

SENATE BILL NO. 30

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

0064S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 313.800, 313.813, and 313.842, RSMo, and to enact in lieu thereof seventeen 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. Sections 313.800, 313.813, and 313.842, RSMo,
2 are repealed and seventeen new sections enacted in lieu thereof,
3 to be known as sections 313.800, 313.813, 313.842, 313.1000,
4 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010,
5 313.1011, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, and
6 313.1022, 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;

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

15 (4) "Capital, cultural, and special law enforcement
16 purpose expenditures" shall include any disbursement,
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 or inside of which gambling games are
67 allowed;

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

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

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

76 (13) "Gambling game" includes, but is not limited to,
77 games of skill or games of chance on an excursion gambling
78 boat [but does not include gambling on sporting events];

79 provided such games of chance are approved by amendment to
80 the Missouri Constitution;

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

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

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

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

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

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

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

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

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

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

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

140 (2) All testimony shall be given under oath or
141 affirmation. Any citizen of this state shall have the

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

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

313.842. 1. There **[may]** **shall** be established programs
2 which shall provide treatment, prevention, **recovery**, and
3 education services for compulsive gambling. As used in this
4 section, "compulsive gambling" means a condition suffered by
5 a person who is chronically and progressively preoccupied
6 with gambling and the urge to gamble. Subject to
7 appropriation, such programs shall be funded from the one-

8 cent admission fee authorized pursuant to section 313.820,
9 and in addition, may be funded from the taxes collected and
10 distributed to any city or county under section 313.822 **or**
11 **any other funds appropriated by the general assembly.** Such
12 moneys shall be submitted to the state and credited to the
13 "Compulsive Gamblers Fund", which is hereby established
14 within the department of mental health. Notwithstanding the
15 provisions of section 33.080 to the contrary, moneys in the
16 fund at the end of any biennium shall not be transferred to
17 the credit of the general revenue fund. The department of
18 mental health shall administer programs, either directly or
19 by contract, for compulsive gamblers. The commission [may]
20 **shall** administer programs to educate the public about
21 problem gambling and promote treatment programs offered by
22 the department of mental health. In addition, the
23 commission shall administer the voluntary exclusion program
24 for problem gamblers authorized by section [313.833] **313.813.**

25 **2. Effective January 1, 2024, every five years the**
26 **commission shall conduct a socioeconomic study on the impact**
27 **of gaming. Results of the study shall be submitted to the**
28 **governor, president pro tempore of the senate and speaker of**
29 **the house of representatives. The commission shall ensure**
30 **the results of each study are readily accessible to the**
31 **public.**

313.1000. 1. As used in sections 313.1000 to
2 313.1022, the following terms shall mean:

3 (1) "Adjusted gross receipts":

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

7 a. All cash and cash equivalents paid out as winnings
8 to sports wagering patrons;

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

13 c. Voided or cancelled wagers;

14 d. For the first year of implementation, one hundred
15 percent of the costs of free play or promotional credits
16 provided to and redeemed by patrons and decreasing by twenty-
17 five percent each year following until the fifth and
18 subsequent years, in which no cost of free play or
19 promotional credits shall be deducted;

20 e. Any sums paid as a result of any federal tax,
21 including federal excise tax; and

22 f. Uncollectible sports wagering receivables, not to
23 exceed the lesser of:

24 (i) A reasonable provision for uncollectible patron
25 checks, automated clearing house (ACH) transactions, debit
26 card transactions, and credit card transactions received
27 from sports wagering operations; or

28 (ii) Two percent of the total of all sums, including
29 checks, whether collected, less the amount paid out as
30 winnings to sports wagering patrons. For purposes of this
31 section, a counter or personal check that is invalid or
32 unenforceable under this section is considered cash received
33 by the sports wagering operator from sports wagering
34 operations;

35 (b) The deductions allowed under paragraph (a) of this
36 subdivision shall not include any costs arising directly
37 from the purchase of advertising with a non-patron third-
38 party, including the direct cost of purchasing print,
39 television, or radio advertising or any signage or
40 billboards;

41 (c) If the amount of adjusted gross receipts in a
42 gaming month is a negative figure, the certificate holder
43 shall remit no sports wagering tax for that gaming month.
44 Any negative adjusted gross receipts shall be carried over
45 and calculated as a deduction in the subsequent gaming
46 months until the negative figure has been brought to a zero
47 balance;

