

SECOND REGULAR SESSION

HOUSE BILL NO. 2691

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROGERS.

5694H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof fourteen new sections relating to sports wagering, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 313.800, RSMo, is repealed and fourteen new sections enacted in lieu thereof, to be known as sections 313.800, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, and 313.1022, to read as follows:

313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers. **"Adjusted gross receipts" shall not include adjusted gross receipts from sports wagering as defined in section 313.1000;**

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads,
17 traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities,
18 streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water
19 and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life
20 greater than one year, cultural events, and any expenditure related to a law enforcement officer
21 deployed as horse-mounted patrol, school resource or drug awareness resistance education
22 (D.A.R.E) officer;

23 (5) "Cheat", to alter the selection of criteria which determine the result of a gambling
24 game or the amount or frequency of payment in a gambling game;

25 (6) "Commission", the Missouri gaming commission;

26 (7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or
27 other authorization from a qualified person to an excursion gambling boat licensee or any of its
28 affiliated companies licensed by the commission authorizing the licensee to withdraw the amount
29 of credit extended by the licensee to such person from the qualified person's banking account in
30 an amount determined under section 313.817 on or after a date certain of not more than thirty
31 days from the date the credit was extended, and includes any such writing taken in consolidation,
32 redemption or payment of a previous credit instrument, but does not include any interest-bearing
33 installment loan or other extension of credit secured by collateral;

34 (8) "Dock", the location in a city or county authorized under subsection 10 of section
35 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to
36 a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the
37 embarking of passengers on and disembarking of passengers from a gambling excursion but shall
38 not include any artificial space created after May 20, 1994, and is located more than one
39 thousand feet from the closest edge of the main channel of the river as established by the United
40 States Army Corps of Engineers;

41 (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the
42 commission on which gambling games are allowed;

43 (10) "Fiscal year" shall for the purposes of ~~[subsections 3 and 4 of]~~ section 313.820 mean
44 the fiscal year of a home dock city or county;

45 (11) "Floating facility", any facility built or originally built as a boat, ferry or barge
46 licensed by the commission on which gambling games are allowed;

47 (12) "Gambling excursion", the time during which gambling games may be operated on
48 an excursion gambling boat whether docked or during a cruise;

49 (13) "Gambling game" includes, but is not limited to, games of skill or games of chance
50 on an excursion gambling boat ~~[but does not include gambling on sporting events]~~; provided
51 such games of chance are approved by amendment to the Missouri Constitution;

52 (14) "Games of chance", any gambling game in which the player's expected return is not
53 favorably increased by ~~his or her~~ **such player's** reason, foresight, dexterity, sagacity, design,
54 information or strategy;

55 (15) "Games of skill", any gambling game in which there is an opportunity for the player
56 to use ~~his or her~~ **such player's** reason, foresight, dexterity, sagacity, design, information or
57 strategy to favorably increase the player's expected return; including, but not limited to, the
58 gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai
59 gow poker", "Texas hold'em", "double down stud", "**sports wagering**", and any video
60 representation of such games;

61 (16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

62 (17) "Holder of occupational license", a person licensed by the commission to perform
63 an occupation within excursion gambling boat operations which the commission has identified
64 as requiring a license;

65 (18) "Licensee", any person licensed under sections 313.800 to 313.850;

66 (19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers,
67 including any space filled by the water of those rivers for docking purposes in a manner approved
68 by the commission but shall not include any artificial space created after May 20, 1994, and is
69 located more than one thousand feet from the closest edge of the main channel of the river as
70 established by the United States Army Corps of Engineers;

71 (20) "Supplier", a person who sells or leases gambling equipment and gambling supplies
72 to any licensee.

