

SECOND REGULAR SESSION

HOUSE BILL NO. 2921

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARDWICK.

5872H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 43.050, 173.900, 313.230, 313.800, 313.813, and 313.842, RSMo, and to enact in lieu thereof twenty-nine new sections relating to gaming, with penalty provisions.

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

Section A. Sections 43.050, 173.900, 313.230, 313.800, 313.813, and 313.842, RSMo, are repealed and twenty-nine new sections enacted in lieu thereof, to be known as sections 43.050, 173.900, 313.230, 313.425, 313.427, 313.429, 313.431, 313.433, 313.434, 313.435, 313.437, 313.800, 313.813, 313.842, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1011, 313.1012, 313.1014, 313.1015, 313.1016, 313.1018, 313.1021, and 313.1022, to read as follows:

43.050. 1. The superintendent may appoint not more than thirty-four captains and one director of radio, each of whom shall have the same qualifications as the superintendent, nor more than sixty-eight lieutenants, and such additional force of sergeants, corporals and patrolmen, so that the total number of members of the patrol shall not exceed one thousand sixty-four officers and patrolmen and such numbers of radio personnel as the superintendent deems necessary.

2. In case of a national emergency the superintendent may name additional patrolmen and radio personnel in a number sufficient to replace, temporarily, patrolmen and radio personnel called into military services.

3. The superintendent may enter into an agreement with the **Missouri lottery commission and the Missouri gaming commission** to enforce any law, rule, or regulation, conduct background investigations under the laws of this state, and enforce the regulations of

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.

13 licensed gaming activities governed by chapter 313. A notice of either party to terminate or
14 modify the provisions of such agreement shall be in writing and executed not less than one
15 year from the effective date of the termination or modification, unless mutually agreed upon
16 by the superintendent and **the Missouri lottery commission or the Missouri gaming**
17 **commission.** Members of the patrol hired in conjunction with any agreement with the
18 **Missouri lottery commission or the Missouri gaming commission** shall not be subject to the
19 personnel cap referenced in subsection 1 of this section. If such agreement is subsequently
20 terminated or modified to reduce the number of personnel used in such agreement, those
21 members affected by such termination or modification shall not be subject to the personnel
22 cap referenced in subsection 1 of this section for a period of five years.

23 4. Member positions of the patrol originally acquired in conjunction with the
24 community-oriented policing services federal grant or members assigned to fulfill the duties
25 established in sections 43.350 to 43.380 shall not be subject to the personnel cap referenced in
26 subsection 1 of this section.

27 5. Applicants shall not be discriminated against because of race, creed, color, national
28 origin or sex.

173.900. 1. This act shall be known and may be cited as the "Missouri Returning
2 Heroes' Education Act".

3 2. For the purpose of this section, the term "combat veteran" shall mean a person who
4 served in armed combat, which shall be shown through military service documentation that
5 reflects service in a combat theater, receipt of combat service medals, or receipt of imminent
6 danger or hostile fire pay or tax benefits, and to whom the following criteria shall apply:

7 (1) The veteran is eligible to register to vote in Missouri, or is eligible to vote, as
8 determined by the Missouri secretary of state, or is a current Missouri resident; and

9 (2) The veteran was discharged from military service under honorable conditions.

10 3. All public institutions of higher education that receive any state funds appropriated
11 by the general assembly shall limit the amount of tuition such institutions charge to combat
12 veterans to fifty dollars per credit hour, as long as the veteran achieves and maintains a
13 cumulative grade point average of at least two and one-half on a four-point scale, or its
14 equivalent. The tuition limitation shall only be applicable if the combat veteran is enrolled in
15 a program leading to a certificate, or an associate or baccalaureate degree. The period during
16 which a combat veteran is eligible for a tuition limitation under this section shall expire at the
17 end of the ten-year period beginning on the date of such veteran's last discharge from service.

18 4. All public institutions of higher education that receive any state funds appropriated
19 by the general assembly shall limit the amount of tuition such institutions charge to combat
20 veterans to no more than thirty percent of the cost of tuition and fees. The tuition limitation
21 shall only be applicable if the combat veteran is enrolled in a program leading to a graduate

22 degree, including master and doctorate degrees. For the purposes of this section, "graduate
23 degree" shall not be construed to include professional degrees. Professional degrees may
24 include but are not limited to law, medicine, or veterinary degrees. The period during which a
25 combat veteran is eligible for a tuition limitation under this section shall expire at the end of
26 the twenty-year period beginning on the date of such veteran's last discharge from service.

27 **5. All public institutions of higher education that receive state funds**
28 **appropriated by the general assembly may request reimbursement for reduced**
29 **tuition per this section, subject to appropriations, annually to offset the actual costs**
30 **of tuition reductions made pursuant to this section. Such reimbursements shall come**
31 **from the proceeds of gaming generated under sections 313.425 to 313.437.**

32 **6.** The coordinating board for higher education shall ensure that all applicable
33 institutions of higher education in this state comply with the provisions of this section and
34 may promulgate rules for the efficient implementation of this section.

35 ~~[6-]~~ **7.** If a combat veteran is eligible to receive financial assistance under any other
36 federal or state student aid program, public or private, the full amount of such aid shall be
37 reported to the board by the institution and the veteran. The tuition limitation under this
38 section may, at the combat veteran's discretion, be provided before all other federal and state
39 aid for which the veteran is eligible has been applied. The public institution of higher
40 education shall provide each combat veteran with written notice of this option and maintain a
41 copy signed by the veteran in their official file.

42 ~~[7-]~~ **8.** Each institution may report to the board the amount of tuition waived in the
43 previous fiscal year under the provisions of this act. This information may be included in
44 each institution's request for appropriations to the board for the following year. The board
45 may include this information in its appropriations recommendations to the governor and the
46 general assembly. The general assembly may reimburse institutions for the cost of the waiver
47 for the previous year as part of the operating budget. Nothing in this subsection shall be
48 construed to deny a combat veteran a tuition limitation if the general assembly does not
49 appropriate money for reimbursement to an institution.

50 ~~[8-]~~ **9.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
51 created under the authority delegated in this section shall become effective only if it complies
52 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
53 This section and chapter 536 are nonseverable and if any of the powers vested with the
54 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
55 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
56 rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid
57 and void.

313.230. The commission shall:

2 (1) Issue rules and regulations concerning the operation of the Missouri state lottery.
3 The rules and regulations shall include, but shall not be limited to, the following:

4 (a) The type of lottery to be conducted, except no lottery may use any coin- or token-
5 operated amusement device [~~and no lottery game shall be based in any form on the outcome~~
6 ~~of sporting events~~]. However, it shall be legal to use clerk- or player-activated terminals,
7 which [~~are coin- or currency-operated~~] **accept coins, currency, and credit instruments**
8 **approved by the commission to conduct lottery games**, to dispense lottery tickets, **and to**
9 **use internet applications to access lottery games approved by the commission;**

10 (b) The price, or prices, of tickets or shares in the lottery;

11 (c) The numbers and sizes of the prizes on the winning tickets or shares;

12 (d) The manner of selecting the winning tickets or shares;

13 (e) The manner of payment of prizes to the holders of winning tickets or shares;

14 (f) The frequency of the drawings or selections of winning tickets or shares, without
15 limitation;

16 (g) The types or numbers of locations at which tickets or shares may be sold and the
17 method to be used in selling tickets or shares;

18 (h) The method to be used in selling tickets or shares;

19 (i) The licensing of lottery game retailers to sell tickets or shares;

20 (j) The manner and amount of compensation, including commissions, ticket
21 discounts, incentives and any other remuneration, to be paid to or retained by lottery game
22 retailers;

23 (k) The apportionment of the total revenues accruing from the sale of lottery tickets or
24 shares and from all other sources among:

25 a. The payment of prizes to the holders of winning tickets or shares;

26 b. The payment of costs incurred in the operation and administration of the lottery,
27 including the expenses of the commission and the costs resulting from any contract or
28 contracts entered into for promotional, advertising or operational services or for the purchase
29 or lease of lottery equipment and materials;

30 c. For the repayment to the general revenue fund of any amount appropriated for
31 initial start-up of the lottery; and

32 d. For timely transfer to the state lottery fund as provided by law;

33 (l) Such other matters necessary or desirable for the efficient and economical
34 operation and administration of the lottery and for the convenience of the purchasers of
35 tickets or shares and the holders of winning tickets or shares. The commission may disburse
36 money for payment of lottery prizes;

37 (2) Amend, repeal, or supplement any such rules and regulations from time to time as
38 it deems necessary or desirable;

39 (3) Advise and make recommendations to the director regarding the operation and
40 administration of the lottery;

41 (4) Report quarterly to the governor and the general assembly the total lottery
42 revenues, prize disbursements and other expenses for the preceding quarter, and to make an
43 annual report, which shall include a full and complete statement of lottery revenues, prize
44 disbursements and other expenses, to the governor and the general assembly, and including
45 such recommendations for changes in sections 313.200 to 313.350 as it deems necessary or
46 desirable;

47 (5) Report to the governor and general assembly any matters which shall require
48 immediate changes in the laws of this state in order to prevent abuses and evasions of sections
49 313.200 to 313.350 or rules and regulations promulgated thereunder or to rectify undesirable
50 conditions in connection with the administration or operation of the lottery;

51 (6) Carry on a continuous study and investigation of the lottery throughout the state
52 and to make a continuous study and investigation of the operation and the administration of
53 similar laws which may be in effect in other states or countries, any literature on the subject
54 which from time to time may be published or available, any federal laws which may affect the
55 operation of the lottery, and the reaction of Missouri citizens to existing and potential features
56 of the lottery with a view to recommending or effecting changes that will tend to serve the
57 purposes of sections 313.200 to 313.350;

58 (7) Ensure that all employees of the state lottery commission hired after July 12,
59 1990, shall not be related to any member of the state lottery commission or any employee of
60 the state lottery commission within the third degree of consanguinity or affinity.