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

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

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

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

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

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

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

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

68 (6) "Covered persons", includes athletes; umpires,
69 referees, and officials; personnel associated with clubs,
70 teams, leagues, and athletic associations; medical
71 professionals, including athletic trainers, who provide
72 services to athletes and players; and the family members and

73 associates of such persons where required to serve the
74 purposes of sections 313.1000 to 313.1022;

75 (7) "Department", the department of revenue;

76 (8) "Designated sports district", the premises of a
77 facility located in this state with a capacity of eleven
78 thousand five hundred people or more, at which one or more
79 professional sports teams that is a member of the National
80 Football League, Major League Baseball, the National Hockey
81 League, the National Basketball Association, Major League
82 Soccer, the Women's National Basketball Association, or the
83 National Women's Soccer League plays its home games, and the
84 surrounding area within four hundred yards of such premises;

85 (9) "Designated sports district mobile licensee", a
86 person or entity, registered to do business within this
87 state, that is designated by a professional sports team
88 entity to be a licensed applicant and an interactive sports
89 wagering platform operator authorized to offer sports
90 wagering only via the internet in this state, subject to the
91 commission's approval and licensure under sections 313.1000
92 to 313.1022; provided, however, for purposes of
93 clarification and avoidance of doubt, the designated person
94 or entity, rather than the applicable professional sports
95 team entity, shall be the party that submits to the
96 commission for licensure under sections 313.1000 to 313.1022;

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

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

102 (12) "Interactive sports wagering platform" or
103 "platform", a platform operated by an interactive sports
104 wagering platform operator that offers sports wagering

105 through an individual account registered to an eligible
106 person, under section 313.1014, over the internet, including
107 on websites and mobile devices, on behalf of a licensed
108 facility or designated sports district. Except as otherwise
109 provided, an interactive sports wagering platform may also
110 offer in-person sports wagering on behalf of a licensed
111 facility that is an excursion gambling boat at its licensed
112 facility, including through sports wagering devices;

113 (13) "Interactive sports wagering platform operator",
114 a suitable legal entity that holds a license issued by the
115 commission to operate an interactive sports wagering
116 platform;

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

121 (15) "Licensed facility", an excursion gambling boat
122 licensed under this chapter or a designated sports district
123 for which a certificate holder is licensed under sections
124 313.1000 to 313.1022;

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

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

129 (18) "Official league data", statistics, results,
130 outcomes, and other data related to a sports event or other
131 event utilized to determine the outcome of tier 2 bets
132 obtained pursuant to an agreement with the relevant sports
133 governing body or an entity expressly authorized by the
134 sports governing body to provide such information that
135 authorizes a sports wagering operator to use such data for
136 determining the outcome of tier 2 bets;

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

140 (20) "Personal biometric data", any information about
141 an athlete that is derived from the athlete's DNA, heart
142 rate, blood pressure, perspiration rate, internal or
143 external body temperature, hormone levels, glucose levels,
144 hydration levels, vitamin levels, bone density, muscle
145 density, or sleep patterns or other information as may be
146 prescribed by the commission;

147 (21) "Professional sports team entity", a person or
148 entity, registered to do business in this state, which owns
149 or operates a professional sports team that is a member of
150 the National Football League, Major League Baseball, the
151 National Hockey League, the National Basketball Association,
152 Major League Soccer, the Women's National Basketball
153 Association, or the National Women's Soccer League and that
154 plays its home games within a designated sports district;

155 (22) "Prohibited conduct", any statement, action, or
156 other communication intended to influence, manipulate, or
157 control a betting outcome of a sporting contest or of any
158 individual occurrence or performance in a sporting contest
159 in exchange for financial gain or to avoid financial or
160 physical harm. "Prohibited conduct" shall include
161 statements, actions, and communications made to a covered
162 person by a third party, such as a family member or through
163 social media, but shall not include statements, actions, or
164 communications made or sanctioned by a team or sports
165 governing body;

166 (23) "Sports governing body", an organization
167 headquartered in the United States that prescribes final

168 rules and enforces codes of conduct with respect to a sports
169 event and participants therein;

170 (24) "Sports wagering", "sports wager", "sports bet",
171 or "bet", wagering on athletic, sporting, and other
172 competitive events involving human competitors or on other
173 events as approved by the commission. Such terms shall
174 include, but not be limited to, bets or wagers made on:
175 portions of athletic and sporting events, including those on
176 outcomes determined prior to the start of a sporting event,
177 or on the individual statistics of athletes in a sporting
178 event or compilation of sporting events, involving human
179 competitors. The term includes, but is not limited to,
180 single-game wagers, teaser wagers, parlays, over-unders,
181 moneyline bets, pools, exchange wagering, in-game wagers, in-
182 play wagers, proposition wagers, and straight wagers or
183 other wagers approved by the commission. Sports wagering
184 shall not include fantasy sports under section 313.900 to
185 313.955 or those games and contests in which the outcome is
186 determined purely on chance and without any human skill,
187 intention, interaction, or direction;

