

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 637
100TH GENERAL ASSEMBLY

Reported from the Committee on Progress and Development, May 9, 2019, with recommendation that the Senate Committee Substitute do pass.

0997S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 313.905, 313.915, 313.920, 313.925, 313.935, 313.945, 313.950, and 313.955, RSMo, and to enact in lieu thereof ten new sections relating to fantasy sports contests, with penalty provisions.

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

Section A. Sections 313.905, 313.915, 313.920, 313.925, 313.935, 313.945, 2 313.950, and 313.955, RSMo, are repealed and ten new sections enacted in lieu 3 thereof, to be known as sections 313.905, 313.915, 313.917, 313.920, 313.925, 4 313.935, 313.945, 313.950, 313.955, and 621.047 to read as follows:

313.905. As used in sections 313.900 to 313.955, the following terms shall 2 mean:

3 (1) "Authorized internet website", an internet website or any platform 4 operated by a licensed operator;

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

6 (3) "Entry fee", anything of value including, but not limited to, cash or a 7 cash equivalent that a fantasy sports contest operator collects in order to 8 participate in a fantasy sports contest;

9 (4) "Fantasy sports contest", any fantasy or simulated game or contest 10 with an entry fee[, conducted on an internet website or any platform,] in which:

11 (a) The value of all prizes and awards offered to the winning participants 12 is established and made known in advance of the contest;

13 (b) All winning outcomes reflect in part the relative knowledge and skill 14 of the participants and are determined predominantly by the accumulated 15 statistical results of the performance of individuals, including athletes in the case

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 of sports events; and

17 (c) No winnings outcomes are based on the score, point spread, or any
18 performance of any single actual team or combination of teams or solely on any
19 single performance of an individual athlete or player in any single actual event;

20 (5) "Fantasy sports contest operator", any person [or], entity, **or division**
21 **of a corporate entity** that offers [fantasy sports contests for a prize] **a**
22 **platform for the playing of fantasy contests, administers one or more**
23 **fantasy contests with an entry fee, and awards a prize of value;**

24 (6) "Highly experienced player", a person who has either:

25 (a) Entered more than one thousand contests offered by a single fantasy
26 sports contest operator; or

27 (b) Won more than three fantasy sports prizes of one thousand dollars or
28 more;

29 (7) "Licensed operator", a fantasy sports contest operator licensed
30 pursuant to section 313.910 to offer fantasy sports contests for play on an
31 authorized internet website in Missouri;

32 (8) "**Location**", the **geographical position of a person as**
33 **determined within a degree of accuracy consistent with generally**
34 **available internet protocol address locators;**

35 (9) "**Location percentage**", for all fantasy sports contests, the
36 **percentage, rounded to the nearest one-tenth of one percent, of the**
37 **total entry fees collected from registered players located in the state of**
38 **Missouri at the time of entry into a fantasy contest, divided by the total**
39 **entry fees collected from all players, regardless of the players' location,**
40 **of the fantasy sports contests;**

41 (10) "Minor", any person less than eighteen years of age;

42 [(9)] (11) "Net revenue", for all fantasy sports contests, the amount equal
43 to the total entry fees collected from all participants entering such fantasy sports
44 contests less winnings paid to participants in the contests, multiplied by the
45 [resident] **location** percentage;

46 [(10)] (12) "Player", a person who participates in a fantasy sports contest
47 offered by a fantasy sports contest operator;

48 [(11)] (13) "Prize", anything of value including, but not limited to, cash
49 or a cash equivalent, contest credits, merchandise, or admission to another
50 contest in which a prize may be awarded;

51 [(12)] (14) "Registered player", a person registered pursuant to section

52 313.920 to participate in a fantasy sports contest [on an authorized internet
53 website];

54 [(13) "Resident percentage", for all fantasy sports contests, the percentage,
55 rounded to nearest one-tenth of one percent, of the total entry fees collected from
56 Missouri residents divided by the total entry fees collected from all players,
57 regardless of the players' location, of the fantasy sports contests; and

58 (14) (15) "Script", a list of commands that a fantasy-sports-related
59 computer program can execute to automate processes on a fantasy sports contest
60 platform.