**313.425. Sections 313.425 to 313.437 shall be known and may be cited as the
2 "Honoring Missouri Veterans and Supporting Missouri Education Act" and shall
3 provide additional funding for Missouri education programs and the Missouri veterans
4 commission by establishing a licensing and regulatory framework under the control of
5 the commission for the use of video lottery terminals to conduct lottery games.**

**313.427. As used in sections 313.425 to 313.437, the following words and phrases
2 shall mean:**

3 (1) "Centralized computer system", a computerized system developed or
4 procured by the commission that video lottery game terminals are connected to using
5 standard industry protocols and that can activate or deactivate a particular video
6 lottery game terminal from a remote location and that is capable of monitoring and
7 auditing video lottery game plays;

8 (2) "Commission" or "lottery commission", the body appointed by the governor
9 to manage and oversee the lottery under section 313.215;

10 (3) "Fraternal organization", any organization within this state operating under
11 the lodge system that exists for the common benefit, brotherhood, or other interest of its
12 members, except college fraternities and sororities, of which no part of the net earnings
13 inures to the benefit of any private shareholder or any individual member of such
14 organization, which has been exempted from the payment of federal income tax, and
15 which derives its charter from a national fraternal organization which regularly meets;

16 (4) "Truck stop", a location that provides parking and is equipped for fueling
17 commercial vehicles, that has sold on average ten thousand gallons of diesel or biodiesel
18 fuel each month for the previous twelve months or is projected to sell an average of ten
19 thousand gallons of diesel or biodiesel fuel each month for the next twelve months, and
20 that obtains and maintains a lottery game retailer license issued by the commission;

21 (5) "Veterans' organization", a post or organization of veterans, or an auxiliary
22 unit or society of, or a trust or foundation for, any such post or organization organized
23 in the United States or any of its possessions in which at least seventy-five percent of the
24 members are veterans of the United States Armed Forces and substantially all of the
25 other members are individuals who are veterans or are cadets, or are spouses, widows,
26 or widowers of war veterans of such individuals, in which no part of the net earnings
27 inures to the benefit of any private shareholder or individual, and which has been
28 exempted from payment of federal income taxes;

29 (6) "Video lottery game", any lottery game approved by the commission for play
30 on an approved video lottery game terminal using video lottery game terminal credits
31 that have been purchased with cash, cash equivalents, or with a winning video lottery
32 game terminal ticket;

33 (7) "Video lottery game adjusted gross receipts", the total of cash or cash
34 equivalents used for the play of a video lottery game on a video lottery game terminal
35 minus cash or cash equivalents paid to players as a result of playing video lottery games
36 on a video lottery game terminal;

37 (8) "Video lottery game handler", a person employed by a licensed video lottery
38 game operator and who is licensed by the commission to handle, place, operate, and
39 service video lottery game terminals and associated equipment;

40 (9) "Video lottery game manufacturer" or "distributor", any person licensed by
41 the commission that manufactures video lottery game terminals or major parts and
42 components for video lottery game terminals as approved by the commission for sale to
43 licensed video lottery game operators, or a person licensed by the commission to
44 distribute or service video lottery game terminals or major parts and components of
45 video lottery game terminals, including buying, selling, leasing, renting, or financing

46 new, used, or refurbished video lottery game terminals to and from licensed video
47 lottery game manufacturers and licensed video lottery game operators;

48 (10) "Video lottery game operator", a person licensed by the commission that
49 owns, rents, or leases and services or maintains video lottery game terminals for
50 placement in licensed video lottery retailer establishments;

51 (11) "Video lottery game retailer", a retail establishment meeting the
52 requirements of a lottery game retailer under section 313.260, that secures and
53 maintains a license issued by the commission to conduct video lottery games played on a
54 video lottery game terminal or terminals and that is a fraternal organization, veterans'
55 organization, truck stop, or business entity licensed under chapter 311 to sell liquor by
56 the drink;

57 (12) "Video lottery game terminal", a player-activated terminal that exchanges
58 coins, currency, tickets, ticket vouchers, or electronic payment methods approved by the
59 commission for credit on a video lottery game terminal used to play video lottery games
60 approved by the commission. Such video lottery game terminals shall use a video
61 display and microprocessor capable of conducting video lottery games that generate
62 random game outcomes, printing and issuing a ticket at the conclusion of any video
63 lottery game play that may be redeemed at a video lottery game ticket redemption
64 terminal or may be reinserted into a video lottery game terminal for video lottery game
65 credit and game plays. All video lottery games approved by the commission for play on
66 a video lottery game terminal shall have a minimum theoretical payout of eighty-five
67 percent. Video lottery game terminals operated under the provisions of sections 313.425
68 to 313.437 shall not be considered or construed to be slot machines as defined under
69 section 572.010;

70 (13) "Video lottery game terminal credit", credits either purchased or won on a
71 video lottery game terminal by a player that may be used to play video lottery games
72 and that may be converted into a video lottery game ticket;

73 (14) "Video lottery game ticket" or "ticket", a document printed at the
74 conclusion of any video lottery game play or group of plays on a video lottery game
75 terminal that is redeemable for cash, utilizing a video lottery game ticket redemption
76 terminal, or that may be reinserted into a video lottery game terminal in the
77 establishment from which such ticket is issued for video lottery game terminal credit;

78 (15) "Video lottery game ticket redemption terminal", the collective hardware,
79 software, communications technology, and other ancillary equipment used to facilitate
80 the payment of tickets cashed out by players as a result of playing a video lottery game
81 terminal.

313.429. 1. (1) Except as provided in subdivision (2) of this subsection, the
2 commission shall implement a system of video lottery game terminals utilizing a
3 licensing structure for processing license applications and issuing licenses to video
4 lottery game manufacturers, video lottery game distributors, video lottery game
5 operators, video lottery game handlers, and video lottery game retailers for the conduct
6 of lottery games utilizing video lottery game terminals within the state.

7 (2) No person licensed as a:

8 (a) Video lottery game manufacturer or a video lottery game distributor shall be
9 issued a license as a video lottery game operator or a video lottery game retailer;

10 (b) Video lottery game operator shall be issued a license as a video lottery game
11 manufacturer, a video lottery game distributor, or a video lottery game retailer; and

12 (c) Video lottery game retailer shall be issued a license as a video lottery game
13 manufacturer, a video lottery game distributor, or a video lottery game operator.

14 (3) Nothing in this subsection shall prevent a video lottery game manufacturer
15 from obtaining a video lottery game manufacturer's license and a video lottery game
16 distributor's license and providing and operating the centralized computer system for
17 monitoring video lottery game terminals.

18 2. Under no circumstances shall the commission:

19 (1) Authorize or allow a single vendor or licensee to implement the system of
20 video lottery game terminals created under this section; or

21 (2) Allow a single licensed video lottery game operator to control or operate
22 more than twenty-five percent of video lottery game terminals in the state after
23 December 31, 2028.

24 3. (1) The video lottery game system authorized by this section shall allow for
25 multiple video lottery game manufacturers, video lottery game distributors, and video
26 lottery game operators to encourage private sector investment and job opportunities for
27 Missouri citizens. Video lottery game terminals and video lottery game ticket
28 redemption terminals shall be connected to a centralized computer system developed or
29 procured by the commission. The commission shall provide licensed video lottery game
30 operators with the necessary protocols to connect the operators' video lottery game
31 terminal or terminals to the centralized computer system after such terminal or
32 terminals have been approved by the commission. No video lottery game terminal or
33 video lottery game ticket redemption terminals shall be placed in operation without first
34 connecting such terminals to the centralized computer system after such terminal or
35 terminals have been approved by the commission. A vendor that provides the
36 centralized computer system authorized under this subsection shall not be eligible to be
37 licensed as a video lottery game operator or video lottery game retailer. The commission

38 may impose an initial nonrefundable license application fee to cover the cost of
39 investigating the background of the licensee, including a criminal background check, as
40 follows:

41 (a) For video lottery game manufacturers, video lottery game distributors, and
42 video lottery game operators, no more than twenty-five thousand dollars;

43 (b) For video lottery game retailer establishments, no more than one thousand
44 dollars; or

45 (c) For video lottery game handlers, no more than one hundred dollars.

46 (2) The initial license shall be for a period of one year. Thereafter, license
47 renewal periods shall be four years with the applicable renewal fee paid for each year of
48 such license renewal in advance. Annual license renewal fees for anyone licensed
49 pursuant to this subsection, and subsequent to the initial one-year period, shall be as
50 follows:

51 (a) Five thousand dollars for video lottery game manufacturers, video lottery
52 game distributors, and video lottery game operators;

53 (b) Fifty dollars for video lottery game handlers; and

54 (c) Five hundred dollars for each video lottery game retailer's establishment.

55 (3) In addition to the license fees required in subdivisions (1) and (2) of this
56 subsection, an annual administrative fee of three hundred dollars, that shall not be
57 considered state funds, shall be paid for each video lottery game terminal placed in
58 service. Such annual administrative fee shall be paid to the credit of the veterans'
59 commission improvement trust fund created under section 42.300 once a year, equally
60 divided between the video lottery game operator and the video lottery game retailer,
61 collected and paid by the video game operator.

62 (4) Nothing in this subsection shall be construed to relieve the licensee of the
63 affirmative duty to notify the commission of any change relating to the status of the
64 license or to any other information contained in the application materials on file with
65 the commission.

66 4. No license shall be issued to any person, and no person shall be allowed to
67 serve as a sales agent, who has been convicted of a felony. Sales agents shall be
68 registered with the commission by a licensed video lottery game operator, and shall not
69 solicit or enter into any contract with a video lottery game retailer prior to such retailer
70 being licensed to conduct video lottery games on video lottery game terminals. A person
71 or sales agent's operating, handling, leasing, licensing, servicing, or placing of
72 unregulated coin operated amusement machines shall in no way prohibit or prejudice
73 that person or sales agent's participation in the video lottery game program authorized
74 under sections 313.425 to 313.437, nor shall it constitute a valid reason to refuse to issue

75 or renew or to revoke or suspend any license or permit issued under sections 313.425 to
76 313.437. The commission or political subdivisions shall in no way prejudice or prohibit
77 the participation or the issuance of any license relating to video lottery games to persons
78 or sales agents on the basis of such person's or sales agent's operating, handling, leasing,
79 licensing, servicing, or placing of unregulated coin operated amusement machines.