73 2. **(1)** In addition to the games of skill defined in this section, the commission may
74 approve other games of skill upon receiving a petition requesting approval of a gambling game
75 from any applicant or licensee. The commission may set the matter for hearing by serving the
76 applicant or licensee with written notice of the time and place of the hearing not less than five
77 days prior to the date of the hearing and posting a public notice at each commission office. The
78 commission shall require the applicant or licensee to pay the cost of placing a notice in a
79 newspaper of general circulation in the applicant's or licensee's home dock city or county. The
80 burden of proof that the gambling game is a game of skill is at all times on the petitioner. The
81 petitioner shall have the affirmative responsibility of establishing ~~his or her~~ **such petitioner's**
82 case by a preponderance of evidence including:

83 ~~(1)~~ **(a)** Is it in the best interest of gaming to allow the game; and

84 ~~(2)~~ **(b)** Is the gambling game a game of chance or a game of skill?

85 **(2)** All testimony shall be given under oath or affirmation. Any citizen of this state shall
86 have the opportunity to testify on the merits of the petition. The commission may subpoena
87 witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall

88 evaluate the record of the hearing and issue written findings of fact that shall be based
89 exclusively on the evidence and on matters officially noticed. The commission shall then render
90 a written decision on the merits which shall contain findings of fact, conclusions of law and a
91 final commission order. The final commission order shall be within thirty days of the hearing.
92 Copies of the final commission order shall be served on the petitioner by certified or overnight
93 express mail, postage prepaid, or by personal delivery.

313.1000. As used in sections 313.1000 to 313.1022, the following terms shall mean:

2 **(1) "Adjusted gross receipts":**

3 **(a) The total of all cash and cash equivalents received by a sports wagering**
4 **operator from sports wagering minus the total of:**

5 **a. All cash and cash equivalents paid out as winnings to sports wagering patrons;**

6 **b. The actual costs paid by a sports wagering operator for any personal property**
7 **or services distributed to sports wagering patrons as prizes;**

8 **c. Voided or cancelled wagers;**

9 **d. Free play or promotional credits; and**

10 **e. Uncollectible sports wagering receivables, not to exceed the lesser of:**

11 **(i) A reasonable provision for uncollectible patron checks, ACHs, debit cards, and**
12 **credit cards received from sports wagering operations; or**

13 **(ii) Two percent of the total of all sums, including checks, whether collected or not,**
14 **less the amount paid out as winnings to sports wagering patrons. For purposes of this**
15 **section, a counter or personal check that is invalid or unenforceable under this section is**
16 **considered cash received by the sports wagering operator from sports wagering operations.**

17 **(b) If the amount of adjusted gross receipts on a gaming day is a negative figure,**
18 **the certificate holder shall remit no sports wagering tax for that gaming day. Any negative**
19 **adjusted gross receipts shall be carried over and calculated as a deduction on the**
20 **subsequent gaming days until the negative figure has been brought to a zero balance;**

21 **(2) "Certificate holder", a licensed applicant issued a certificate of authority by the**
22 **commission;**

23 **(3) "Certificate of authority", a certificate issued by the commission authorizing**
24 **a licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022;**

25 **(4) "Commission", the Missouri gaming commission;**

26 **(5) "Department", the department of revenue;**

27 **(6) "Excursion gambling boat", the same meaning as defined under section**
28 **313.800;**

29 **(7) "Gross receipts", the total amount of cash and cash equivalents paid by sports**
30 **wagering patrons to a sports wagering operator to participate in sports wagering;**

31 (8) "Interactive sports wagering platform" or "platform", a person that offers
32 sports wagering over the internet, including on internet websites and mobile devices, on
33 behalf of a certificate holder;

34 (9) "Licensed applicant", a person holding a license issued under section 313.807
35 to operate an excursion gambling boat;

36 (10) "Licensed facility", an excursion gambling boat licensed under this chapter;

37 (11) "Licensed supplier", a person holding a supplier's license issued by the
38 commission;

39 (12) "Occupational license", a license issued by the commission;