188 (25) "Sports wagering commercial activity", any
189 operation, promotion, signage, advertising, or other
190 business activity relating to sports wagering, including the
191 operation or advertising of a business or location at which
192 sports wagering is offered or a business or location at
193 which sports wagering through one or more interactive
194 platforms is promoted or advertised;

195 (26) "Sports wagering device" or "sports wagering
196 kiosk", a self-service mechanical, electrical, or
197 computerized contrivance, terminal, device, apparatus, piece
198 of equipment, or supply approved by the commission for
199 conducting sports wagering under sections 313.1000 to

200 313.1022. "Sports wagering device" shall not include a
201 device used by a sports wagering patron to access an
202 interactive sports wagering platform. The hardware of a
203 sports wagering device not capable of accepting wagers shall
204 not be considered a sports wagering device;

205 (27) "Sports wagering operator" or "operator", a
206 licensed facility that is an excursion gambling boat or an
207 interactive sports wagering platform operator offering
208 sports wagering on behalf of a licensed facility;

209 (28) "Sports wagering supplier", a person that
210 provides goods, services, software, or any other components
211 necessary for the creation of sports wagering markets and
212 determination of wager outcomes, directly or indirectly, to
213 any sports wagering operator or applicant involved in the
214 acceptance of wagers, including any of the following:
215 providers of data feeds and odds services, providers of
216 kiosks used for self-wagering made in person, risk
217 management providers, integrity monitoring providers, and
218 other providers of sports wagering supplier services as
219 determined by the commission; provided, however, that no
220 sports governing body shall be a sports wagering supplier
221 for any purposes under sections 313.1000 to 313.1022;

222 (29) "Supplier's license", a license issued by the
223 commission under section 313.807;

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

227 (31) "Tier 2 bet", an internet bet that is not a tier
228 1 bet.

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

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

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

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

313.1004. 1. The commission shall have full
jurisdiction to supervise all gambling operators governed by
sections 313.1000 to 313.1022 and shall adopt rules and
regulations to implement the provisions of sections 313.1000
to 313.1022. Any rule or portion of a rule, as that term is
defined in section 536.010, that is created under the
authority delegated in this section shall become effective
only if it complies with and is subject to all of the
provisions of chapter 536 and, if applicable, section
536.028. This section and chapter 536 are nonseverable, and
if any of the powers vested with the general assembly
pursuant to chapter 536 to review, to delay the effective
date, or to disapprove and annul a rule are subsequently
held unconstitutional, then the grant of rulemaking
authority and any rule proposed or adopted after August 28,
2023, shall be invalid and void.

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

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

(a) Wagers are received;

(b) Payouts are paid; and

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

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

(3) The manner in which a sports wagering operator's
books and financial records relating to sports wagering are
maintained and audited, including standards for the daily
counting of a sports wagering operator's gross receipts from

32 sports wagering and standards to ensure that internal
33 controls are followed; and

34 (4) Standards concerning the detection and prevention
35 of compulsive gambling, including:

36 (a) Use of a commission-approved problem gambling
37 helpline number in promotional activity;

38 (b) Training for all staff regarding responsible
39 gambling and identifying compulsive or problem gamblers;

40 (c) Policies for handling situations in which players
41 indicate they are experiencing a problem with gambling
42 responsibly; and

43 (d) Policies to address third party concerns about a
44 player's gambling behavior.

45 3. Rules adopted under this section shall require a
46 sports wagering operator to make commercially reasonable
47 efforts to do the following:

48 (1) Designate one or more areas within the licensed
49 facility operated by the sports wagering operator if the
50 sports wagering operator is a licensed facility that is an
51 excursion gambling boat;

52 (2) Ensure the security and integrity of sports wagers
53 accepted through any interactive sports wagering platform
54 operated or authorized by such sports wagering operator;

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

59 (4) Allow the commission to be present through the
60 commission's gaming agents when sports wagering is conducted
61 in all areas of the sports wagering operator's licensed
62 facility that is an excursion gambling boat in which sports
63 wagering is conducted to do the following:

- 64 (a) Ensure maximum security of the counting and
65 storage of the sports wagering revenue received by the
66 sports wagering operator;
- 67 (b) Certify the sports wagering revenue received by
68 the sports wagering operator; and
- 69 (c) Receive complaints from the public;
- 70 (5) Ensure that wager results are determined only from
71 data that is provided by the applicable sports governing
72 body or the licensed sports wagering suppliers;
- 73 (6) Ensure that persons who are under twenty-one years
74 of age do not make sports wagers;
- 75 (7) Establish house rules specifying the amounts to be
76 paid on winning wagers and the effect of schedule changes.
77 The house rules shall be displayed in the sports wagering
78 operator's sports wagering area or posted on the sports
79 wagering operator's internet site or mobile application and
80 included in the terms and conditions thereof or another
81 approved area; and
- 82 (8) Establish industry-standard procedures regarding
83 the voiding or cancelling of wagers in the sports wagering
84 operator's internal controls and house rules.
- 85 4. (1) A sports governing body or other authorized
86 entity that maintains official league data may notify the
87 commission that official league data for settling tier 2
88 bets is available for sports wagering operators.
- 89 (2) The commission shall notify sports wagering
90 operators within seven days of receipt of the notification
91 from the sports governing body or other authorized entity
92 that maintains official league data of the availability of
93 official league data. Within sixty days following such
94 notification by the commission, each sports wagering
95 operator shall use only official league data to settle tier

96 2 bets on athletic events sanctioned by the applicable
97 sports governing body, except:

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

102 (b) Following approval by the commission of a request
103 by such sports wagering operator to use alternative data
104 sources approved by the commission in accordance with
105 subdivision (4) of this subsection.

106 (3) Official league data made available to sports
107 wagering operators by the sports governing body or other
108 authorized entity that maintains official league data shall
109 be offered on commercially reasonable terms.

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

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

125 5. The commission may enter into agreements with other
126 jurisdictions to facilitate, administer, and regulate multi-
127 jurisdictional sports betting by sports betting operators to

128 the extent that entering into the agreement is consistent
129 with state and federal laws and the sports betting agreement
130 is conducted only in the United States.

131 6. (1) The commission shall establish a hotline or
132 other method of communication that allows any person to
133 confidentially report information about prohibited conduct
134 to the commission.

135 (2) The commission shall investigate all reasonable
136 allegations of prohibited conduct and refer any allegations
137 it deems credible to the appropriate law enforcement entity.

138 (3) The identity of any reporting person shall remain
139 confidential unless such person authorizes the disclosure of
140 his or her identity or until such time as the allegation of
141 prohibited conduct is referred to a law enforcement entity.

142 (4) If the commission receives a complaint of
143 prohibited conduct by an athlete, the commission shall
144 notify the appropriate sports governing body of the athlete
145 to review the complaint as provided by rule.

146 (5) The commission shall adopt rules governing
147 investigations of prohibited conduct and referrals to law
148 enforcement entities. Any rule or portion of a rule, as
149 that term is defined in section 536.010, that is created
150 under the authority delegated in this section shall become
151 effective only if it complies with and is subject to all of
152 the provisions of chapter 536 and, if applicable, section
153 536.028. This section and chapter 536 are nonseverable and
154 if any of the powers vested with the general assembly
155 pursuant to chapter 536 to review, to delay the effective
156 date, or to disapprove and annul a rule are subsequently
157 held unconstitutional, then the grant of rulemaking
158 authority and any rule proposed or adopted after August 28,
159 2023, shall be invalid and void.

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

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

9 (2) Pay an initial application fee not to exceed one
10 hundred thousand dollars, which shall be deposited in the
11 gaming commission fund and distributed according to section
12 313.835.

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

313.1008. 1. The commission shall ensure that new
2 sports wagering devices and new forms, variations, or
3 composites of sports wagering are tested under the terms and
4 conditions that the commission considers appropriate prior
5 to authorizing a sports wagering operator to offer a new
6 sports wagering device or a new form, variation, or
7 composite of sports wagering. The commission may utilize an
8 approved independent testing laboratory to assist with any
9 requirements of this section. The commission shall accept
10 such testing of another sports wagering governing body in
11 the United States if the commission determines the testing
12 of that governing body is substantially similar to the
13 testing that would otherwise be required by the commission
14 and the sports wagering operator verifies that its sports

15 wagering devices and forms have not materially changed since
16 such testing.

