

SENATE BILL NO. 1046

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

5090S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

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

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

Section A. Section 313.800, RSMo, is repealed and fourteen
2 new sections enacted in lieu thereof, to be known as sections
3 313.800, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006,
4 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018,
5 313.1021, and 313.1022, to read as follows:

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

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

9 (2) "Applicant", any person applying for a license
10 authorized under the provisions of sections 313.800 to
11 313.850;

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

15 (4) "Capital, cultural, and special law enforcement
16 purpose expenditures" shall include any disbursement,

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

17 including disbursements for principal, interest, and costs
18 of issuance and trustee administration related to any
19 indebtedness, for the acquisition of land, land
20 improvements, buildings and building improvements, vehicles,
21 machinery, equipment, works of art, intersections, signing,
22 signalization, parking lot, bus stop, station, garage,
23 terminal, hanger, shelter, dock, wharf, rest area, river
24 port, airport, light rail, railroad, other mass transit,
25 pedestrian shopping malls and plazas, parks, lawns, trees,
26 and other landscape, convention center, roads, traffic
27 control devices, sidewalks, alleys, ramps, tunnels,
28 overpasses and underpasses, utilities, streetscape,
29 lighting, trash receptacles, marquees, paintings, murals,
30 fountains, sculptures, water and sewer systems, dams,
31 drainage systems, creek bank restoration, any asset with a
32 useful life greater than one year, cultural events, and any
33 expenditure related to a law enforcement officer deployed as
34 horse-mounted patrol, school resource or drug awareness
35 resistance education (D.A.R.E) officer;

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

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

40 (7) "Credit instrument", a written check, negotiable
41 instrument, automatic bank draft or other authorization from
42 a qualified person to an excursion gambling boat licensee or
43 any of its affiliated companies licensed by the commission
44 authorizing the licensee to withdraw the amount of credit
45 extended by the licensee to such person from the qualified
46 person's banking account in an amount determined under
47 section 313.817 on or after a date certain of not more than
48 thirty days from the date the credit was extended, and

49 includes any such writing taken in consolidation, redemption
50 or payment of a previous credit instrument, but does not
51 include any interest-bearing installment loan or other
52 extension of credit secured by collateral;

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

64 (9) "Excursion gambling boat", a boat, ferry, other
65 floating facility, or any nonfloating facility licensed by
66 the commission on which gambling games are allowed;

67 (10) "Fiscal year", the fiscal year of a home dock
68 city or county;

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

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

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

80 (14) "Games of chance", any gambling game in which the
81 player's expected return is not favorably increased by the
82 player's reason, foresight, dexterity, sagacity, design,
83 information or strategy;

84 (15) "Games of skill", any gambling game in which
85 there is an opportunity for the player to use the player's
86 reason, foresight, dexterity, sagacity, design, information
87 or strategy to favorably increase the player's expected
88 return; including, but not limited to, the gambling games
89 known as "poker", "blackjack" (twenty-one), "craps",
90 "Caribbean stud", "pai gow poker", "Texas hold'em", "double
91 down stud", **"sports wagering"**, and any video representation
92 of such games;

93 (16) "Gross receipts", the total sums wagered by
94 patrons of licensed gambling games. **"Gross receipts" shall**
95 **not include gross receipts from sports wagering, as defined**
96 **in section 313.1000;**

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

101 (18) "Licensee", any person licensed under sections
102 313.800 to 313.850;

103 (19) "Mississippi River" and "Missouri River", the
104 water, bed and banks of those rivers, including any space
105 filled wholly or partially by the water of those rivers in a
106 manner approved by the commission but shall not include any
107 artificial space created after May 20, 1994, and is located
108 more than one thousand feet from the closest edge of the
109 main channel of the river as established by the United
110 States Army Corps of Engineers;

111 (20) "Nonfloating facility", any structure within one
112 thousand feet of the Missouri or Mississippi River that
113 contains at least two thousand gallons of water beneath or
114 inside the facility either by an enclosed space containing
115 such water or in rigid or semirigid storage containers or
116 structures;