40 (13) "Person", an individual, sole proprietorship, partnership, association,
41 fiduciary, corporation, limited liability company, or any other business entity;

42 (14) "Sports wagering", wagering conducted under sections 313.1000 to 313.1022
43 on athletic and sporting events involving human competitors or on other events as
44 approved by the commission. "Sports wagering" shall not include moneys spent to
45 participate in paid fantasy sports under sections 313.900 to 313.955;

46 (15) "Sports wagering device", a mechanical, electrical, or computerized
47 contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the
48 commission for conducting sports wagering under sections 313.1000 to 313.1022. "Sports
49 wagering device" shall not include a device used by a sports wagering patron to access an
50 interactive sports wagering platform;

51 (16) "Sports wagering operator" or "operator", a certificate holder or an
52 interactive sports wagering platform offering sports wagering on behalf of a certificate
53 holder;

54 (17) "Supplier's license", a license issued by the commission under section 313.807.

2 313.1002. 1. The state of Missouri shall be exempt from the provisions of 15 U.S.C.
2 Section 1172, as amended.

3 2. All shipments of gambling devices used to conduct sports wagering under
4 sections 313.1000 to 313.1022 to licensed applicants or certificate holders, the registering,
5 recording, and labeling of which have been completed by the manufacturer or dealer
6 thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal
7 shipments of gambling devices into this state.

2 313.1003. 1. Sports wagering shall not be offered in this state except by a licensed
2 facility.

3 2. A licensed facility may offer sports wagering:

4 (1) In person at the licensed facility; and

5 (2) Over the internet via an interactive sports wagering platform to persons
6 physically located in this state.

313.1004. 1. The commission shall adopt rules to implement the provisions of
2 sections 313.1000 to 313.1022. Any rule or portion of a rule, as that term is defined in
3 section 536.010, that is created under the authority delegated in this section shall become
4 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
5 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
6 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
7 the effective date, or to disapprove and annul a rule are subsequently held
8 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
9 after August 28, 2020, shall be invalid and void.

10 2. Rules adopted under this section shall include, but not be limited to, the
11 following:

12 (1) Standards and procedures to govern the conduct of sports wagering, including
13 the manner in which:

14 (a) Wagers are received;

15 (b) Payouts are paid; and

16 (c) Point spreads, lines, and odds are disclosed;

17 (2) Standards governing how a certificate holder offers sports wagering over the
18 internet through an interactive sports wagering platform to patrons physically located in
19 Missouri;

20 (3) The manner in which a certificate holder's books and financial records relating
21 to sports wagering are maintained and audited, including standards for the daily counting
22 of a certificate holder's gross receipts from sports wagering and standards to ensure that
23 internal controls are followed;

24 (4) Standards concerning the detection and prevention of compulsive gambling.

25 3. Rules adopted under this section shall require a certificate holder to make
26 commercially reasonable efforts to do the following:

27 (1) Designate an area within the licensed facility operated by the certificate holder
28 for sports wagering conducted under sections 313.1000 to 313.1022;

29 (2) Ensure the security and integrity of sports wagers accepted through an
30 interactive sports wagering platform;

31 (3) Ensure that the certificate holder's surveillance system covers all areas of the
32 licensed facility in which sports wagering is conducted;

33 (4) Allow the commission to be present through the commission's gaming agents
34 when sports wagering is conducted in all areas of the certificate holder's licensed facility
35 in which sports wagering is conducted to do the following:

36 (a) Ensure maximum security of the counting and storage of the sports wagering
37 revenue received by the certificate holder;

38 (b) Certify the sports wagering revenue received by the certificate holder; and

39 (c) Receive complaints from the public;

40 (5) Ensure that individuals who are under twenty-one years of age do not make
41 sports wagers; and

42 (6) Establish house rules specifying the amounts to be paid on winning wagers, the
43 effect of schedule changes, and the source of the information used to determine the
44 outcome of wagers. The house rules shall be displayed in the certificate holder's sports
45 wagering area, posted on the certificate holder's or platform's internet site or mobile
46 application for interactive sports wagering, and included in the terms and conditions of the
47 certificate holder's or platform's interactive sports wagering system.