80 5. No license requirement, sticker fee, or tax shall be imposed by any local
81 jurisdiction upon a video lottery game manufacturer, video lottery game distributor,
82 video lottery game operator, video lottery game retailer, video lottery game handler, or
83 video lottery game terminal or an establishment relating to the operation of video
84 lottery games, video lottery game terminals, or associated equipment.

85 6. (1) Video lottery game terminals shall meet independent testing standards
86 approved by the commission, as tested by one or more licensed independent test labs,
87 and be capable of randomly generating the outcome of video lottery games approved by
88 the commission. Video lottery game terminals shall be capable of printing a ticket
89 redeemable for winning video lottery game plays. Such video lottery game terminals
90 shall be inspected and approved prior to being sold, leased, or transferred.

91 (2) Licensed video lottery game manufacturers may buy, sell, or lease new or
92 refurbished video lottery game terminals to and from licensed video lottery game
93 distributors.

94 (3) Licensed video lottery game distributors may buy, sell, or lease new or
95 refurbished video lottery game terminals to or from licensed video lottery game
96 manufacturers or licensed video lottery game operators.

97 7. (1) Licensed video lottery game operators:

98 (a) May buy, lease, or rent video lottery game terminals from licensed video
99 lottery game manufacturers, operators, or distributors;

100 (b) May handle, place, and service video lottery game terminals;

101 (c) Shall connect such video lottery game terminals and video lottery game ticket
102 redemption terminals to the centralized computer system approved by the commission;
103 and

104 (d) Shall, notwithstanding the provisions of section 313.321 to the contrary, pay
105 all video lottery game winnings using a video lottery game ticket redemption terminal.
106 Such video lottery ticket redemption terminal shall be located within the video lottery
107 game retailer's establishment in direct proximity to such video lottery games. Video
108 lottery game operators shall pay the commission thirty-two percent of any unclaimed
109 cash prize associated with a winning ticket that has not been redeemed within one
110 hundred eighty days of issue.

111 **(2) Rents or leases for video lottery game terminals shall be written at a flat rate**
112 **and shall not include revenue splitting as a method used in the calculation of the lease or**
113 **rent.**

114 **(3) Licensed video lottery game operators and licensed video lottery game**
115 **retailers shall enter into a written agreement for the placement of video lottery game**
116 **terminals. The agreement shall be on a form approved by the commission and shall**
117 **specify an equal division of adjusted gross receipts, or, upon approval of the**
118 **commission, a negotiated division of adjusted gross receipts between the video lottery**
119 **game operator and the video lottery game retailer after adjustments for taxes and**
120 **administrative fees are made, shall have a minimum term of five years and a maximum**
121 **term of ten years, and shall be renewable for a term of a minimum of five additional**
122 **years. A video lottery game operator shall be responsible for remitting to the**
123 **commission and the video lottery game retailer its share of adjusted gross receipts.**
124 **Nothing in this subdivision shall prohibit a licensed video lottery game operator from**
125 **entering into an agreement with a sales agent for retailer agreements, provided such**
126 **agreement is in writing and approved by the commission prior to beginning sales**
127 **activities and prior to the start date established pursuant to section 313.431. Video**
128 **lottery game operators and their sales agents and affiliates and video lottery game**
129 **retailers are specifically prohibited from offering anything of value, other than the**
130 **percentage of adjusted gross receipts provided under this subsection, or entering into an**
131 **agreement with a retailer prior to the start date for the initial or continued placement of**
132 **video lottery game terminals, except that a video lottery game operator may pay for**
133 **construction of a video lottery game terminal area inside the premises of a video lottery**
134 **game retailer. Contract agreements entered into prior to the start date established**
135 **under section 313.431 between a prospective video lottery game terminal operator or**
136 **sales agent with a prospective video lottery game retailer shall be invalid. A person's or**
137 **sales agent's operating, handling, leasing, licensing, servicing, or placing of unregulated**
138 **coin operated amusement machines shall in no way prohibit or prejudice that person's**
139 **or sales agent's participation in the video lottery game program authorized under**
140 **sections 313.425 to 313.437, nor shall it constitute a valid reason to refuse to issue or**
141 **renew or to revoke or suspend any license or permit issued under sections 313.425 to**
142 **313.437. The commission or political subdivisions shall in no way prejudice or prohibit**
143 **the participation or the issuance of any license relating to video lottery games to persons**
144 **or sales agents on the basis of such person's or sales agent's operating, handling, leasing,**
145 **licensing, servicing, or placing of unregulated coin operated amusement machines.**

146 **(4) To combat problem gambling, video lottery game operators shall allow**
147 **players to be self-excluded from video lottery game play. Operators shall provide the**

148 **commission with a list of players who have elected to be excluded from video lottery**
149 **game play within thirty days of such election and shall update such list periodically as**
150 **required by the commission. Such self-excluded player list shall be considered**
151 **confidential information and shall not be released to the public. The commission shall**
152 **issue such self-exclusion procedures by rule.**

153 **(5) Nothing in this section shall be construed to prevent a video lottery game**
154 **operator or a video lottery game retailer from using a player rewards system as**
155 **approved by the commission. No player shall be required to enroll in a rewards**
156 **program offered by a video lottery game operator or video lottery game retailer as a**
157 **condition to play video lottery games.**

158 **8. No more than one licensed video lottery game operator shall locate video**
159 **lottery game terminals on the premises of a video lottery game retailer. No licensed**
160 **video lottery game operator shall:**

161 **(1) Offer video lottery gaming terminals that directly dispense anything of value**
162 **except for tickets for winning plays. Tickets shall be dispensed by pressing the ticket**
163 **dispensing button on the video lottery gaming terminal at the end of any video lottery**
164 **game play. The ticket shall indicate the total amount of video lottery game terminal**
165 **credits and the cash award, the time of day in a twenty-four-hour format showing hours**
166 **and minutes, the date, the terminal serial number, the sequential number of the ticket,**
167 **and an encrypted validation number from which the validity of the prize may be**
168 **determined. The price of video lottery game terminal credits shall be determined by the**
169 **commission. The maximum wager played per video lottery game shall not exceed five**
170 **dollars. The maximum prize payoff for a winning maximum wager for a single game**
171 **play shall be no more than one thousand one hundred dollars, or the maximum amount**
172 **allowable by federal law before tax withholding is required for a single game-winning**
173 **play;**

174 **(2) Operate more than eight video lottery game terminals per location on the**
175 **premises of a fraternal organization, veterans' organization, or truck stop that has**
176 **secured and maintains a video lottery game retailer's license;**

177 **(3) Operate more than five video lottery game terminals per location on the**
178 **premises of any business entity licensed as a video lottery game retailer that is not a**
179 **fraternal organization, veterans' organization, or truck stop;**

180 **(4) Advertise video lottery games outside of a licensed video lottery game**
181 **retailer's establishment through any media outlets or direct mail or telephone**
182 **solicitations. The advertising prohibition contained in this subdivision shall apply to**
183 **all licensees including, but not limited to, video lottery game manufacturers, video**
184 **lottery game distributors, video lottery game operators, video lottery game retailers,**

185 and video lottery game handlers; except that, a video lottery game retailer may
186 participate in an advertising program that is promoted through and sponsored by the
187 state lottery and may advertise in or on the outside of the establishment's building and
188 parking lot and a video lottery game operator shall pay no more than two thousand
189 dollars per month for the cost of such advertising; or

190 (5) Allow video lottery games to be played at any time when the video lottery
191 game retailer's establishment is closed for business.

192 9. (1) No person under twenty-one years of age shall play video lottery games,
193 and such video lottery game terminals shall be under the supervision of a person who is
194 twenty-one years of age or older to prevent persons under twenty-one years of age from
195 playing video lottery games. Video lottery game terminals shall be placed in a fully
196 enclosed room that is continually monitored by video surveillance and where access to
197 persons under twenty-one years of age is denied by a procedure approved by the
198 commission. A warning sign shall be posted in a conspicuous location where such video
199 lottery game terminals are located, containing in red lettering at least one-half inch high
200 on a white background the following:

201 "YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY VIDEO LOTTERY
202 GAMES".

203 (2) In addition to the placement and supervision requirements of this subsection,
204 video surveillance footage in the immediate area of the video lottery game retailer's
205 establishment where video lottery game terminals are located shall be reviewed by video
206 lottery game operators as required by the commission for any violation of law, rules, or
207 regulations governing the conduct of video lottery games and shall be made available to
208 the commission upon request. In the event a video lottery game operator or retailer is
209 found to have knowingly committed a violation governing the conduct of video lottery
210 games, the commission may impose an administrative fine not to exceed five thousand
211 dollars, suspend such operator's or retailer's license for up to thirty days, or, in the case
212 of repeated violations, revoke such operator's or retailer's license for a period of one
213 year. Any video lottery game operator or retailer aggrieved by the commission's
214 decision in any disciplinary action that results in the suspension or revocation of such
215 operator's or retailer's video lottery game license may appeal such decision by filing an
216 action in circuit court.

217 (3) Video lottery game retailers shall provide an intrusion detection system
218 capable of detecting unauthorized entrance of the video lottery game retailer's
219 establishment during nonbusiness hours and shall report to the commission any
220 unauthorized entrance of the video lottery game retailer's establishment. Such

221 surveillance and intrusion detection system shall meet specifications as defined by the
222 commission.

223 (4) A video lottery game operator shall post a sign in a conspicuous location
224 where such video lottery game terminals are located, containing in red lettering at least
225 one-half inch high on a white background a telephone contact number (1-888-
226 BETSOFF) for the problem gambling helpline.