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

119 2. (1) In addition to the games of skill defined in
120 this section, the commission may approve other games of
121 skill upon receiving a petition requesting approval of a
122 gambling game from any applicant or licensee. The
123 commission may set the matter for hearing by serving the
124 applicant or licensee with written notice of the time and
125 place of the hearing not less than five days prior to the
126 date of the hearing and posting a public notice at each
127 commission office. The commission shall require the
128 applicant or licensee to pay the cost of placing a notice in
129 a newspaper of general circulation in the applicant's or
130 licensee's home dock city or county. The burden of proof
131 that the gambling game is a game of skill is at all times on
132 the petitioner. The petitioner shall have the affirmative
133 responsibility of establishing the petitioner's case by a
134 preponderance of evidence including:

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

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

139 (2) All testimony shall be given under oath or
140 affirmation. Any citizen of this state shall have the
141 opportunity to testify on the merits of the petition. The
142 commission may subpoena witnesses to offer expert

143 testimony. Upon conclusion of the hearing, the commission
144 shall evaluate the record of the hearing and issue written
145 findings of fact that shall be based exclusively on the
146 evidence and on matters officially noticed. The commission
147 shall then render a written decision on the merits which
148 shall contain findings of fact, conclusions of law and a
149 final commission order. The final commission order shall be
150 within thirty days of the hearing. Copies of the final
151 commission order shall be served on the petitioner by
152 certified or overnight express mail, postage prepaid, or by
153 personal delivery.

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

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

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

8 (b) The actual costs paid by a sports wagering
9 operator for anything of value, including merchandise or
10 services, distributed to sports wagering patrons to
11 incentivize sports wagering;

12 (c) Any sums paid as a result of any federal tax,
13 including the federal excise tax;

14 (d) Voided or cancelled wagers;

15 (e) Free play or promotional credits; and

16 (f) Uncollectible sports wagering receivables, not to
17 exceed the lesser of:

18 a. A reasonable provision for uncollectible patron
19 checks, ACH transactions, debit card transactions, and
20 credit card transactions received from sports wagering
21 operations; or

22 b. Two percent of the total of all sums, including
23 checks, whether collected or not, less the amount paid out
24 as winnings to sports wagering patrons. For purposes of
25 this section, a counter or personal check that is invalid or
26 unenforceable under this section is considered cash received
27 by the sports wagering operator from sports wagering
28 operations.

29 If the amount of adjusted gross receipts on a gaming day is
30 a negative figure, the certificate holder shall remit no
31 sports wagering tax for such gaming day. Any negative
32 adjusted gross receipts shall be carried over and calculated
33 as a deduction on the subsequent gaming days until the
34 negative figure has been brought to a zero balance;

35 (2) "Certificate holder", a licensed applicant issued
36 a certificate of authority by the commission;

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

40 (4) "Commission", the Missouri gaming commission;

41 (5) "Department", the department of revenue;

42 (6) "Designated sports district", the premises of a
43 facility located in this state with a capacity of eleven
44 thousand five hundred people or more, at which one or more
45 professional sports teams who are a member of the NFL, MLB,
46 NHL, NBA, MLS, WNBA, or NWSL, plays its home games, and the
47 surrounding area within four hundred yards of such premises;

48 (7) "Designated sports district mobile licensee", a
49 licensed applicant that is an interactive sports wagering
50 platform operator authorized to offer sports wagering only
51 via the internet in this state pursuant to sections 313.1000
52 to 313.1022 and that is designated by a person or entity

53 which owns or operates a professional sports team that is a
54 member of the NFL, MLB, NHL, NBA, MLS, WNBA, or NWSL, that
55 plays its home games within a designated sports district.
56 The person or entity designated as a designated sports
57 district mobile licensee, and not the person or entity that
58 owns or operates the applicable professional sports team
59 making such designation, shall be the party that submits an
60 application for licensure under sections 313.1000 to
61 313.1022;

62 (8) "Esports", athletic and sporting events involving
63 electronic sports and competitive video games;