48 4. The commission may enter into agreements with other jurisdictions to facilitate,
49 administer, and regulate multi-jurisdictional sports wagering by sports wagering operators
50 to the extent that entering into the agreement is consistent with state and federal laws and
51 if the sports wagering agreement is conducted only in the United States.

313.1006. 1. A licensed applicant who wishes to offer sports wagering under
2 sections 313.1000 to 313.1022 shall:

3 (1) Submit an application to the commission in the manner prescribed by the
4 commission for each licensed facility in which the licensed applicant wishes to conduct
5 sports wagering; and

6 (2) Pay an initial application fee of twenty-five thousand dollars, which shall be
7 deposited in the gaming commission fund and distributed according to section 313.835.

8 2. Upon receipt of the application and fee required under subsection 1 of this
9 section, the commission shall issue a certificate of authority to a licensed applicant
10 authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to
11 313.1022 in a licensed facility or through an interactive sports wagering platform.

313.1008. 1. The commission shall test new sports wagering devices and new forms,
2 variations, or composites of sports wagering under the terms and conditions that the
3 commission considers appropriate prior to authorizing a certificate holder to offer a new
4 sports wagering device or a new form, variation, or composite of sports wagering.

5 2. (1) A certificate holder shall designate an area or areas within the certificate
6 holder's licensed facility for conducting sports wagering.

7 (2) A certificate holder may administer or contract with up to three individually
8 branded interactive sports wagering platforms to administer interactive sports wagering
9 on the certificate holder's behalf.

10 3. (1) Sports wagering may be conducted with chips, tokens, electronic cards, cash,
11 cash equivalents, debit or credit cards, other negotiable currency, online payment services,
12 automated clearing houses, promotional funds, or any other means approved by the
13 commission.

14 (2) A certificate holder shall determine the minimum and maximum wagers in
15 sports wagering conducted in the certificate holder's licensed facility.

16 4. A certificate holder shall not permit any sports wagering on the premises of the
17 licensed facility except as provided under subsection 2 of this section.

18 5. A sports wagering device shall be approved by the commission and acquired by
19 a certificate holder from a licensed supplier.

20 6. The commission shall determine the occupations related to sports wagering that
21 require an occupational license.

22 7. A certificate holder may lay off one or more sports wagers. The commission may
23 promulgate rules permitting certificate holders or platforms to employ systems that offset
24 loss or manage risk in the operation of sports wagering under sections 313.1000 to 313.1022
25 through the use of liquidity pools in other jurisdictions in which the certificate holder,
26 platform, an affiliate of the certificate holder or platform, or a third party also holds
27 licenses to conduct sports wagering; provided that, at all times adequate protections are
28 maintained to ensure sufficient funds are available to pay winnings to patrons.

29 8. Subject to the approval of the commission, a certificate holder may contract with
30 a third party to conduct sports wagering at the certificate holder's licensed facility.

313.1010. 1. An interactive sports wagering platform provider may offer sports
2 wagering on behalf of a certificate holder only if the interactive sports wagering platform
3 holds an interactive sports wagering platform license issued by the commission.

4 2. An applicant for an interactive sports wagering platform license shall:

5 (1) Submit an application to the commission in the manner prescribed by the
6 commission to verify the platform's eligibility under this section; and

7 (2) Pay an initial application fee of twenty-five thousand dollars.

8 3. Each year on or before the anniversary date of the payment of the initial
9 application fee under this section, an interactive sports wagering platform provider holding
10 a license issued under this section shall pay to the commission an annual license renewal
11 fee of ten thousand dollars.