313.915. 1. In order to ensure the protection of registered players, an
2 authorized internet website shall identify the person or entity that is the licensed
3 operator.

4 2. A licensed operator shall ensure that fantasy sports contests on its
5 authorized internet website comply with all of the following:

6 (1) All winning outcomes are determined by accumulated statistical
7 results of fully completed contests or events, and not merely any portion thereof,
8 except that fantasy participants may be credited for statistical results
9 accumulated in a suspended or shortened contest or event which has been called
10 on account of weather or other natural or unforeseen event;

11 (2) [A licensed operator shall not allow] Registered players [to] **shall not**
12 select athletes through an autodraft that does not involve any input or control by
13 a registered player, or to choose preselected teams of athletes;

14 (3) [A licensed operator shall not offer or award] A prize **shall not be**
15 **offered to or awarded** to the winner of, or athletes in, the underlying
16 competition itself; and

17 (4) [A licensed operator shall not offer] Fantasy sports contests **shall not**
18 **be** based on the performances of participants in [collegiate,] high school[,] or
19 youth athletics.

20 3. A licensed operator shall have procedures approved by the commission
21 before operating in Missouri that:

22 (1) [Prevents] **Prevent** unauthorized withdrawals from a registered
23 player's account by the licensed operator or others;

24 (2) [Makes] **Make** clear that funds in a registered player's account are not
25 the property of the licensed operator and are not available to the licensed
26 operator's creditors;

27 (3) Segregate player funds from operational funds **as provided under**

28 **subsections 4 and 5 of this section;**

29 (4) [Maintain a reserve in the form of cash or cash equivalents in the
30 amount of the deposits made to the accounts of fantasy sports contest players for
31 the benefit and protection of the funds held in such accounts;

32 (5) Ensures] **Ensure** any prize won by a registered player from
33 participating in a fantasy sports contest is deposited into the registered player's
34 account within forty-eight hours **or mailed within five business days** of
35 winning the prize **except as provided under section 313.917;**

36 [(6)] **(5)** [Ensures] **Ensure** registered players can withdraw the funds
37 maintained in their individual accounts, whether such accounts are open or
38 closed, within five business days of the request being made, unless the licensed
39 operator believes in good faith that the registered player engaged in either
40 fraudulent conduct or other conduct that would put the licensed operator in
41 violation of sections 313.900 to 313.955, in which case the licensed operator may
42 decline to honor the request for withdrawal for a reasonable investigatory period
43 until its investigation is resolved if it provides notice of the nature of the
44 investigation to the registered player. For the purposes of this provision, a
45 request for withdrawal will be considered honored if it is processed by the
46 licensed operator but delayed by a payment processor, credit card issuer or by the
47 custodian of a financial account;

48 [(7)] **(6)** [Allows] **Allow** a registered player to permanently close their
49 account at any time for any reason; and

50 [(8)] **(7)** [Offers] **Offer** registered players access to their play history and
51 account details.

52 **4. A properly constituted special purpose entity shall be**
53 **approved by the commission as a sufficient means of segregating player**
54 **funds from operational funds. A properly constituted special purpose**
55 **entity shall:**

56 **(1) Have a governing board that includes one or more corporate**
57 **directors who are independent of the fantasy sports contest operator**
58 **and of any corporation controlled by the fantasy sports contest**
59 **operator;**

60 **(2) Hold, at a minimum, the sum of all authorized player funds**
61 **held in player accounts for use in fantasy sports contests;**

62 **(3) Reasonably protect the funds against claims of the operator's**
63 **creditors other than the authorized players for whose benefit and**

64 protection the special purpose entity is established;

65 (4) Distribute funds only for the following purposes:

66 (a) For player account balance withdrawals or partial balance
67 withdrawals made upon the specific request of the player;