227 10. (1) Video lottery game operators shall pay the commission thirty-six percent
228 of the video lottery game adjusted gross receipts, which shall be deposited in the state
229 lottery fund. The commission shall transfer, subject to appropriation, the amount
230 received from the operator from the lottery fund to the lottery proceeds fund after
231 administrative expenses equal to four percent of the video lottery game adjusted gross
232 receipts are paid to the municipality where a licensed video lottery game retailer
233 maintains an establishment licensed for the operation of video lottery game terminals,
234 or if such licensed establishment is not located within the corporate boundaries of a
235 municipality, to the county where such licensed establishment is located to reimburse
236 such municipality or county for administrative expenses, and any administrative
237 expenses for the commission that are not covered by reimbursements from operators
238 are deducted. Net proceeds transferred to the lottery proceeds fund shall be
239 appropriated equally to public elementary and secondary education and public
240 institutions of higher education with an emphasis on funding elementary and
241 secondary education student transportation costs and public institutions of higher
242 education workforce development programs.

243 (2) Video lottery game operators shall retain the remainder of the video lottery
244 game adjusted gross receipts, a portion of which shall be utilized to pay for
245 administrative expenses, which shall include the cost of the centralized computer
246 system, which cost shall be paid by video lottery game operators in proportion to the
247 number of video lottery game terminals operated. Fifty percent of the costs of the
248 centralized computer system shall be apportioned by the video lottery game operator
249 among video lottery game retailers to which it provides operations based on the number
250 of video lottery game terminals located at the video lottery game retailer's
251 establishment. The remainder of adjusted gross receipts retained by the video lottery
252 game operator, after the cost of the centralized computer system and administrative
253 costs are paid and apportioned, shall be divided equally between the video lottery game
254 operator and video lottery game retailer as agreed under subsection 7 of this section.

255 11. All revenues received by the commission from license fees and any
256 reimbursements associated with the administration of the provisions of sections 313.425
257 to 313.437, and all interest earned thereon, shall be considered administrative expenses

258 and shall be deposited in the state lottery fund. Moneys deposited into the state lottery
259 fund from license fees and any reimbursements of commission administrative expenses
260 to administer sections 313.425 to 313.437 shall be considered administrative expenses
261 and shall not be considered net proceeds pursuant to Article III, Section 39(b) of the
262 Constitution of Missouri. Subject to appropriation, up to one percent of such license
263 fees shall be deposited to the credit of the compulsive gamblers fund created under
264 section 313.842. The remainder of the moneys deposited in the state lottery fund from
265 video lottery game license fees and any reimbursements of commission administrative
266 expenses to enforce sections 313.425 to 313.437 shall, subject to appropriation, be used
267 for administrative expenses associated with supervising and enforcing the provisions of
268 sections 313.425 to 313.437.

269 12. The commission shall contract with a state law enforcement entity to assist in
270 conducting background investigations of video lottery game applicants, and for the
271 enforcement of sections 313.425 to 313.437.

272 13. A video lottery game licensee suspected of a violation of sections 313.425 to
273 313.437 shall be afforded an administrative hearing by the director of the state lottery
274 on the record, and an appeal of any action taken to impose a fine on such licensee shall
275 be to the commission. Any such administrative suspension or revocation upheld by the
276 commission may be appealed by the video lottery game licensee in a state court of
277 competent jurisdiction.

278 14. The commission shall adopt rules for the implementation of the video lottery
279 game system authorized under sections 313.425 to 313.437, including, but not limited to,
280 the placement of video lottery terminals within a retail establishment and for the active
281 oversight of the conduct of video lottery games. Any rule or portion of a rule, as that
282 term is defined in section 536.010, that is created under the authority delegated in this
283 section shall become effective only if it complies with and is subject to all of the
284 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
285 536 are nonseverable and if any of the powers vested with the general assembly
286 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
287 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
288 and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

313.431. In order to expedite the orderly implementation of the video lottery
2 game system authorized under sections 313.425 to 313.437, the commission shall:

3 (1) Contract for the supply and operation of a centralized computer system for
4 video lottery games no later than one hundred twenty days after the effective date of this
5 act;

6 **(2) Make license applications for video lottery game manufacturers, video**
7 **lottery game distributors, video lottery game operators, video lottery game retailers,**
8 **and video lottery game handlers available to applicants and accept such applicants and**
9 **promulgate any emergency or regular rules and regulations needed for the**
10 **implementation of the video lottery game system authorized under sections 313.425 to**
11 **313.437 no later than one hundred twenty days after the effective date of this act;**

12 **(3) Issue an approved form for persons applying for a video lottery game**
13 **terminal operator's license available for use in contracting with a video lottery game**
14 **retailer no later than one hundred twenty days after the effective date of this act;**

15 **(4) Establish a start date, once applications and the approved form contract are**
16 **made available, whereby any person seeking a license as a video lottery game operator**
17 **that has applied for a license to be a video lottery game terminal operator, has paid the**
18 **initial license fee, and satisfactorily completed an initial criminal background check may**
19 **begin soliciting contracts with prospective video lottery game retailers for the placement**
20 **of video lottery game terminals. Such start date shall be set no more than sixty days**
21 **after applications are made available; and**

22 **(5) Approve or deny any completed video lottery game retailer establishment**
23 **application no more than ninety days after such an application has been received.**

313.433. 1. Notwithstanding any other provision of law to the contrary,
2 **participation by a person, firm, corporation, or organization in any aspect of the state**
3 **lottery under sections 313.425 to 313.437 shall not be construed to be a lottery or gift**
4 **enterprise in violation of Article III, Section 39 of the Constitution of Missouri.**

5 **2. The sale of lottery tickets, shares, or lottery game plays using a video lottery**
6 **game terminal under sections 313.425 to 313.437 shall not constitute a valid reason to**
7 **refuse to issue or renew or to revoke or suspend any license or permit issued under the**
8 **provisions of chapter 311.**

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

3 **2. All shipments of gaming devices used to conduct pull-tab games or video**
4 **lottery games authorized under sections 313.425 to 313.437 to licensees, the registering,**
5 **recording, and labeling of which have been completed by the manufacturer or**
6 **distributor thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended,**
7 **shall be legal shipments of gambling devices into this state.**

313.435. 1. A municipality may adopt an ordinance prohibiting video lottery
2 **game terminals within the limits of such municipality within one hundred eighty days**
3 **from the effective date of this act.**

4 2. A county commission may, for the unincorporated area of the county, adopt
5 an ordinance prohibiting video lottery game terminals within the unincorporated area
6 of such county within one hundred eighty days from the effective date of this act.

7 3. Any municipality or county adopting an ordinance that disallows the licensing
8 of video lottery game retailers shall notify the commission of such action and provide a
9 certified copy of such ordinance to the commission. Upon receiving such notification
10 and ordinance, the commission shall not license video lottery game retailers within such
11 area covered by such municipal or county ordinance.

12 4. Any such municipality or county that has opted to prohibit the use of video
13 lottery game terminals to play video lottery games may repeal such ordinance, and upon
14 such repeal and notification of such repeal, the commission may license video lottery
15 game retailers within such municipality or county to conduct video lottery games. A
16 person's or sales agent's operating, handling, leasing, licensing, servicing, or placing of
17 unregulated coin operated amusement machines shall in no way prohibit or prejudice
18 that person's or sales agent's participation in the video lottery game program
19 authorized under sections 313.425 to 313.437, nor shall it constitute a valid reason to
20 refuse to issue or renew or to revoke or suspend any license or permit issued under
21 sections 313.425 to 313.437. The commission or political subdivisions shall in no way
22 prejudice or prohibit the participation or the issuance of any license relating to video
23 lottery games to persons or sales agents on the basis of such person's or sales agent's
24 operating, handling, leasing, licensing, servicing, or placing of unregulated coin
25 operated amusement machines.

 313.437. If any provision of sections 313.425 to 313.437 or the application thereof
2 to anyone or to any circumstance is held invalid, the remainder of those sections and the
3 application of such provisions to others or other circumstances shall not be affected
4 thereby.

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

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

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

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

10 (4) "Capital, cultural, and special law enforcement purpose expenditures" shall
11 include any disbursement, including disbursements for principal, interest, and costs of

12 issuance and trustee administration related to any indebtedness, for the acquisition of land,
13 land improvements, buildings and building improvements, vehicles, machinery, equipment,
14 works of art, intersections, signing, signalization, parking lot, bus stop, station, garage,
15 terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other
16 mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape,
17 convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses
18 and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals,
19 fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank
20 restoration, any asset with a useful life greater than one year, cultural events, and any
21 expenditure related to a law enforcement officer deployed as horse-mounted patrol, school
22 resource or drug awareness resistance education (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
27 or other authorization from a qualified person to an excursion gambling boat licensee or any
28 of its affiliated companies licensed by the commission authorizing the licensee to withdraw
29 the amount of credit extended by the licensee to such person from the qualified person's
30 banking account in an amount determined under section 313.817 on or after a date certain of
31 not more than thirty days from the date the credit was extended, and includes any such writing
32 taken in consolidation, redemption or payment of a previous credit instrument, but does not
33 include any interest-bearing installment loan or other extension of credit secured by
34 collateral;

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

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

44 (10) "Fiscal year", 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
48 on 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
50 chance on an excursion gambling boat [~~but does not include gambling on sporting events~~];
51 provided 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
53 not favorably increased by the 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
56 player to use the player's reason, foresight, dexterity, sagacity, design, information or strategy
57 to favorably increase the player's expected return; including, but not limited to, the gambling
58 games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow
59 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
63 perform an occupation within excursion gambling boat operations which the commission has
64 identified 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
67 rivers, including any space filled wholly or partially by the water of those rivers in a manner
68 approved by the commission but shall not include any artificial space created after May 20,
69 1994, and is located more than one thousand feet from the closest edge of the main channel of
70 the river as established by the United States Army Corps of Engineers;

71 (20) "Nonfloating facility", any structure within one thousand feet from the closest
72 edge of the main channel of the Missouri or Mississippi River, as established by the United
73 States Army Corps of Engineers, that contains at least two thousand gallons of water beneath
74 or inside the facility either by an enclosed space containing such water or in rigid or semirigid
75 storage containers, tanks, or structures;

76 (21) "Supplier", a person who sells or leases gambling equipment and gambling
77 supplies to any licensee.