64 (9) "Excursion gambling boat", the same meaning as
65 defined under section 313.800;

66 (10) "Gross receipts", the total amount of cash and
67 cash equivalents paid by sports wagering patrons to a sports
68 wagering operator to participate in sports wagering;

69 (11) "Interactive sports wagering platform" or
70 "platform", a platform operated by an interactive sports
71 wagering platform operator that offers sports wagering,
72 through an individual account registered to an eligible
73 person, over the internet, including on websites and mobile
74 devices, on behalf of a licensed facility or designated
75 sports district. Except as otherwise prohibited by sections
76 313.1000 to 313.1022, an interactive sports wagering
77 platform may also offer in-person sports wagering on behalf
78 of a licensed facility that is an excursion gambling boat at
79 its licensed facility, including through sports wagering
80 devices;

81 (12) "Interactive sports wagering platform operator",
82 a legal entity that holds a license issued by the commission
83 to operate an interactive sport wagering platform;

84 (13) "Licensed applicant", a person holding a license
85 issued under section 313.807 to operate an excursion
86 gambling boat, an interactive sports wagering platform
87 operator, or a designated sports district mobile licensee;

88 (14) "Licensed facility", an excursion gambling boat
89 licensed under this chapter or a designated sports district
90 for which a certificate holder is licensed under sections
91 313.1000 to 313.1022;

92 (15) "Licensed supplier", a person holding a
93 supplier's license issued by the commission;

94 (16) "Occupational license", a license issued by the
95 commission;

96 (17) "Official league data", statistics, results,
97 outcomes, and other data relating to an athletic or sporting
98 event utilized to determine the outcome of tier two sports
99 wagers and obtained pursuant to an agreement with the
100 relevant sports governing body, or an entity expressly
101 authorized by the sports governing body to provide such
102 information to sports wagering operators, which authorizes
103 the use of such data for determining the outcome of tier two
104 sports wagers;

105 (18) "Person", an individual, sole proprietorship,
106 partnership, association, fiduciary, corporation, limited
107 liability company, or any other business entity;

108 (19) "Sports governing body", the organization
109 headquartered in the United States that prescribes final
110 rules and enforces codes of conduct with respect to a
111 sporting event and participants therein;

112 (20) "Sports wagering", wagering conducted under
113 sections 313.1000 to 313.1022 on athletic and sporting
114 events involving human competitors, including esports, or on
115 other events as approved by the commission. Sports wagering

116 shall include, but not be limited to, wagers made on
117 portions of athletic and sporting events, including those on
118 outcomes determined prior to the start of a sporting event,
119 or on the individual statistics of athletes in a sporting
120 event or compilation of sporting events, involving human
121 competitors. Such term shall also include, but not be
122 limited to, single-game wagers, teaser wagers, parlays, over-
123 under, moneyline, pools, exchange wagering, in-game wagers,
124 in-play wagers, proposition wagers, straight wagers, and
125 other wagers approved by the commission. Sports wagering
126 shall not include money spent to participate in paid fantasy
127 sports pursuant to sections 313.900 to 313.955 or such games
128 and contests in which the outcome is determined purely on
129 chance and without any human skill, intention, interaction,
130 or direction;

131 (21) "Sports wagering commercial activity", any
132 operation, promotion, signage, advertising, or other
133 business activity relating to sports wagering, including the
134 operating or advertising of a business or location at which
135 sports wagering is offered or a business or location at
136 which sports wagering through one or more interactive sports
137 wagering platforms is promoted or advertised;

138 (22) "Sports wagering device" or "sports wagering
139 kiosk", a self-service mechanical, electrical, or
140 computerized contrivance, terminal, device, apparatus, piece
141 of equipment, or supply approved by the commission for
142 conducting sports wagering under sections 313.1000 to
143 313.1022. Sports wagering device shall not include a
144 personal device used by a sports wagering patron to access
145 an interactive sports wagering platform. The hardware of a
146 sports wagering device not capable of accepting wagers shall
147 not be considered a sports wagering device;