68 (b) For income earned on the account, and owed to the fantasy
69 sports operator, calculated as the remainder of all entry fees paid by
70 users for fantasy sports contests minus all user winnings and cash
71 bonuses paid or owed to users, payable to the fantasy sports contest
72 operator;

73 (c) To the Missouri gaming commission in the event that the
74 fantasy sports operator's license expires, is surrendered, or is
75 otherwise revoked. The Missouri gaming commission may interplead
76 the funds in the Cole County circuit court for distribution to the
77 authorized players for whose protection and benefit the account was
78 established and to other such persons as the court determines are
79 entitled thereto, or shall take such other steps as necessary to effect
80 the proper distribution of the funds, or may do both; or

81 (d) As authorized in writing in advance by any agreement
82 approved by the Missouri gaming commission;

83 (5) Require a unanimous vote of all corporate directors to file
84 bankruptcy;

85 (6) Obtain permission from the Missouri gaming commission
86 prior to filing bankruptcy or entering into receivership;

87 (7) Have corporate governance requirements which prohibit
88 commingling of funds with that of the fantasy sports contest operator
89 except as necessary to reconcile the accounts of players with sums
90 owed by those players to the fantasy sports contest operator;

91 (8) Be restricted from incurring debt other than to fantasy sports
92 players under the rules that govern their accounts for contests;

93 (9) Be restricted from taking on obligations of the fantasy sports
94 contest operator other than obligations to players under the rules that
95 govern their accounts for contests; and

96 (10) Be prohibited from dissolving, merging, or consolidating
97 with another company without the written approval of the Missouri
98 gaming commission while there are unsatisfied obligations to fantasy
99 sports contest players.

100 5. The commission, at its discretion, may approve other

101 **commercially reasonable approaches to segregation of funds so long as**
102 **they adequately protect Missouri player accounts.**

103 **6.** A licensed operator shall establish procedures for a registered player
104 to report complaints to the licensed operator regarding whether his or her account
105 has been misallocated, compromised, or otherwise mishandled, and a procedure
106 for the licensed operator to respond to those complaints.

107 **[5.] 7.** A registered player who believes his or her account has been
108 misallocated, compromised, or otherwise mishandled should notify the
109 commission. Upon notification, the commission may investigate the claim and
110 may take any action the commission deems appropriate under subdivision (4) of
111 section 313.950.

112 **[6.] 8.** A licensed operator shall not issue credit to a registered player.

113 **[7.] 9.** A licensed operator shall not allow a registered player to establish
114 more than one account or user name on its authorized internet website.

313.917. 1. If a licensed operator believes in good faith that a
2 registered player engaged in either fraudulent conduct or other
3 conduct that would put the licensed operator in violation of sections
4 313.900 to 313.955, the licensed operator may delay payment of any
5 prize won by such player for up to fifteen days while the licensed
6 operator investigates to determine if any such conduct occurred;
7 provided that, the licensed operator provides notice of the nature of
8 the investigation to the registered player. If the licensed operator finds
9 that the registered player has engaged in either fraudulent conduct or
10 other conduct that would put the licensed operator in violation of
11 sections 313.900 to 313.955, the licensed operator may refuse to pay out
12 the prize to the registered player if the licensed operator informs the
13 registered player in writing of the reason for nullification of the prize,
14 that the player has the right to request an investigation by the
15 commission within thirty days, and of the contact information for the
16 commission.

17 **2. The commission shall establish a process to investigate any**
18 **case referred to it under subsection 1 of this section and issue**
19 **determinations on a case-by-case basis. The commission shall notify the**
20 **licensed operator and the registered player of its determination and**
21 **either party may, within thirty days, appeal such determination to the**
22 **administrative hearing commission as provided under section 621.047.**

23 **3. If a licensed operator delays or withholds payment of a prize**

24 **under the provisions of this section, such licensed operator shall pay**
25 **any prizes won by other registered players in the contest as though the**
26 **contested payment will be awarded to the registered player under**
27 **investigation. If, after final determination, the contested payment is**
28 **not awarded, all other winning registered players in the contest shall**
29 **have their prizes adjusted accordingly.**

313.920. 1. A person shall register with a licensed operator prior to
2 participating in fantasy sports contests on an authorized internet website.