78 2. (1) In addition to the games of skill defined in this section, the commission may
79 approve other games of skill upon receiving a petition requesting approval of a gambling
80 game from any applicant or licensee. The commission may set the matter for hearing by
81 serving the applicant or licensee with written notice of the time and place of the hearing not
82 less than five days prior to the date of the hearing and posting a public notice at each
83 commission office. The commission shall require the applicant or licensee to pay the cost of
84 placing a notice in a newspaper of general circulation in the applicant's or licensee's home
85 dock city or county. The burden of proof that the gambling game is a game of skill is at all

86 times on the petitioner. The petitioner shall have the affirmative responsibility of establishing
87 the petitioner's case by a preponderance of evidence including:

88 (a) Is it in the best interest of gaming to allow the game; and

89 (b) Is the gambling game a game of chance or a game of skill?

90 (2) All testimony shall be given under oath or affirmation. Any citizen of this state
91 shall have the opportunity to testify on the merits of the petition. The commission may
92 subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the
93 commission shall evaluate the record of the hearing and issue written findings of fact that
94 shall be based exclusively on the evidence and on matters officially noticed. The commission
95 shall then render a written decision on the merits which shall contain findings of fact,
96 conclusions of law and a final commission order. The final commission order shall be within
97 thirty days of the hearing. Copies of the final commission order shall be served on the
98 petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.813. The commission may promulgate rules allowing a person that is a problem
2 gambler to voluntarily exclude him/herself from an excursion gambling boat, **or a licensed**
3 **facility or platform regulated under sections 313.1000 to 313.1022**. Any person that has
4 been self-excluded is guilty of trespassing in the first degree pursuant to section 569.140 if
5 such person enters an excursion gambling boat. **Any person who has been self-excluded**
6 **and is found to have placed a wager under sections 313.1000 to 313.1022 shall forfeit his**
7 **or her winnings and such winnings shall be credited to the compulsive gamblers fund**
8 **created under section 313.842.**

313.842. 1. There [~~may~~] **shall** be established programs which shall provide
2 treatment, prevention, **recovery**, and education services for compulsive gambling. As used in
3 this section, "compulsive gambling" means a condition suffered by a person who is
4 chronically and progressively preoccupied with gambling and the urge to gamble. Subject to
5 appropriation, such programs shall be funded from the one-cent admission fee authorized
6 pursuant to section 313.820, and in addition, may be funded from the taxes collected and
7 distributed to any city or county under section 313.822 **or any other funds appropriated by**
8 **the general assembly**. Such moneys shall be submitted to the state and credited to the
9 "Compulsive Gamblers Fund", which is hereby established within the department of mental
10 health. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund
11 at the end of any biennium shall not be transferred to the credit of the general revenue fund.
12 The department of mental health shall administer programs, either directly or by contract, for
13 compulsive gamblers. The commission [~~may~~] **shall** administer programs to educate the
14 public about problem gambling and promote treatment programs offered by the department of
15 mental health. In addition, the commission shall administer the voluntary exclusion program
16 for problem gamblers authorized by section [~~313.833~~] **313.813**.

17 **2. The department of mental health shall develop an annual research report, to**
18 **be paid for out of the compulsive gamblers fund, in order to assess the social and**
19 **economic effects of gaming in the state and to obtain scientific information related to the**
20 **neuroscience, psychology, sociology, epidemiology, and etiology of compulsive gambling.**
21 **The report and associated studies shall be submitted to the governor, the president pro**
22 **tempore of the senate, and the speaker of the house of representatives no later than**
23 **January thirty-first of each year beginning January 31, 2026. The research report shall**
24 **consist of at least:**

25 **(1) A baseline study of the existing occurrence of compulsive gambling in the**
26 **state. The study shall examine and describe the existing levels of compulsive gambling**
27 **and the existing programs available that have a goal of preventing and addressing the**
28 **harmful consequences of compulsive gambling;**

29 **(2) A comprehensive legal and factual study of the social and economic impacts**
30 **of gambling on the state; and**

31 **(3) Recommendations on programs and legislative actions to address compulsive**
32 **gambling in the state, including a recommended appropriation to the compulsive**
33 **gamblers fund based on the study required in subdivision (1) of this subsection.**

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

3 **(1) "Adjusted gross receipts", the total of all cash and cash equivalents received**
4 **by a sports wagering operator from sports wagering minus the total of:**

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

7 **(b) For the first year following the effective date of sections 313.1000 to**
8 **313.1022:**

9 **a. The actual costs paid by a sports wagering operator for anything of value**
10 **provided to and redeemed by patrons, including merchandise or services distributed to**
11 **sports wagering patrons;**

12 **b. Voided or cancelled wagers; and**

13 **c. One hundred percent of the costs of free play or promotional credits provided**
14 **to and redeemed by patrons;**

15 **(c) The deductions allowed under paragraphs (a) and (b) of this subdivision shall**
16 **not include any costs arising directly from the purchase of advertising with a nonpatron**
17 **third-party, including the direct cost of purchasing print, television, or radio advertising**
18 **or any signage or billboards;**

19 **(d) If the amount of adjusted gross receipts in a gaming month is a negative**
20 **figure, the certificate licensee shall remit no sports wagering tax for that gaming month.**

21 Any negative adjusted gross receipts shall be carried over and calculated as a deduction
22 in the subsequent gaming months until the negative figure has been brought to a zero
23 balance;

24 (2) "Certificate licensee", a licensed applicant issued a certificate of license by
25 the commission;

26 (3) "Certificate of license", a certificate issued by the commission authorizing a
27 licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022;

28 (4) "Commercially reasonable terms", for the purposes of official league data
29 only, includes the following nonexclusive factors:

30 (a) The extent to which event wagering operators have purchased the same or
31 similar official league data on the same or similar terms;

32 (b) The speed, accuracy, timeliness, reliability, quality, and quantity of the
33 official league data as compared to comparable alternative data sources;

34 (c) The quality and complexity of the process used to collect and distribute the
35 official league data as compared to comparable alternative data sources; and

36 (d) The availability and cost of similar league data from multiple sources;

37 (5) "Commission", the Missouri gaming commission;

38 (6) "Department", the department of revenue;

39 (7) "Designated sports district", the premises of a facility located in this state
40 with a capacity of eleven thousand five hundred people or more, at which one or more
41 professional sports teams plays its home games, and the adjacent area owned or leased
42 by such professional sports team of such premises;

43 (8) "Designated sports district mobile licensee", a person or entity, registered to
44 do business within this state, that is designated by a professional sports team entity to be
45 a licensed applicant and an interactive sports wagering platform operator authorized to
46 offer sports wagering only via the internet in this state, subject to the commission's
47 approval and licensure under sections 313.1000 to 313.1022; provided, however, for
48 purposes of clarification and avoidance of doubt, the designated person or entity, rather
49 than the applicable professional sports team entity, shall be the party that submits to the
50 commission for licensure under sections 313.1000 to 313.1022;

51 (9) "Esports", athletic and sporting events in which all participants are eighteen
52 years of age or older and involving electronic sports and competitive video games;

53 (10) "Excursion gambling boat", the same meaning as defined under section
54 313.800;

55 (11) "Gross receipts", the total amount of cash and cash equivalents paid by
56 sports wagering patrons to a sports wagering operator to participate in sports wagering;

57 (12) "Interactive sports wagering platform" or "platform", a platform operated
58 by an interactive sports wagering platform operator that offers sports wagering through
59 an individual account registered to an eligible person, under section 313.1014, over the
60 internet, including on websites and mobile devices, on behalf of a licensed facility or
61 designated sports district. Except as otherwise provided, an interactive sports wagering
62 platform may also offer in-person sports wagering on behalf of a licensed facility that is
63 an excursion gambling boat at its licensed facility, including through sports wagering
64 devices;

65 (13) "Interactive sports wagering platform operator", a suitable legal entity that
66 holds a license issued by the commission to operate an interactive sports wagering
67 platform;

68 (14) "Licensed applicant", a person holding a license issued under section
69 313.807 to operate an excursion gambling boat, an interactive sports wagering platform
70 operator, or a designated sports district mobile licensee;

71 (15) "Licensed facility", an excursion gambling boat licensed under this chapter
72 or a designated sports district for which a certificate licensee is licensed under sections
73 313.1000 to 313.1022;

74 (16) "Licensed supplier", a person holding a supplier's license issued by the
75 commission;

76 (17) "Occupational license", a license issued by the commission;

77 (18) "Official league data", statistics, results, outcomes, and other data related to
78 a sports event or other event utilized to determine the outcome of tier 2 bets obtained
79 pursuant to an agreement with the relevant sports governing body or an entity expressly
80 authorized by the sports governing body to provide such information that authorizes a
81 sports wagering operator to use such data for determining the outcome of tier 2 bets;

82 (19) "Person", an individual, sole proprietorship, partnership, association,
83 fiduciary, corporation, limited liability company, or any other business entity;

84 (20) "Professional sports team entity", a person or entity, registered to do
85 business in this state, which owns or operates a professional sports team that is a
86 member of the National Football League, Major League Baseball, the National Hockey
87 League, the National Basketball Association, Major League Soccer, the Women's
88 National Basketball Association, or the National Women's Soccer League and that plays
89 its home games within a designated sports district;

90 (21) "Sports governing body", an organization headquartered in the United
91 States that prescribes final rules and enforces codes of conduct with respect to a sports
92 event and participants therein;