148 (23) "Sports wagering operator" or "operator", a
149 licensed facility that is an excursion gambling boat, an
150 interactive sports wagering platform operator offering
151 sports wagering on behalf of a licensed facility, or a
152 designated sports district mobile licensee;

153 (24) "Sports wagering supplier", a person that
154 provides goods, services, software, or any other components
155 necessary for the creation of sports wagering markets and
156 the determination of wager outcomes, directly or indirectly,
157 to any sports wagering operator or applicant involved in the
158 acceptance of wagers, including providers of data feeds and
159 odds services, providers of kiosks used for self-wagering
160 made in-person, risk management providers, integrity
161 monitoring providers, and other providers of sports wagering
162 supplier services as determined by the commission;

163 (25) "Supplier's license", a license issued by the
164 commission under section 313.807;

165 (26) "Tier one sports wager", an internet sports wager
166 that is determined solely by the final score or final
167 outcome of the sporting event and is placed before the
168 sporting event has begun;

169 (27) "Tier two sports wager", an internet sports wager
170 that is not a tier one sports wager.

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

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

10 not yet capable of accepting sports wagers shall not be
11 considered a gambling device for the purposes of this
12 section.

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

3 2. A certificate holder may offer sports wagering:

4 (1) In person within the certificate holder's licensed
5 facility, provided that such certificate holder is an
6 excursion gambling boat licensed pursuant to this chapter;
7 and

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

11 3. Notwithstanding any other provision of law to the
12 contrary, sports wagering commercial activity shall be
13 prohibited from being conducted within any designated sports
14 district without the approval of the designated sports
15 district mobile licensee applicable to such designated
16 sports district; provided, however, that no such approval
17 shall be required for the sole activity of offering sports
18 wagering over the internet via an interactive sports
19 wagering platform that is accessible to persons physically
20 located within such designated sports district.

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

10 536 to review, to delay the effective date, or to disapprove
11 and annul a rule are subsequently held unconstitutional,
12 then the grant of rulemaking authority and any rule proposed
13 or adopted after August 28, 2022, shall be invalid and void.

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

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

18 (a) Wagers are received;

19 (b) Payouts are paid; and

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

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

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

31 (4) Standards concerning the detection and prevention
32 of compulsive gambling, including but not limited to a
33 requirement to use a nationally recognized problem gambling
34 hotline phone number in promotional activity, which shall
35 include at least one of the following phone numbers: 1-888-
36 BETS-OFF, 1-800-522-4700, or 1-800-GAMBLER.

37 3. Rules adopted under this section shall require a
38 sports wagering operator to make commercially reasonable
39 efforts to do the following:

40 (1) If the sports wagering operator is a licensed
41 facility that is an excursion gambling boat, designate one

42 or more areas within the licensed facility operated by the
43 certificate holder for sports wagering conducted under
44 sections 313.1000 to 313.1022;

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

47 (3) Ensure that the sports wagering operator's
48 surveillance system covers all areas of the licensed
49 facility in which sports wagering is conducted;

50 (4) Allow the commission to be present through the
51 commission's gaming agents during the time sports wagering
52 is conducted in all areas of the sports wagering operator's
53 licensed facility that is an excursion gambling boat in
54 which sports wagering is conducted, to do the following:

55 (a) Ensure maximum security of the counting and
56 storage of the sports wagering revenue received by the
57 sports wagering operator;

58 (b) Certify the sports wagering revenue received by
59 the sports wagering operator;

60 (c) Receive complaints from the public;

61 (5) Ensure that sports wager results are determined
62 only from data that is provided by licensed sports wagering
63 suppliers;

64 (6) Ensure that individuals who are less than twenty-
65 one years of age do not make sports wagers;

66 (7) Establish house rules specifying the amounts to be
67 paid on winning wagers and the effect of schedule changes.
68 The house rules shall be displayed in the sports wagering
69 operator's sports wagering area, posted on the sports
70 wagering operator's or interactive sports wagering
71 platform's internet site or mobile application for
72 interactive sports wagering, and included in the terms and
73 conditions of the sports wagering operator's or interactive

74 sports wagering platform's interactive sports wagering
75 system; and

76 (8) Establish industry standard procedures regarding
77 the voiding or cancelling of wagers in the sports wagering
78 operator's internal controls and house rules.