12 **4. Notwithstanding any other provision of law to the contrary, the following**
13 **information shall be confidential and shall not be disclosed to the public unless required**
14 **by court order or by any other provision of section 313.1000 to 313.1022:**

15 **(1) An interactive sports wagering platform license application; and**

16 **(2) All documents, reports, and data submitted by an interactive sports wagering**
17 **platform provider to the commission containing proprietary information, trade secrets,**
18 **financial information, or personally identifiable information about any person.**

313.1012. 1. A certificate holder shall verify that a person placing a wager is of the
2 **legal minimum age for placing a wager under sections 313.1000 to 313.1022.**

3 **2. The commission shall adopt rules and regulations for a sports wagering**
4 **self-exclusion program consistent with those adopted under sections 313.800 to 313.850.**
5 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
6 **under the authority delegated in this section shall become effective only if it complies with**
7 **and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.**
8 **This section and chapter 536 are nonseverable, and if any of the powers vested with the**
9 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
10 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
11 **rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be**
12 **invalid and void.**

13 **3. The commission shall adopt rules to ensure that advertisements for sports**
14 **wagering:**

15 **(1) Do not target minors or other persons who are ineligible to place wagers,**
16 **problem gamblers, or other vulnerable persons;**

17 **(2) Disclose the identity of the sports wagering certificate holder;**

18 **(3) Provide information about or links to resources relating to gambling addiction;**
19 **and**

20 **(4) Are not otherwise false, misleading, or deceptive to a reasonable consumer.**

313.1014. 1. The commission shall conduct background checks on individuals
2 **seeking licenses under sections 313.1000 to 313.1022. A background check conducted**
3 **under this section shall include a search for criminal history and any charges or**
4 **convictions involving corruption or manipulation of sporting events.**

5 **2. (1) A certificate holder shall employ commercially reasonable methods to:**

6 **(a) Prohibit the certificate holder; directors, officers, and employees of the**
7 **certificate holder; and any relative living in the same household of a person described in**
8 **this paragraph from placing sports wagers with the certificate holder;**

9 **(b) Prohibit any individual with access to nonpublic confidential information held**
10 **by the certificate holder from placing sports wagers with the certificate holder;**

11 **(c) Prevent the sharing of confidential information that could affect sports**
12 **wagering offered by the certificate holder or by third parties until the information is made**
13 **publicly available; and**

14 **(d) Prohibit persons from placing sports wagers as agents or proxies for other**
15 **persons.**

16 **(2) Nothing in this section shall preclude the use of internet or cloud-based hosting**
17 **of data, or any disclosure of information required by court order or other provisions of**
18 **law.**

19 **3. (1) The following individuals are prohibited from engaging in sports wagering**
20 **under sections 313.1000 to 313.1022:**

21 **(a) Any individual whose participation may undermine the integrity of the betting**
22 **or sports event; or**

23 **(b) Any person who is prohibited for other good cause including, but not limited**
24 **to:**

25 **a. Any individual placing a wager as an agent or proxy;**

26 **b. Any person who is an athlete, coach, referee, player, or a referee personnel**
27 **member in or on any sports event overseen by that person's sports governing body based**
28 **on publicly available information;**

29 **c. A person who holds a position of authority or influence sufficient to exert**
30 **influence over the participants in a sporting contest including, but not limited to, coaches,**
31 **managers, handlers, or athletic trainers;**

32 **d. A person under the age of twenty-one;**

33 **e. A person with access to certain types of exclusive information on any sports event**
34 **overseen by that person's sports governing body based on publicly available information;**
35 **or**

36 **f. A person identified by any lists provided by the commission.**

37 **(2) The direct or indirect legal or beneficial owner of five percent or more of a**
38 **sports governing body or any of its member teams shall not place or accept any wager on**
39 **a sports event in which any member team of that sports governing body participates. Any**
40 **violation of this subdivision shall constitute disorderly conduct. Disorderly conduct under**
41 **this subdivision shall be a class C misdemeanor.**