3 2. A licensed operator shall implement appropriate security standards to
4 prevent access to fantasy sports contests by a person whose location and age have
5 not been verified in accordance with this section.

6 3. A licensed operator shall ensure that all individuals register before
7 participating in a fantasy sports contest on an authorized internet website and
8 provide their age and state of residence.

9 4. A licensed operator shall ensure that an individual is of legal age before
10 participating in a fantasy sports contest [on an authorized internet website]. In
11 Missouri, the legal age to participate shall be eighteen years of age.

12 5. (1) The licensed operator shall develop an online self-exclusion form
13 and a process to exclude from play any person who has filled out the form.

14 (2) A licensed operator shall retain each online self-exclusion form
15 submitted to it in order to identify persons who want to be excluded from play.
16 A licensed operator shall exclude those persons.

17 (3) A licensed operator shall provide a link on its authorized internet
18 website to a compulsive behavior website and the online self-exclusion form
19 described in subdivision (1) of this subsection.

20 6. A licensed operator shall not advertise fantasy sports contests in
21 publications or other media that are aimed exclusively or primarily at persons
22 less than eighteen years of age. A licensed operator's advertisement shall not
23 depict persons under eighteen years of age, students, or settings involving a
24 school or college. However, incidental depiction of nonfeatured minors shall not
25 be a violation of this subsection.

26 7. A licensed operator shall not advertise fantasy sports contests to an
27 individual by phone, email, or any other form of individually targeted
28 advertisement or marketing material if the individual has self-excluded himself
29 or herself pursuant to this section or if the individual is otherwise barred from
30 participating in fantasy sports contests. A licensed operator shall also take

31 reasonable steps to ensure that individuals on the involuntary exclusion list or
32 disassociated persons list maintained by the commission are not subject to any
33 form of individually targeted advertising or marketing.

34 8. A licensed operator shall not misrepresent the frequency or extent of
35 winning in any fantasy sports contest advertisement.

36 9. A licensed operator shall clearly and conspicuously publish and
37 facilitate parental control procedures to allow parents or guardians to exclude
38 minors from access to any fantasy sports contest. Licensed operators shall take
39 commercially reasonable steps to confirm that an individual opening an account
40 is not a minor.

41 10. Licensed operators shall prohibit the use of scripts in fantasy sports
42 contests that give players an unfair advantage over other players.

43 11. Licensed operators shall monitor fantasy sports contests to detect the
44 use of unauthorized scripts and restrict players found to have used such scripts
45 from further fantasy sports contests.

46 12. Licensed operators shall make all authorized scripts readily available
47 to all fantasy sports players; provided, that a licensed operator shall clearly and
48 conspicuously publish its rules on what types of scripts may be authorized in the
49 fantasy sports contest.

50 13. Licensed operators shall clearly and conspicuously identify highly
51 experienced players in fantasy sports contests by a symbol attached to a player's
52 username, or by other easily visible means, on the licensed operator's authorized
53 internet website.

54 14. Licensed operators shall offer some fantasy sports contests open only
55 to beginner players and that exclude highly experienced players.

313.925. 1. This section applies to all of the following persons:

- 2 (1) An officer of a licensed operator;
- 3 (2) A director of a licensed operator;
- 4 (3) A principal of a licensed operator;
- 5 (4) An employee of a licensed operator; and
- 6 (5) A contractor of a licensed operator with proprietary or nonpublic
7 information.

8 2. A person listed in subsection 1 of this section shall not play **in** any
9 fantasy sports contest [outside of private fantasy sports contests offered by the
10 licensed operator exclusively for those listed] **offered by any fantasy sports**
11 **contest operator that is open to the public.**

12 3. A person listed in subsection 1 of this section shall not disclose
13 proprietary or nonpublic information that may affect the play of fantasy sports
14 contests to any individual authorized to play fantasy sports contests.