79 4. (1) A sports governing body or other authorized
80 entity that maintains official league data may notify the
81 commission that official league data for settling tier two
82 sports wagers is available for sports wagering operators.

83 (2) The commission shall notify sports wagering
84 operators within seven days of receipt of the notification
85 from the sports governing body or other authorized entity
86 that maintains official league data of the availability of
87 official league data. Within sixty days following such
88 notification by the commission, each sports wagering
89 operator shall use only official league data to settle tier
90 two sports wagers on athletic events sanctioned by the
91 applicable sports governing body, except:

92 (a) During the pendency of a request by such sports
93 wagering operator to the commission, pursuant to subdivision
94 (4) of this subsection, to use alternative data sources
95 approved by the commission to settle such tier two sports
96 wagers; or

97 (b) Following approval by the commission of a request
98 by such sports wagering operator to use alternative data
99 sources approved by the commission pursuant to subdivision
100 (4) of this subsection.

101 (3) Official league data made available to sports
102 wagering operators by the sports governing body or other
103 authorized entity that maintains official league data shall
104 be offered on commercially reasonable terms. For the

105 purposes of this subsection, "commercially reasonable terms"
106 shall include the following nonexclusive factors:

107 (a) The extent to which sports wagering operators have
108 purchased the same or similar official league data on the
109 same or similar terms;

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

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

116 (d) The availability and cost of similar official
117 league data from multiple sources.

118 (4) A sports wagering operator may submit a written
119 request to the commission for the use, or continued use, of
120 alternative data sources approved by the commission within
121 sixty days of receiving notification from the commission
122 regarding the availability of official league data. The
123 request shall demonstrate in detail that the sports
124 governing body or other authorized entity that maintains
125 official league data is unable or unwilling to offer
126 official league data on commercially reasonable terms.
127 Within sixty days of receipt of a written request from a
128 sports wagering operator to use an alternative data source,
129 the commission shall issue a written approval or disapproval
130 of such request.

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

133 5. The commission may enter into agreements with other
134 jurisdictions to facilitate, administer, and regulate multi-
135 jurisdictional sports betting by sports betting operators to
136 the extent that entering into the agreement is consistent

137 with state and federal laws and the sports betting is
138 conducted only in the United States.

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

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

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

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

313.1008. 1. The commission shall test new sports
2 wagering devices and new forms, variations, or composites of
3 sports wagering under the terms and conditions that the
4 commission considers appropriate prior to authorizing a
5 sports wagering operator to offer a new sports wagering
6 device or a new form, variation, or composite of sports
7 wagering. The commission shall accept such testing of
8 another sports wagering governing body in the United States
9 if the commission determines the testing of such governing
10 body is substantially similar to the testing that would
11 otherwise be required by the commission and the sports
12 wagering operator verifies that its sports wagering devices
13 and forms have not materially changed since such testing.

14 2. A licensed facility that is an excursion gambling
15 boat may also offer sports wagering through up to three

16 individually branded interactive sports wagering platforms
17 under the brand, trade, or d/b/a name selected by the sports
18 wagering operator or, as applicable, the interactive sports
19 wagering platform operator. A sports wagering operator may
20 operate each interactive sports wagering platform or
21 contract with one or more interactive sports wagering
22 platform operators to administer any or all of the
23 interactive sports wagering platforms on the licensed
24 facility's behalf. Notwithstanding any provision of law to
25 the contrary, in no event shall sports wagering be offered
26 through more than six sports wagering platforms contracting
27 with any one owner of a licensed facility, directly or
28 indirectly through any parent company, subsidiary, or
29 affiliate of such owner.