93 (22) "Sports wagering", "sports wager", "sports bet", or "bet", wagering on
94 athletic, sporting, and other competitive events involving human competitors including,
95 but not limited to, esports, or on other events as approved by the commission. Such
96 terms shall include, but not be limited to, bets or wagers made on: portions of athletic
97 and sporting events, including those on outcomes determined prior to the start of a
98 sporting event, or on the individual statistics of athletes in a sporting event or
99 compilation of sporting events, involving human competitors. The term includes, but is
100 not limited to, single-game wagers, teaser wagers, parlays, over-unders, moneyline bets,
101 pools, exchange wagering, in-game wagers, in-play wagers, proposition wagers, and
102 straight wagers or other wagers approved by the commission. Sports wagering shall not
103 include fantasy sports under sections 313.900 to 313.955 or those games and contests in
104 which the outcome is determined purely on chance and without any human skill,
105 intention, interaction, or direction;

106 (23) "Sports wagering commercial activity", any operation, promotion, signage,
107 advertising, or other business activity relating to sports wagering, including the
108 operation or advertising of a business or location at which sports wagering is offered or
109 a business or location at which sports wagering through one or more interactive
110 platforms is promoted or advertised;

111 (24) "Sports wagering device" or "sports wagering kiosk", a self-service
112 mechanical, electrical, or computerized contrivance, terminal, device, apparatus, piece
113 of equipment, or supply approved by the commission for conducting sports wagering
114 under sections 313.1000 to 313.1022. "Sports wagering device" shall not include a
115 device used by a sports wagering patron to access an interactive sports wagering
116 platform. The hardware of a sports wagering device not capable of accepting wagers
117 shall not be considered a sports wagering device;

118 (25) "Sports wagering operator" or "operator", a licensed facility that is an
119 excursion gambling boat or an interactive sports wagering platform operator offering
120 sports wagering on behalf of a licensed facility;

121 (26) "Sports wagering supplier", a person that provides goods, services,
122 software, or any other components necessary for the creation of sports wagering
123 markets and determination of wager outcomes, directly or indirectly, to any sports
124 wagering operator or applicant involved in the acceptance of wagers, including any of
125 the following: providers of data feeds and odds services, providers of kiosks used for
126 self-wagering made in person, risk management providers, integrity monitoring
127 providers, and other providers of sports wagering supplier services as determined by
128 the commission; provided, however, that no sports governing body shall be a sports
129 wagering supplier for any purposes under sections 313.1000 to 313.2022;

130 (27) "Supplier's license", a license issued by the commission under section
131 313.807;

132 (28) "Tier 1 bet", an internet bet that is determined solely by the final score or
133 final outcome of the sports event and is placed before the sports event has begun;

134 (29) "Tier 2 bet", an internet bet that is not a tier 1 bet.

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

3 2. All shipments of gambling devices, which shall include devices capable of
4 accepting sports wagers used to conduct sports wagering under sections 313.1000 to
5 313.1022 to licensed applicants or sports wagering operators, the registering, recording,
6 and labeling of which have been completed by the manufacturer or dealer thereof in
7 accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal shipments of
8 gambling devices into this state. Point-of-contact devices or kiosks not yet capable of
9 accepting sports wagers shall not be considered gambling devices for purposes of this
10 section.

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

3 2. A certificate licensee may offer sports wagering:

4 (1) In person within its applicable licensed facility, provided that such certificate
5 licensee is an excursion gambling boat licensed under this chapter; and

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

8 3. Notwithstanding any other provision of law to the contrary, except as
9 provided under sections 313.1000 to 313.1022, sports wagering commercial activity shall
10 be prohibited from occurring within any designated sports district without the approval
11 of each professional sports team entity applicable to such designated sports district,
12 provided, however, that no such approval shall be required for the sole activity of
13 offering sports wagering over the internet via an interactive sports wagering platform
14 that is accessible to persons physically located within such designated sports district.

313.1004. 1. The commission shall have full jurisdiction to supervise all
2 gambling operators governed by sections 313.1000 to 313.1022 and shall adopt rules and
3 regulations to implement the provisions of sections 313.1000 to 313.1022. Any rule or
4 portion of a rule, as that term is defined in section 536.010, that is created under the
5 authority delegated in this section shall become effective only if it complies with and is
6 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
7 section and chapter 536 are nonseverable and if any of the powers vested with the
8 general assembly pursuant to chapter 536 to review, to delay the effective date, or to

9 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
10 **rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be**
11 **invalid and void.**

12 **2. Rules adopted under this section shall include, but not be limited to, the**
13 **following:**

14 **(1) Standards and procedures to govern the conduct of sports wagering,**
15 **including the manner in which:**

16 **(a) Wagers are received;**

17 **(b) Payouts are paid; and**

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

19 **(2) Standards governing how a sports wagering operator offers sports wagering**
20 **over the internet through an interactive sports wagering platform to patrons physically**
21 **located in Missouri;**

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

26 **(4) Standards concerning the detection and prevention of compulsive gambling**
27 **including, but not limited to, requirements to use a nationally recognized problem**
28 **gambling helpline phone number in all promotional activity.**

29 **3. Rules adopted under this section shall require a sports wagering operator to**
30 **make commercially reasonable efforts to do the following:**

31 **(1) Designate one or more areas within the licensed facility operated by the**
32 **sports wagering operator if the sports wagering operator is a licensed facility that is an**
33 **excursion gambling boat;**

34 **(2) Ensure the security and integrity of sports wagers accepted through any**
35 **interactive sports wagering platform operated or authorized by such sports wagering**
36 **operator;**

37 **(3) Ensure that the sports wagering operator's surveillance system covers all**
38 **areas of the in-person sports wagering activity conducted within a licensed facility that**
39 **is an excursion gambling boat;**

40 **(4) Allow the commission to be present through the commission's gaming agents**
41 **when sports wagering is conducted in all areas of the sports wagering operator's**
42 **licensed facility that is an excursion gambling boat in which sports wagering is**
43 **conducted to do the following:**

44 **(a) Ensure maximum security of the counting and storage of the sports wagering**
45 **revenue received by the sports wagering operator;**

46 **(b) Certify the sports wagering revenue received by the sports wagering**
47 **operator; and**

48 **(c) Receive complaints from the public;**

49 **(5) Ensure that wager results are determined only from data that is provided by**
50 **the applicable sports governing body or the licensed sports wagering suppliers;**

51 **(6) Ensure that persons who are under twenty-one years of age do not make**
52 **sports wagers;**

53 **(7) Establish house rules specifying the amounts to be paid on winning wagers**
54 **and the effect of schedule changes. The house rules shall be displayed in the sports**
55 **wagering operator's sports wagering area or posted on the sports wagering operator's**
56 **internet site or mobile application and included in the terms and conditions thereof or**
57 **another approved area; and**

58 **(8) Establish industry-standard procedures regarding the voiding or cancelling**
59 **of wagers in the sports wagering operator's internal controls and house rules.**

60 **4. (1) A sports governing body or other authorized entity that maintains official**
61 **league data may notify the commission that official league data for settling tier 2 bets is**
62 **available for sports wagering operators.**

63 **(2) The commission shall notify sports wagering operators within seven days of**
64 **receipt of the notification from the sports governing body or other authorized entity that**
65 **maintains official league data of the availability of official league data. Within sixty**
66 **days following such notification by the commission, each sports wagering operator shall**
67 **use only official league data to settle tier 2 bets on athletic events sanctioned by the**
68 **applicable sports governing body, except:**

69 **(a) During the pendency of a request by such sports wagering operator to the**
70 **commission, under subdivision (4) of this subsection, to use alternative data sources**
71 **approved by the commission to settle such tier 2 bets; or**

72 **(b) Following approval by the commission of a request by such sports wagering**
73 **operator to use alternative data sources approved by the commission in accordance with**
74 **section 313.1004.**

75 **(3) Official league data made available to sports wagering operators by the**
76 **sports governing body or other authorized entity that maintains official league data**
77 **shall be offered on commercially reasonable terms.**

78 **(4) A sports wagering operator may submit a written request to the commission**
79 **for the use, or continued use, of alternative data sources approved by the commission**
80 **within sixty days of receiving the notification from the commission regarding the**
81 **availability of official league data. The request shall demonstrate in detail that the**
82 **sports governing body or other authorized entity that maintains official league data is**

83 unable or unwilling to offer official league data on commercially reasonable terms.
84 Within sixty days of receipt of the written request from a sports wagering operator to
85 use an alternative data source, the commission shall issue a written approval or
86 disapproval of such a request.

87 (5) The commission shall publish a list of official league data providers on its
88 website.

89 5. The commission may enter into agreements with other jurisdictions to
90 facilitate, administer, and regulate multi-jurisdictional sports betting by sports betting
91 operators to the extent that entering into the agreement is consistent with state and
92 federal laws and the sports betting agreement is conducted only in the United States.

313.1006. 1. A licensed applicant holding a license issued under section 313.807
2 to operate an excursion gambling boat who wishes to offer sports wagering under
3 sections 313.1000 to 313.1022 shall:

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

7 (2) Pay an initial application fee not to exceed one hundred thousand dollars,
8 which shall be deposited in the gaming commission fund and distributed according to
9 section 313.835; and

10 (3) Submit to the commission a responsible gambling plan that shall include, but
11 is not limited to:

12 (a) Annual training for all staff regarding the practice of responsible gambling
13 and identifying compulsive or problem gamblers;

14 (b) Policies and strategies for handling situations in which players indicate they
15 are in distress or experiencing a problem; and

16 (c) Policies and strategies to address third-party concerns about players'
17 gambling behavior.

18 2. Upon receipt of the application and fee required under subsection 1 of this
19 section, the commission shall issue a certificate of license to a licensed applicant
20 authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to
21 313.1022 in a licensed facility or through an interactive sports wagering platform.

313.1008. 1. The commission shall ensure that new sports wagering devices and
2 new forms, variations, or composites of sports wagering are tested under the terms and
3 conditions that the commission considers appropriate prior to authorizing a sports
4 wagering operator to offer a new sports wagering device or a new form, variation, or
5 composite of sports wagering. The commission may utilize an approved independent
6 testing laboratory to assist with any requirements of this section. The commission shall

7 accept such testing of another sports wagering governing body in the United States if the
8 commission determines the testing of that governing body is substantially similar to the
9 testing that would otherwise be required by the commission and the sports wagering
10 operator verifies that its sports wagering devices and forms have not materially changed
11 since such testing.

