been awarded a thoroughbred horse meeting, the host track, between the hours of 6:30 a.m. and 6:30 p.m. of such period, shall be an organization licensee determined by the Board, provided the organization licensee has been awarded a thoroughbred race meeting in the current year and is eligible to be a host track. (230 ILCS 5/3/075(e)).

IT IS HEREBY ORDERED:

- 1) Paragraph 25 of the 2020 Dates Order executed on October 15, 2019 is amended to suspend the beginning of the 2020 race meet at Arlington Park Racecourse due to the COVID-19 pandemic conditions and relevant Gubernatorial Disaster Proclamation and Executive Orders. Arlington is awarded dark host status from April 27 through May 22. Dark host status beyond May 22 shall be addressed at the next meeting of the Board.
- 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)
- 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

Action taken by the Board at its
April 24, 2020 meeting

Domenic DiCera, Executive Director

Date Executed

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RACING DATES FOR 2020**

RECEIVED

Daniel Beiser, Chairman



Marcus Davis

JUN 12 2020

ILLINOIS
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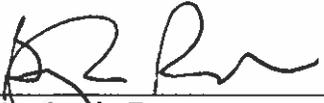
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Domenic DiCera, Executive Director

May 22, 2020
Date Executed