15 4. A licensed operator shall make the prohibitions in this section known
16 to all affected individuals and corporate entities.

 313.935. 1. No fantasy sports contest operator shall offer any fantasy
2 sports contest in Missouri without first being licensed by the commission. A
3 fantasy sports contest operator wishing to offer fantasy sports contests in this
4 state shall [annually] apply to the commission for a license and shall remit to the
5 commission an [annual] application fee of ten thousand dollars or ten percent of
6 the applicant's net revenue from the previous calendar year, whichever is lower.

7 2. As part of the commission's investigation and licensing process, the
8 commission may conduct an investigation of the fantasy sports contest operator's
9 employees, officers, directors, trustees, and principal salaried executive staff
10 officers. The applicant shall be responsible for the [total] cost of the investigation
11 **up to ten thousand dollars.** If the cost of the investigation exceeds the
12 application fee, the applicant shall remit **such cost** to the commission [the total
13 cost of the investigation] prior to any license being issued. [The total cost of the
14 investigation, paid by the applicant, shall not exceed fifty thousand dollars.] **An**
15 **applicant may apply for, and the commission may grant, based on a**
16 **showing of undue burden, a waiver of all or a portion of the cost of the**
17 **investigation.** All revenue received under this section shall be placed into the
18 gaming commission fund created under section 313.835. **The investigation set**
19 **forth in this paragraph does not apply to a renewal of a license.**

20 3. **(1) A fantasy sports contest operator with net revenues of two**
21 **million dollars or more from the previous calendar year shall be**
22 **required to submit an annual license renewal fee of five thousand**
23 **dollars by November first of each subsequent calendar year. A fantasy**
24 **sports contest operator with net revenues of less than two million**
25 **dollars but greater than one million dollars from the previous calendar**
26 **year shall be required to submit an annual license renewal fee of two**
27 **thousand five hundred dollars by November first of each subsequent**
28 **calendar year. A fantasy sports contest operator with net revenues**
29 **equal to or less than one million dollars but greater than two hundred**
30 **fifty thousand dollars shall submit an annual license renewal fee of one**
31 **thousand dollars by November first of each subsequent calendar year.**

32 **A fantasy sports contest operator with net revenues of two hundred**
33 **fifty thousand dollars or less from the previous calendar year shall not**
34 **be required to submit an annual license renewal fee. On the**
35 **anniversary date of the payment made under subsection 1, a licensed**
36 **operator shall submit to the commission a notice of license renewal**
37 **describing any material changes to the operator's compliance with the**
38 **consumer protections set forth in sections 313.915, 313.920, and 313.925**
39 **together with the license renewal fee required under this subsection.**
40 **A license is renewed upon submission of the notice and payment of the**
41 **appropriate renewal fee.**

42 **(2)** In addition to the [application] **license renewal** fee, a licensed
43 operator shall also pay an annual operation fee[, on April fifteenth of each year,]
44 in a sum equal to [eleven and one-half] **eight and seventy-five hundredths**
45 percent of the licensed operator's net revenue from the previous calendar year.
46 All revenue collected under this subsection shall be placed in the gaming proceeds
47 for education fund created under section 313.822. If a licensed operator fails to
48 **apply for a license renewal or** pay the annual operation fee [by April
49 fifteenth, the licensed operator shall have its license immediately suspended by],
50 the commission **may suspend the license of such licensed operator** until
51 such payment is made.

52 4. Any fantasy sports contest operator already operating in the state prior
53 to April 1, 2016, may operate until they have received or have been denied a
54 license. Such fantasy sports contest operators shall apply for a license prior to
55 October 1, 2016. Any fantasy sports contest operator operating under this
56 subsection after August 28, 2016, shall pay the annual operation fee of eleven and
57 one-half percent of its net revenue from August 28, 2016, until action is taken on
58 its application. If a **licensed** fantasy sports contest operator fails to pay its
59 **annual** operation fee by [April 15, 2017] **November 1, 2019**, the **commission**
60 **may suspend the license or deny the pending license application of**
61 **such** fantasy sports contest operator [shall have its license immediately
62 suspended by the commission, or if the fantasy sports contest operator has a
63 pending application, its application shall be denied immediately].