12 2. (1) A licensed facility that is an excursion gambling boat may also offer sports
13 wagering through an individually branded interactive sports wagering platform under
14 the brand, trade name, or another name it is doing business as (d/b/a) selected by the
15 sports wagering operator or, as applicable, the interactive sports wagering platform
16 operator. A sports wagering operator may operate the interactive sports wagering
17 platform or contract with an interactive sports wagering platform operator to
18 administer the interactive sports wagering platform on the licensed facility's behalf.

19 (2) Subject to the approval of the commission, a licensed facility that is an
20 excursion gambling boat may offer sports wagering through an additional two
21 individually branded interactive sports wagering platforms under the brand, trade
22 name, or another name it is doing business as (d/b/a) selected by the sports wagering
23 operator or, as applicable, the interactive sports wagering platform operator, provided
24 that such licensed facility shall pay to the commission an annual administrative fee of
25 two hundred fifty thousand dollars for the first additional interactive sports wagering
26 platform, and an annual administrative fee of five hundred thousand dollars for the
27 second additional interactive sports wagering platform, with such administrative fees
28 deposited in the gaming commission fund established under section 313.835. A sports
29 wagering operator may operate the interactive sports wagering platform or contract
30 with one or more interactive sports wagering platform operators to administer the
31 interactive sports wagering platforms on the licensed facility's behalf.

32 (3) Notwithstanding any provision of this section and anything to the contrary
33 set forth under sections 313.1000 to 313.1022, in no event shall sports wagering be
34 offered through more than six interactive sports wagering platforms contracting with
35 any one owner of a licensed facility, directly or indirectly through any parent company,
36 subsidiary, or affiliate of such owner.

37 3. Each designated sports district mobile licensee may offer sports wagering
38 within the state through one interactive sports wagering platform. Each designated
39 sports district mobile licensee shall be required to be licensed by the commission as an
40 interactive sports wagering platform operator. Sports wagering over the internet
41 through any interactive sports wagering platform may be offered by any licensed sports
42 wagering operator within any designated sports district.

43 **4. Notwithstanding the provisions of sections 313.1000 to 313.1022 to the**
44 **contrary, no sports wagering operator may offer sports wagering in person or through**
45 **any sports wagering kiosk, except within a licensed facility that is an excursion**
46 **gambling boat.**

47 **5. (1) Sports wagering may be conducted with chips, tokens, electronic cards,**
48 **cash, cash equivalents, debit or credit cards, other negotiable currency, online payment**
49 **services, automated clearing houses, promotional funds, or any other means approved**
50 **by the commission.**

51 **(2) A sports wagering operator shall, in its internal controls or house rules,**
52 **determine a minimum wager amount in sports wagering conducted by the sports**
53 **wagering operator and may determine a maximum wager amount.**

54 **6. A sports wagering operator shall not permit any sports wagering on the**
55 **premises of the licensed facility except as provided under this chapter.**

56 **7. A sports wagering device, point-of-contact sports wagering device, or sports**
57 **wagering kiosk shall be approved by the commission and acquired by a sports wagering**
58 **operator from a licensed supplier.**

59 **8. The commission shall determine the occupations related to sports wagering**
60 **that require an occupational license, which shall not include employees that do not**
61 **possess the authority or ability to alter material systems required for sports wagering in**
62 **this state.**

63 **9. A sports wagering operator may lay off one or more sports wagers. The**
64 **commission may promulgate rules permitting sports wagering operators or platforms to**
65 **employ systems that offset loss or manage risk in the operation of sports wagering under**
66 **sections 313.1000 to 313.1022 through the use of liquidity pools in other jurisdictions in**
67 **which the sports wagering operator, platform, an affiliate of the sports wagering**
68 **operator or platform, or a third party also holds licenses to conduct sports wagering;**
69 **provided that, at all times, adequate protections are maintained to ensure sufficient**
70 **funds are available to pay winnings to patrons.**

71 **10. A sports wagering operator shall include information and tools to assist**
72 **players in making responsible decisions. The sports wagering operator shall provide at**
73 **a minimum:**

74 **(1) Prominently displayed tools to set limits on the amount of time and moneys a**
75 **player spends on any interactive sports wagering platform;**

76 **(2) Prominently displayed information regarding compulsive gambling and ways**
77 **to seek treatment and support if a player believes he or she has a problem; and**

78 **(3) Provide a player with the ability to exclude the use of certain electronic**
79 **payment methods if desired by the player.**

313.1010. 1. An interactive sports wagering platform operator shall offer sports wagering on behalf of a licensed facility only if the interactive sports wagering platform operator is properly licensed by the commission and has contracted with a licensed facility.

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

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

(2) Pay an initial application fee not to exceed two hundred fifty thousand dollars that shall be deposited into the gaming commission fund established under section 313.835; and

(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:

(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;

(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and

(c) Policies and strategies to address third-party concerns about players' gambling behavior.

3. On or before the anniversary date of the payment of the initial application fee under this section, an interactive sports wagering platform provider holding a license issued under this section shall pay to the commission a license renewal fee not to exceed one hundred twenty-five thousand dollars. Such funds shall be deposited into the gaming commission fund established under section 313.835.

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

(1) Any application submitted to the commission relating to sports wagering in this state; and

(2) All documents, reports, and data submitted by an applicant relating to sports wagering in this state to the commission containing proprietary information, trade secrets, financial information, or personally identifiable information about any person.

313.1011. 1. The commission may issue a supplier's license to a sports wagering supplier.

2. A sports wagering supplier may provide its services to licensees under a fixed-fee or revenue-sharing agreement only if the supplier is properly licensed by the commission.

6 **3. At the request of an applicant for a sports wagering supplier's license, the**
7 **commission may issue a provisional license to the applicant, as long as the applicant has**
8 **submitted a completed application for the license, including paying the required**
9 **application fee. The commission may prescribe by rule the requirements to receive a**
10 **provisional license.**

11 **4. An applicant for a sports wagering supplier's license shall disclose the identity**
12 **of:**

13 **(1) The applicant's principal owners;**

14 **(2) Each holding, intermediary, or parent company; and**

15 **(3) The applicant's CEO and CFO, or their equivalents, as determined by the**
16 **commission.**

17 **5. Government-created entities, including statutory authorized pension**
18 **investment boards and Canadian Crown corporations, that are direct or indirect**
19 **shareholders of an applicant as determined by the commission.**

20 **6. Investment funds or entities registered with the Securities and Exchange**
21 **Commission (SEC), including investment advisors and entities under the management**
22 **of the SEC-registered entity, that are direct or indirect shareholders of an applicant as**
23 **determined by the commission.**

24 **7. A supplier's license or provisional supplier's license shall be sufficient to**
25 **provide sports wagering supplier services to licensees. A renewal fee shall be submitted**
26 **biennially as determined by the commission.**

313.1012. 1. A sports wagering operator shall verify that a person placing a
2 **wager is at least the legal minimum age for placing a wager under sections 313.1000 to**
3 **313.1022.**

4 **2. The commission shall establish an online method for a player to apply for**
5 **placement in the self-exclusion program. Each sports wagering operator shall include a**
6 **link to such application on all sports wagering platforms.**

7 **3. The commission shall adopt rules and regulations that incorporate a sports**
8 **wagering self-exclusion program into the program adopted under sections 313.800 to**
9 **313.850. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
10 **created under the authority delegated in this section shall become effective only if it**
11 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
12 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
13 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
14 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
15 **then the grant of rulemaking authority and any rule proposed or adopted after August**
16 **28, 2024, shall be invalid and void.**

17 **4. The commission shall adopt rules to ensure that advertisements for sports**
18 **wagering:**

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

21 **(2) Disclose the identity of the sports wagering operator;**

22 **(3) Provide information about or links to resources relating to gambling**
23 **addiction;**

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

25 **(5) Are not included on internet sites or pages dedicated to compulsive or**
26 **problem gambling; and**

27 **(6) Include responsible gambling messages and a nationally recognized problem**
28 **gambling helpline number in all promotional activity.**

29 **5. The commission shall establish penalties of not less than ten thousand dollars**
30 **for any sports wagering operator who violates the restrictions placed on advertising to**
31 **persons listed in subdivision (1) of subsection 4 of this section.**

313.1014. 1. The commission shall conduct background checks on individuals
2 **seeking licenses under sections 313.1000 to 313.1022.**

3 **2. A person shall not be issued a license to conduct sports wagering, unless the**
4 **person has completed and signed an application on the form prescribed and published**
5 **by the commission. The application shall include the full name, residence, date of birth**
6 **and other personal identifying information as the commission deems necessary. The**
7 **application shall also indicate whether the applicant has any of the following:**

8 **(1) A record of conviction of a felony; or**

9 **(2) A current addiction to a controlled substance.**

10 **3. The commission shall submit fingerprints for any person seeking employment**
11 **with the commission or any person who is seeking the issuance of renewal of a license**
12 **issued by the commission, for the purpose of checking the person's prior criminal**
13 **history when the commission determines a nationwide check is warranted. The**
14 **fingerprint cards and any required fees shall be sent to the Missouri state highway**
15 **patrol's central repository. The fingerprints shall be used for searching the state**
16 **criminal history repository and shall also be forwarded to the Federal Bureau of**
17 **Investigation for the searching of the federal criminal history files under section 43. 540.**
18 **The patrol shall notify the commission of any criminal history information or lack of**
19 **criminal history information discovered on the individual. Notwithstanding the**
20 **provisions of section 610.120, all records related to any criminal history information**
21 **discovered shall be accessible and available to the commission.**

22 **4. It is the burden of the applicant to show by clear and convincing evidence his**
23 **suitability as to character, experience, and other factors as may be deemed appropriate**
24 **by the commission.**

25 **5. Before a license is granted, the commission shall conduct a thorough**
26 **investigation of the applicant for a license to operate a gambling game operation on an**
27 **excursion gambling boat. The applicant shall provide information on a form as**
28 **required by the commission.**