30 3. Each designated sports district mobile licensee may
31 offer sports wagering within the state through one
32 interactive sports wagering platform. Each designated
33 sports district mobile licensee shall be required to be
34 licensed by the commission as an interactive sports wagering
35 platform operator. Sports wagering over the internet
36 through any interactive sports wagering platform may be
37 offered by any licensed sports wagering operator within any
38 designated sports district.

39 4. Notwithstanding any provision of law to the
40 contrary, no sports wagering operator may offer sports
41 wagering in person or through any sports wagering kiosk,
42 except within a licensed facility that is an excursion
43 gambling boat.

44 5. (1) Sports wagering may be conducted with chips,
45 tokens, electronic cards, cash, cash equivalents, debit or
46 credit cards, other negotiable currency, online payment

47 services, automated clearing houses, promotional funds, or
48 any other means approved by the commission.

49 (2) A sports wagering operator shall in its internal
50 controls or house rules determine the minimum wager in
51 sports wagering conducted in the certificate holder's
52 licensed facility and may determine a maximum wager.

53 6. A sports wagering operator shall not permit any
54 sports wagering on the premises of the licensed facility
55 except as provided under sections 313.1000 to 313.1022.

56 7. A sports wagering device shall be approved by the
57 commission and acquired by a sports wagering operator from a
58 licensed supplier.

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

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

313.1010. 1. An interactive sports wagering platform
2 provider may offer sports wagering on behalf of a licensed
3 facility only if the interactive sports wagering platform

4 operator holds an interactive sports wagering platform
5 license issued by the commission.

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

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

11 (2) Pay an initial application fee of one hundred
12 thousand dollars.

13 3. Every two years on or before the anniversary date
14 of the payment of the initial application fee under
15 subsection 2 of this section, an interactive sports wagering
16 platform provider holding a license issued under this
17 section shall pay to the commission an annual license
18 renewal fee of fifty thousand dollars. Such license renewal
19 fees and the initial application fee provided for under
20 subdivision (2) of subsection 2 of this section shall be
21 deposited in the gaming commission fund and distributed
22 according to section 313.835.

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

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

30 (2) All documents, reports, and data submitted by an
31 interactive sports wagering platform provider to the
32 commission containing proprietary information, trade
33 secrets, financial information, or personally identifiable
34 information about any person.

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

4 2. The commission shall adopt rules and regulations
5 for a sports wagering self-exclusion program consistent with
6 those adopted under sections 313.800 to 313.850. Any rule
7 or portion of a rule, as that term is defined in section
8 536.010, that is created under the authority delegated in
9 this section shall become effective only if it complies with
10 and is subject to all of the provisions of chapter 536 and,
11 if applicable, section 536.028. This section and chapter
12 536 are nonseverable and if any of the powers vested with
13 the general assembly pursuant to chapter 536 to review, to
14 delay the effective date, or to disapprove and annul a rule
15 are subsequently held unconstitutional, then the grant of
16 rulemaking authority and any rule proposed or adopted after
17 August 28, 2022, shall be invalid and void.

18 3. The commission shall adopt rules that
19 advertisements for sports wagering:

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

23 (2) Disclose the identity of the sports wagering
24 certificate holder;

25 (3) Provide information about or links to resources
26 relating to gambling addiction;

27 (4) Are not otherwise false, misleading, or deceptive
28 to a reasonable consumer; and

29 (5) Include a nationally recognized problem gambling
30 hotline phone number in promotional activity, including but
31 not limited to one of the following: 1-888-BETS-OFF, 1-800-
32 522-4700, or 1-800-GAMBLER.

313.1014. 1. The commission shall conduct background
2 checks on individuals seeking licenses under sections
3 313.1000 to 313.1022. A background check conducted under
4 this section shall be consistent with the provisions of
5 section 313.810, and shall include a search for criminal
6 history and any charges or convictions involving corruption
7 or manipulation of sporting events.