64 5. If a **licensed** fantasy sports contest operator ceases to offer fantasy
65 sports contests in Missouri, the operator shall pay an operation fee equal to
66 [eleven and one-half] **eight and seventy-five hundredths** percent of its net
67 revenue for the period of the calendar year in which it offered fantasy sports

68 contests in Missouri **by November first of the subsequent calendar**
69 **year.** [Such payment shall be made within sixty days of the last day the fantasy
70 sports contest operator offered fantasy sports contests in Missouri. After the
71 expiration of sixty days, a penalty of five hundred dollars per day shall be
72 assessed against the fantasy sports contest operator until the operation fee and
73 any penalty is paid in full.]

313.945. 1. Notwithstanding any applicable statutory provision to the
2 contrary, all investigatory, proprietary, or application records, information, and
3 summaries in the possession of the commission or its agents [may] **shall** be
4 treated by the commission as closed records not to be disclosed to the public;
5 except that the commission shall, on written request from any person, provide
6 such person with the following information furnished by an applicant or licensee:

7 (1) The name, business address, and business telephone number of any
8 applicant or licensee;

9 (2) An identification of any applicant or licensee, including, if an applicant
10 or licensee is not an individual, the state of incorporation or registration, the
11 corporate officers, and the identity of all shareholders or participants. If an
12 applicant or licensee has a pending registration statement filed with the federal
13 Securities and Exchange [Division] **Commission**, the names of those persons or
14 entities holding interest shall be provided;

15 (3) An identification of any business, including, if applicable, the state of
16 incorporation or registration in which an applicant or licensee or an applicant's
17 or licensee's spouse or children have an equity interest. If an applicant or
18 licensee is a corporation, partnership, or other business entity, the applicant or
19 licensee shall identify any other corporation, partnership, or business entity in
20 which it has an equity interest, including, if applicable, the state of incorporation
21 or registration. This information need not be provided by a corporation,
22 partnership, or other business entity that has a pending registration statement
23 filed with the federal Securities and Exchange [Division] **Commission**;

24 (4) Whether an applicant or licensee has been indicted, convicted, pleaded
25 guilty or nolo contendere, or forfeited bail concerning any criminal offense under
26 the laws of any jurisdiction, either felony or misdemeanor, except for traffic
27 violations, including the date, the name and location of the court, arresting
28 agency and prosecuting agency, the case number, the offense, the disposition, and
29 the location and length of incarceration;

30 (5) Whether an applicant or licensee has had any license or certificate

31 issued by a licensing authority in this state or any jurisdiction denied, restricted,
32 suspended, revoked, or not renewed and a statement describing the facts and
33 circumstances concerning the denial, restriction, suspension, revocation, or
34 nonrenewal, including the licensing authority, the date each such action was
35 taken, and the reason for each such action;

36 (6) Whether an applicant or licensee has ever filed or had filed against it
37 a proceeding in bankruptcy or has ever been involved in any formal process to
38 adjust, defer, suspend, or otherwise work out the payment of any debt, including
39 the date of filing, the name and location of the court, and the case and number
40 of the disposition;

41 (7) Whether an applicant or licensee has filed or been served with a
42 complaint or other notice filed with any public body regarding the delinquency in
43 the payment of, or a dispute over, the filings concerning the payment of any tax
44 required under federal, state, or local law, including the amount, type of tax, the
45 taxing agency, and time periods involved;

46 (8) A statement listing the names and titles of all public officials or
47 officers of any unit of government, and relatives of such public officials or officers
48 who, directly or indirectly, own any financial interest in, have any beneficial
49 interest in, are the creditors of or hold any debt instrument issued by, or hold or
50 have any interest in any contractual or service relationship with, an applicant or
51 licensee;

52 (9) The name and business telephone number of the attorney representing
53 an applicant or licensee in matters before the commission.