29 **6. A person who knowingly makes a false statement on an application is guilty of**
30 **a class A misdemeanor and shall be precluded from any future consideration for**
31 **application by the commission.**

32 **7. The licensee shall permit the commission or commission employees designated**
33 **to inspect the licensee or holder's person, personal property, and effects at any time.**

34 **8. (1) A sports wagering operator shall employ commercially reasonable**
35 **methods to:**

36 **(a) Prohibit the sports wagering operator; directors, officers, and employees of**
37 **the sports wagering operator; and any relative of an operator, director, or officer living**
38 **in the same household from placing sports wagers with the sports wagering operator;**

39 **(b) Prohibit any person with access to nonpublic confidential information held**
40 **by the sports wagering operator from placing sports wagers with the sports wagering**
41 **operator;**

42 **(c) Prevent the sharing of confidential information that could affect sports**
43 **wagering offered by the sports wagering operator or by third parties until the**
44 **information is made publicly available; and**

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

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

50 **9. (1) The following individuals are prohibited from engaging in sports wagering**
51 **under sections 313.1000 to 313.1022:**

52 **(a) Any person whose participation may undermine the integrity of the betting**
53 **or sports event; or**

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

56 **a. Any person placing a wager as an agent or proxy;**

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

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

63 **d. Any person under twenty-one years of age;**

64 **e. Any person with access to certain types of exclusive information on any sports**
65 **event overseen by that person's sports governing body, based on publicly available**
66 **information; or**

67 **f. Any person identified by any lists provided by the commission.**

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

73 **(3) The provisions of subdivision (1) of this subsection shall not apply to any**
74 **person who is a direct or indirect owner of a specific sports governing body member**
75 **team and:**

76 **(a) Has less than five percent direct or indirect ownership interest in a casino or**
77 **sports wagering operator; or**

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

81 **(4) (a) A sports wagering operator shall adopt procedures to prevent wagering**
82 **on sports events by persons who are prohibited from placing sports wagers.**

83 **(b) A sports wagering operator shall not knowingly accept wagers from any**
84 **person whose identity is known to the operator and:**

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

86 **b. Who is the operator, director, officer, owner, or employee of the operator;**

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

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

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

92 **10. Given good and sufficient reason, each of the commission and sports**
93 **wagering operators shall cooperate with investigations conducted by law enforcement**

94 agencies or sports governing bodies, including providing or facilitating the provision of
95 relevant betting information and audio or video files relating to persons placing sports
96 wagers; except that, with respect to any such information or files disclosed by a sports
97 wagering operator to a sports governing body, the sports governing body shall:

- 98 (1) Maintain the confidentiality of such information or files;
99 (2) Comply with all privacy laws applicable to such information or files; and
100 (3) Use the information or files solely in connection with the sports governing
101 body's investigation.

102 11. A sports wagering operator shall immediately report to the commission any
103 information relating to:

- 104 (1) Criminal or disciplinary proceedings commenced against the sports wagering
105 operator in connection with its operations;
106 (2) Bets or wagers that violate state or federal law;
107 (3) Abnormal wagering activity or patterns that may indicate a concern
108 regarding the integrity of a sporting event or events;
109 (4) Any other conduct that corrupts the wagering outcome of a sporting event or
110 events for purposes of financial gain; and
111 (5) Suspicious or illegal wagering activities.

112

113 A sports wagering operator shall also immediately report any information relating to
114 conduct described in subdivision (3) or (4) of this subsection to the applicable sports
115 governing body.

116 12. A sports wagering operator shall maintain the confidentiality of information
117 provided by a sports governing body to the sports wagering operator unless disclosure is
118 required by court order, the commission, or any other provision of law.

119 13. A sports governing body may submit to the commission a request in writing
120 to restrict, limit, or exclude a type or form of sports wagering on its sporting events if
121 such body believes that such sports wagering affects the integrity or perceived integrity
122 of its sport. The commission may grant the request upon a showing of good cause by the
123 applicable sports governing body. The commission shall promptly review any
124 information provided and respond as expeditiously as practicable to the request.
125 Prior to making a determination, the commission shall notify and consult with sports
126 wagering operators. If the commission deems it relevant, it may also consult with any
127 applicable independent monitoring providers or other jurisdictions. No restrictions,
128 limitations, or exclusions of wagers shall be conducted without the express written
129 approval of the commission. Sports wagering operators shall be notified of any
130 restrictions, limitations, or exclusions granted by the commission.

131 **14. No sports wagering operator shall offer any sports wagers on an elementary**
132 **or secondary school athletic or sporting event in which a school team from this state is a**
133 **participant, or on the individual performance statistics of an athlete in an elementary or**
134 **secondary school athletic or sporting event in which a school team from this state is a**
135 **participant.**

313.1015. 1. The commission shall require applicants to submit fingerprints to
2 **the Missouri state highway patrol for the purpose of conducting a state and federal**
3 **fingerprint-based criminal history background check.**

4 **2. The commission may require that such fingerprint submissions be made as**
5 **part of an application by any sports wagering license applicant to conduct sports**
6 **wagering activities as defined under sections 313.100 to 313.1022.**

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**
9 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
10 **Investigation for a federal criminal records search under section 43.540. The Missouri**
11 **state highway patrol shall notify the commission of any criminal history record**
12 **information or lack of criminal history record information discovered on the individual.**
13 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
14 **any criminal history information discovered shall be accessible and available to the**
15 **Missouri gaming commission.**

313.1016. 1. A sports wagering operator shall, for a wager that exceeds ten
2 **thousand dollars and that is placed in person by a patron, maintain the following**
3 **records for a period of at least three years after the sporting event occurs:**

4 **(1) Personally identifiable information of the patron;**

5 **(2) The amount and type of bet placed;**

6 **(3) The time and date the bet was placed;**

7 **(4) The location, including specific information pertaining to the betting window**
8 **or sports wagering device, where the bet was placed;**

9 **(5) The outcome of the bet; and**

10 **(6) Any discernible pattern of abnormal betting activity by the patron.**

11 **2. A licensed facility, interactive sports wagering platform operator, or sports**
12 **wagering supplier, where applicable, for all bets and wagers placed through an**
13 **interactive sports wagering platform, shall maintain the following records for a period**
14 **of at least three years after the sporting event occurs:**

15 **(1) Personally identifiable information of the patron;**

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
19 protocol address, where the bet was placed;

20 (5) The outcome of the bet; and

21 (6) Any discernible pattern of abnormal betting activity by the patron.

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

 313.1018. A sports wagering operator is not liable under the laws of this state to
2 any party, including patrons, for disclosing information as required under sections
3 313.1000 to 313.1022 and is not liable for refusing to disclose information unless
4 required under sections 313.1000 to 313.1022.

 313.1021. 1. A wagering tax of ten percent is imposed on the adjusted gross
2 receipts received from sports wagering conducted by a sports wagering operator under
3 sections 313.1000 to 313.1022. If an interactive sports wagering platform operator is
4 contracted to conduct sports wagering at a certificate licensee's licensed facility that is
5 an excursion gambling boat, or through an interactive sports wagering platform, the
6 licensed interactive sports wagering platform operator may fulfill the certificate
7 licensee's duties under this section.

8 2. A certificate licensee or interactive sports wagering platform operator shall
9 remit the tax imposed by subsection 1 of this section to the department no later than one
10 day prior to the last business day of the month following the month in which the taxes
11 were generated. In a month when the adjusted gross receipts of a certificate licensee or
12 interactive sports wagering platform operator is a negative number, the certificate
13 licensee or interactive sports wagering platform operator may carry over the negative
14 amount for a period of twelve months.

15 3. The payment of the tax under this section shall be by an electronic funds
16 transfer by an automated clearing house.

17 4. Revenues received from the tax imposed under subsection 1 of this section
18 shall be deposited in the state treasury to the credit of the "Gaming Proceeds for
19 Education Fund", which shall be distributed as provided under section 313.822.

20 5. (1) A licensed facility that is an excursion gambling boat shall pay to the
21 commission an annual license renewal fee not to exceed fifty thousand dollars. The fee
22 imposed shall be due on the anniversary date of issuance of the license and on each
23 anniversary date thereafter. The commission shall deposit the annual license renewal
24 fees received under this subdivision in the gaming commission fund established under
25 section 313.835.

26 **(2) In addition to the annual license renewal fee required in this subsection, a**
27 **certificate licensee shall pay to the commission a fee of ten thousand dollars to cover the**
28 **costs of a full reinvestigation of the certificate licensee in the fourth year after the date**
29 **on which the certificate licensee commences sports wagering operations under sections**
30 **313.1000 to 313.1022 and on each fourth year thereafter. The commission shall deposit**
31 **the fees received under this subdivision in the gaming commission fund established**
32 **under section 313.835.**

33 **6. Subject to appropriation, five million dollars shall be appropriated from the**
34 **gaming commission fund created under section 313.835 and credited annually to the**
35 **compulsive gamblers fund created under section 313.842. When considering the**
36 **amount of funds to appropriate to the compulsive gamblers fund, the general assembly**
37 **shall consider the findings and recommendations contained in the annual research**
38 **report required under subsection 2 of section 313.842 for increased funding.**

313.1022. 1. All sports wagers authorized under sections 313.1000 to 313.1022
2 **shall be deemed initiated, received, and otherwise made on the property of an excursion**
3 **gambling boat within this state.**

4 **2. Only to the extent required by federal law, all servers necessary to the**
5 **placement or resolution of wagers, other than backup servers, shall be physically**
6 **located within a certificate licensee's licensed facility that is an excursion gambling boat**
7 **in the state. Consistent with the intent of the United States Congress as articulated in**
8 **the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. Sections 5361 to**
9 **5367, as amended, the intermediate routing of electronic data relating to lawful**
10 **intrastate sports wagers authorized under sections 313.1000 to 313.1022 shall not**
11 **determine the location or locations in which such wager is initiated, received, or**
12 **otherwise made. This subsection shall apply only to the extent required by federal law.**

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