42 **(3) Subdivision (1) of this subsection shall not apply to any person who is a direct**
43 **or indirect owner of a specific sports governing body member team and:**

44 **(a) Has less than five percent direct or indirect ownership interest in a casino; or**

45 **(b) The value of the ownership of such team represents less than one percent of the**
46 **person's total enterprise value and such shares of such person are registered under section**
47 **12 of the Securities Exchange Act of 1934 (15 U.S.C. Section 78l), as amended.**

48 **(4) (a) An operator shall adopt procedures to prevent persons from wagering on**
49 **sports events who are prohibited from placing sports wagers.**

50 **(b) An operator shall not accept wagers from any person whose identity is known**
51 **to the operator and:**

52 **a. Whose name appears on the exclusion list maintained by the commission;**

53 **b. Who is the operator, director, officer, owner, or employee of the operator or any**
54 **relative thereof living in the same household as the operator;**

55 **c. Who has access to nonpublic confidential information held by the operator; or**

56 **d. Who is an agent or proxy for any other person.**

57 **(5) An operator shall adopt procedures to obtain personally identifiable**
58 **information from any individual who places any single wager of ten thousand dollars or**
59 **more on a sports event while physically present at a casino.**

60 **4. The commission and certificate holders shall cooperate with investigations**
61 **conducted by law enforcement agencies, including by providing or facilitating the**
62 **provision of relevant betting information and audio or video files relating to persons**
63 **placing sports wagers.**

64 **5. A certificate holder shall immediately report to the commission any information**
65 **relating to:**

66 **(1) Criminal or disciplinary proceedings commenced against the certificate holder**
67 **in connection with its operations;**

68 **(2) Bets or wagers that violate state or federal law;**

69 **(3) Abnormal wagering activity or patterns that may indicate a concern regarding**
70 **the integrity of a sporting event or events;**

71 **(4) Any other conduct that corrupts the wagering outcome of a sporting event or**
72 **events for purposes of financial gain; and**

73 **(5) Suspicious or illegal wagering activities.**

74 **6. A certificate holder shall maintain the confidentiality of information provided**
75 **by a sports governing body to the certificate holder unless disclosure is required by court**
76 **order, the commission, or any other provision of law.**

77 **7. A sports governing body may notify the commission that it desires to restrict,**
78 **limit, or exclude sports wagering on its sporting events by providing notice in the form and**
79 **manner as required by the commission. A sports governing body may request the**
80 **commission to restrict, limit, or exclude a type of wager based solely upon the actions of**

81 a single player. To demonstrate good cause, the sports governing body shall provide
82 written information that indicates a credible threat to the integrity of sports wagering that
83 is beyond the control of the sports governing body to preemptively remedy or mitigate.
84 The commission shall promptly review the information provided and respond as
85 expeditiously as possible to the request. In making its determination, the commission may
86 consult with a sports wagering operation, independent monitoring provider, and other
87 jurisdictions. No restrictions, limitations, or exclusions of wagers shall be conducted
88 without the express written approval of the commission. Certificate holders shall be
89 notified of any restrictions, limitations, or exclusions granted by the commission.

313.1016. 1. A certificate holder shall, for bets and wagers that exceed ten
2 thousand dollars in a twenty-four-hour period and that are placed in person by a patron,
3 maintain the following records for a period of at least three years after the sporting event
4 occurs:

- 5 (1) Personally identifiable information of the bettor;
- 6 (2) The amount and type of bet placed;
- 7 (3) The time and date the bet was placed;
- 8 (4) The location, including specific information pertaining to the betting window
9 or the limited mobile gaming system device, where the bet was placed;
- 10 (5) The outcome of the bet; and
- 11 (6) Any discernable pattern of abnormal betting activity by the patron.