54 2. Notwithstanding any applicable statutory provision to the contrary, the
55 commission shall, on written request from any person, also provide the following
56 information:

57 (1) The amount of the tax receipts paid to the state by the holder of a
58 license;

59 (2) Whenever the commission finds an applicant for a license unsuitable
60 for licensing, a copy of the written letter outlining the reasons for the denial; and

61 (3) Whenever the commission has refused to grant leave for an applicant
62 to withdraw his application, a copy of the letter outlining the reasons for the
63 refusal.

313.950. The commission [shall have full jurisdiction over and] shall
2 supervise all licensed operators, other licensees, and authorized internet websites
3 governed by sections 313.900 to 313.955. The commission shall have the

4 following powers to implement sections 313.900 to 313.955:

5 (1) To investigate applicants;

6 (2) To license fantasy sports contest operators and adopt standards for
7 licensing;

8 (3) To investigate alleged violations of sections 313.900 to 313.955 or the
9 commission's rules, orders, or final decisions;

10 (4) To assess an appropriate administrative penalty of not more than [ten]
11 **one** thousand dollars per violation, not to exceed [one hundred] **ten** thousand
12 dollars for violations arising out of the same transaction or occurrence, and take
13 action including, but not limited to, the suspension or revocation of a license for
14 violations of sections 313.900 to 313.955 or the commission's rules, orders, or final
15 decisions;

16 (5) To issue subpoenas for the attendance of witnesses and subpoenas
17 duces tecum for the production of books, records, and other pertinent documents,
18 and to administer oaths and affirmations to the witnesses, when, in the judgment
19 of the commission, it is necessary to enforce sections 313.900 to 313.955 or the
20 commission rules;

21 (6) To take any other action as may be reasonable or appropriate to
22 enforce sections 313.900 to 313.955 and the commission rules.

313.955. 1. The commission shall have power to adopt and enforce rules
2 and regulations:

3 (1) [To regulate and license the management, operation, and conduct of
4 fantasy sports contests and participants therein;

5 (2)] To adopt responsible play protections for registered players; and

6 [(3)] **(2)** To properly administer and enforce the provisions of sections
7 313.900 to 313.955.

8 2. The commission shall not adopt rules or regulations limiting or
9 regulating the rules or administration of an individual fantasy sports contest, the
10 statistical makeup of a fantasy sports contest, or the digital platform of a fantasy
11 sports contest operator.

12 3. No rule or portion of a rule promulgated under the authority of sections
13 313.900 to 313.955 shall become effective unless it has been promulgated
14 pursuant to the provisions of section 536.024.

**621.047. 1. Except as otherwise provided by law, any person or
2 entity shall have the right to appeal to the administrative hearing
3 commission from any finding, decision, or determination made by the**

4 Missouri gaming commission under section 313.917. Any person or
5 entity who is a party to such a dispute shall be entitled to a hearing
6 before the administrative hearing commission by the filing of a petition
7 with the administrative hearing commission within thirty days after
8 the decision of the Missouri gaming commission is placed in the United
9 States mail or within thirty days after the decision is delivered,
10 whichever is earlier. The decision of the Missouri gaming commission
11 shall contain a notice of the right of appeal in substantially the
12 following language:

13 **"If you were adversely affected by this decision, you may**
14 **appeal to the administrative hearing commission. To**
15 **appeal, you must file a petition with the administrative**
16 **hearing commission within thirty days after the date this**
17 **decision was mailed or the date it was delivered,**
18 **whichever date was earlier. If any such petition is sent by**
19 **registered mail or certified mail, it will be deemed filed on**
20 **the date it is mailed; if it is sent by any method other than**
21 **registered mail or certified mail, it will be deemed filed on**
22 **the date it is received by the commission."**

23 **2. The procedures applicable to the processing of such hearings**
24 **and determinations shall be those established by chapter**
25 **536. Decisions of the administrative hearing commission under this**
26 **section shall be binding, subject to appeal by either party.**

✓