8 2. (1) A sports wagering operator shall employ
9 reasonable methods to:

10 (a) Prohibit the sports wagering operator, directors,
11 officers, and employees of the sports wagering operator, and
12 any relative living in the same household of a person
13 described in this paragraph from placing sports wagers with
14 the sports wagering operator;

15 (b) Prohibit any individual with access to nonpublic
16 confidential information held by the sports wagering
17 operator from placing sports wagers with the sports wagering
18 operator;

19 (c) Prevent the sharing of confidential information
20 that could affect sports wagering offered by the sports
21 wagering operator or by third parties until the information
22 is made publicly available; and

23 (d) Prohibit persons from placing sports wagers as
24 agents or proxies for other persons.

25 (2) Nothing in this section shall preclude the use of
26 internet or cloud based hosting of data, or any disclosure
27 of information required by court order or other provisions
28 of law.

29 3. (1) The following individuals are prohibited from
30 engaging in sports wagering under sections 313.1000 to
31 313.1022:

32 (a) Any individual whose participation may undermine
33 the integrity of the betting or sports event; or

34 (b) Any person who is prohibited for other good cause
35 including, but not limited to:

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

37 b. Any person who is an athlete, coach, referee,
38 player, or referee personnel member, in or on any sport
39 overseen by such person's sports governing body. Such
40 person may engage in sports wagering on any sport not
41 overseen by such person's sports governing body;

42 c. Any person who holds a position of authority or
43 influence sufficient to exert influence over the
44 participants in a sporting contest including, but not
45 limited to, coaches, managers, handlers, or athletic
46 trainers;

47 d. Any person under the age of twenty-one;

48 e. Any person with access to certain types of
49 exclusive information on any sports event overseen by such
50 person's sports governing body based on publicly available
51 information; or

52 f. Any person identified by any lists provided by the
53 commission.

54 (2) The direct or indirect legal or beneficial owner
55 of five percent or more of a sports governing body or any of
56 its member teams shall not place or accept any wager on a
57 sports event in which any member team of such sports
58 governing body participates. Any violation of this
59 subdivision shall constitute disorderly conduct and shall be
60 a class C misdemeanor.

61 (3) Subdivision (2) of this subsection shall not apply
62 to any person who is a direct or indirect owner of a
63 specific sports governing body member team and:

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

66 (b) The value of the ownership of such team represents
67 less than one percent of the person's total enterprise value
68 and such shares of such person are registered under section
69 12 of the Securities Exchange Act of 1934, 15 U.S.C. Section
70 781, as amended.

71 (4) (a) An operator shall adopt procedures to prevent
72 persons from wagering on sports events who are prohibited
73 from placing sports wagers.

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

76 a. Whose name appears on the exclusion list maintained
77 by the commission;

78 b. Who is the operator, director, officer, owner, or
79 employee of the operator or any relative thereof living in
80 the same household as such operator;

81 c. Who has access to nonpublic confidential
82 information held by such operator; or

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

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

88 4. Given good and sufficient reason, the commission
89 and each sports wagering operator shall cooperate with
90 investigations conducted by law enforcement agencies or
91 sports governing bodies, including by providing or
92 facilitating the provision of relevant sports wagering
93 information and audio or video files relating to persons
94 placing sports wagers; provided, however, that, with respect
95 to any such information or files disclosed by a sports

96 wagering operator to a sports governing body, the sports
97 governing body shall:

98 (1) Maintain the confidentiality of such information
99 and files;

100 (2) Comply with all privacy laws applicable to such
101 information and files; and

102 (3) Use the information or files solely in connection
103 with the sports governing body's investigation.

104 5. A certificate holder shall immediately report to
105 the commission any information relating to:

106 (1) Criminal or disciplinary proceedings commenced
107 against the certificate holder in connection with its
108 operations;

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

110 (3) Abnormal wagering activity or patterns that may
111 indicate a concern regarding the integrity of a sporting
112 event or events; and

113 (4) Any other conduct that corrupts the wagering
114 outcome of a sporting event or events for purposes of
115 financial gain.

116 6. A certificate holder shall immediately report
117 information relating to conduct described in subdivisions
118 (3) to (5) of subsection 3 of this section to the relevant
119 sports governing body.