12 2. A certificate holder, for all bets and wagers placed through an interactive sports
13 wagering platform, shall maintain the following records for a period of at least three years
14 after the sporting event occurs:

- 15 (1) Personally identifiable information of the bettor;
- 16 (2) The amount and type of bet placed;
- 17 (3) The time and date the bet was placed;
- 18 (4) The location, including specific information pertaining to the internet protocol
19 address, where the bet was placed;
- 20 (5) The outcome of the bet; and
- 21 (6) Any discernable pattern of abnormal betting activity by the patron.

22 3. A certificate holder shall make the records and data that it is required to
23 maintain under this section available for inspection upon request of the commission or as
24 required by court order.

313.1018. 1. The performance of any act required, or the forbearance of any act
2 prohibited, by sections 313.1000 to 313.1022, by an interactive sports wagering platform

3 provider is imputed to the certificate holder on behalf of which the platform is operating,
4 and vice versa.

5 2. A certificate holder is not liable under the laws of this state to any party,
6 including patrons, for disclosing information as required under sections 313.1000 to
7 313.1022 and is not liable for refusing to disclose information unless required under
8 sections 313.1000 to 313.1022.

313.1021. 1. A wagering tax of six and one-half percent is imposed on the adjusted
2 gross receipts received from sports wagering conducted by a certificate holder under
3 sections 313.1000 to 313.1022. If a third party is contracted with to conduct sports
4 wagering at a certificate holder's licensed facility, the third party contractor shall fulfill
5 the certificate holder's duties under this section.

6 2. A certificate holder shall remit the tax imposed by subsection 1 of this section to
7 the department before the close of the business day one day prior to the last business day
8 of each month for the wagering taxes collected for such month. Any taxes collected during
9 the month, but after the day on which the taxes are required to be paid to the department,
10 shall be paid to the department at the same time the following month's taxes are due.

11 3. The payment of the tax under this section shall be by an electronic funds transfer
12 by an automated clearinghouse.

13 4. Revenues received from the tax imposed under subsection 1 of this section shall
14 be deposited in the state treasury to the credit of the "Gaming Proceeds for Education
15 Fund" and shall be distributed as provided under section 313.822.

16 5. (1) A certificate holder shall pay to the commission an annual administrative fee
17 of ten thousand dollars. The fee imposed shall be due one year after the date on which the
18 certificate holder commences sports wagering operations under sections 313.1000 to
19 313.1022 and on each anniversary date thereafter. The commission shall deposit the
20 administrative fees received under this subdivision in the sports wagering fund established
21 in this subsection.

22 (2) In addition to the annual administrative fee required in this subsection, a
23 certificate holder shall pay to the commission a fee of five thousand dollars to cover the
24 costs of a full reinvestigation of the certificate holder in the fifth year after the date on
25 which the certificate holder commences sports wagering operations under sections
26 313.1000 to 313.1022 and on each fifth year thereafter. The commission shall deposit the
27 fees received under this subdivision in the sports wagering fund established in this
28 subsection.

29 (3) (a) There is hereby created in the state treasury the "Sports Wagering Fund",
30 which shall consist of moneys collected under this subsection. The state treasurer shall be

31 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**
32 **may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,**
33 **moneys in the fund shall be used solely as provided in this subsection.**

34 **(b) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
35 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
36 **general revenue fund.**

37 **(c) The state treasurer shall invest moneys in the fund in the same manner as other**
38 **funds are invested. Any interest and moneys earned on such investments shall be credited**
39 **to the fund.**

313.1022. All sports wagers authorized under sections 313.1000 to 313.1022 shall
2 **be deemed initiated, received, and otherwise made on the property of an excursion**
3 **gambling boat within this state. Consistent with the intent of the United States Congress**
4 **as articulated in the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C.**
5 **Sections 5361 to 5367, as amended, the intermediate routing of electronic data relating to**
6 **lawful intrastate sports wagers authorized under sections 313.1000 to 313.1022 shall not**
7 **determine the location or locations in which such wager is initiated, received, or otherwise**
8 **made.**

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