120 7. A sports wagering operator shall maintain the
121 confidentiality of information provided by a sports
122 governing body to the sports wagering operator unless
123 disclosure is required by court order, the commission, or
124 any other provision of law.

125 8. A sports governing body may submit to the
126 commission a request in writing to restrict, limit, or
127 exclude a type or form of sports wagering on its sporting

128 events if it believes that such sports wagering affects the
129 integrity or perceived integrity of its sport. The
130 commission may grant the request upon a showing of good
131 cause by the applicable sports governing body. The
132 commission shall promptly review any information provided
133 and respond as expeditiously as possible to the request.
134 Prior to making a determination, the commission shall notify
135 and consult with sports wagering operators. If the
136 commission deems it relevant, it may also consult with any
137 applicable independent monitoring providers or other
138 jurisdictions. No restrictions, limitations, or exclusions
139 of wagers shall be conducted without the express written
140 approval of the commission. Sports wagering operators shall
141 be notified of any restrictions, limitations, or exclusions
142 granted by the commission.

313.1016. 1. A sports wagering operator, for bets and
2 wagers that exceed ten thousand dollars and that were placed
3 in person by a patron, shall maintain the following records
4 for a period of at least three years after the sporting
5 event occurs:

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

15 2. A certificate holder or sports wagering supplier
16 where applicable, for all bets and wagers placed through an
17 interactive sports wagering platform, shall maintain the

18 following records for a period of at least three years after
19 the sporting event occurs:

20 (1) Personally identifiable information of the bettor;

21 (2) The amount and type of bet placed;

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

23 (4) The location, including specific information
24 pertaining to the internet protocol address, where the bet
25 was placed;

26 (5) The outcome of the bet; and

27 (6) Any discernable pattern of abnormal betting
28 activity by the patron.

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

313.1018. A certificate holder is not liable under the
2 laws of this state to any party, including patrons, for
3 disclosing information as required under sections 313.1000
4 to 313.1022, and is not liable for refusing to disclose
5 information unless required under sections 313.1000 to
6 313.1022.

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

10 2. A certificate holder or interactive sports wagering
11 platform operator shall remit the tax imposed by subsection

12 1 of this section to the department before the close of the
13 business day one day prior to the last business day of each
14 month for the wagering taxes collected for such month. Any
15 taxes collected during the month, but after the day on which
16 the taxes are required to be paid to the department, shall
17 be paid to the department at the same time the following
18 month's taxes are due. In a month when the adjusted gross
19 receipts of a certificate holder or interactive sports
20 wagering platform operator is a negative number, the
21 certificate holder or interactive sports wagering platform
22 operator may carry over the negative amount for a period of
23 twelve months.

24 3. The payment of the tax under this section shall be
25 by an electronic funds transfer by an automated
26 clearinghouse.

27 4. Revenues received from the tax imposed under
28 subsection 1 of this section shall be deposited in the state
29 treasury to the credit of the "Gaming Proceeds for Education
30 Fund" and shall be distributed as provided under section
31 313.822.

32 5. (1) A licensed facility and designated sports
33 district shall pay to the commission an annual
34 administrative fee of twenty thousand dollars. The fee
35 imposed shall be due one year after the date on which the
36 certificate holder commences sports wagering operations
37 under sections 313.1000 to 313.1022, and on each annual
38 anniversary date thereafter. The commission shall deposit
39 the administrative fees received under this subsection in
40 the gaming commission fund and shall distribute such fees
41 according to section 313.835.

42 (2) In addition to the annual administrative fee
43 required in this subsection, a certificate holder shall pay

44 to the commission a fee of ten thousand dollars to cover the
45 costs of a full reinvestigation of the certificate holder in
46 the fifth year after the date on which the certificate
47 holder commences sports wagering operations under sections
48 313.1000 to 313.1022 and on each fifth year thereafter. The
49 commission shall deposit the fees received under this
50 subdivision in the gaming commission fund and shall
51 distribute such fees according to section 313.835.

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

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