17 2. A licensed facility that is an excursion gambling
18 boat may also offer sports wagering through up to three
19 individually branded interactive sports wagering platforms
20 under the brand, trade name, or another name it is doing
21 business as (d/b/a) selected by the sports wagering operator
22 or, as applicable, the interactive sports wagering platform
23 operator. A sports wagering operator may operate each
24 interactive sports wagering platform or contract with one or
25 more interactive sports wagering platform operators to
26 administer any or all of the interactive sports wagering
27 platforms on the licensed facility's behalf.

28 Notwithstanding any provision of this section and anything
29 to the contrary set forth under sections 313.1000 to
30 313.1022, in no event shall sports wagering be offered
31 through more than six sports wagering platforms contracting
32 with any one owner of a licensed facility, directly or
33 indirectly through any parent company, subsidiary, or
34 affiliate of such owner.

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

44 4. Notwithstanding anything to the contrary set forth
45 under sections 313.1000 to 313.1022, no sports wagering
46 operator may offer sports wagering in person or through any

47 sports wagering kiosk, except within a licensed facility
48 that is an excursion gambling boat.

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

54 (2) A sports wagering operator shall in its internal
55 controls or house rules determine a minimum wager amount in
56 sports wagering conducted by the sports wagering operator
57 and may determine a maximum wager amount.

58 6. A sports wagering operator shall not permit any
59 sports wagering on the premises of the licensed facility
60 except as provided under this chapter.

61 7. A sports wagering device, point-of-contact sports
62 wagering device, or sports wagering kiosk shall be approved
63 by the commission and acquired by a sports wagering operator
64 from a licensed supplier.

65 8. The commission shall determine the occupations
66 related to sports wagering that require an occupational
67 license, which shall not include employees that do not
68 possess the authority or ability to alter material systems
69 required for sports wagering in this state.

70 9. A sports wagering operator may lay off one or more
71 sports wagers. The commission may promulgate rules
72 permitting sports wagering operators or platforms to employ
73 systems that offset loss or manage risk in the operation of
74 sports wagering under sections 313.1000 to 313.1022 through
75 the use of liquidity pools in other jurisdictions in which
76 the sports wagering operator, platform, an affiliate of the
77 sports wagering operator or platform, or a third party also
78 holds licenses to conduct sports wagering; provided that, at

79 all times adequate protections are maintained to ensure
80 sufficient funds are available to pay winnings to patrons.

81 10. A sports wagering operator shall include
82 information and tools to assist players in making
83 responsible decisions. The sports wagering operator shall
84 provide at a minimum:

85 (1) Displayed tools to set limits on the amount of
86 time and money a player spends on any interactive sports
87 wagering platform; and

88 (2) Displayed information regarding compulsive
89 gambling and ways to seek treatment and support if a player
90 believes he or she has a problem.

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

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 not to exceed one
12 hundred fifty thousand dollars.

13 3. On or before the anniversary date of the payment of
14 the initial application fee under this section, an
15 interactive sports wagering platform provider holding a
16 license issued under this section shall pay to the
17 commission a license renewal fee not to exceed one hundred
18 twenty-five thousand dollars. Such funds shall be deposited
19 into the gaming commission fund established under section
20 313.835.

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

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

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

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

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

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

13 4. An applicant for a sports wagering supplier's
14 license shall disclose the identity of:

15 (1) The applicant's principal owners who directly own
16 ten percent or more of the applicant;

17 (2) Each holding, intermediary, or parent company that
18 directly owns fifteen percent or more of the applicant; and

19 (3) The applicant's chief executive officer and chief
20 financial officer, or their equivalents, as determined by
21 the commission.

22 5. Government-created entities, including statutory
23 authorized pension investment boards and Canadian Crown
24 corporations, that are direct or indirect shareholders of an
25 applicant shall be waived in the applicant's disclosure of
26 ownership and control as determined by the commission.

27 6. Investment funds or entities registered with the
28 Securities and Exchange Commission (SEC), including
29 investment advisors and entities under the management of the
30 SEC-registered entity, that are direct or indirect
31 shareholders of an applicant shall be waived in the
32 applicant's disclosure of ownership and control as
33 determined by the commission.

34 7. A supplier's license or provisional supplier's
35 license shall be sufficient to provide sports wagering
36 supplier services to licensees. A renewal fee shall be
37 submitted biennially as determined by the commission.

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

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

8 3. The commission shall adopt rules and regulations
9 that incorporate a sports wagering self-exclusion program
10 into the program adopted under sections 313.800 to 313.850.
11 Any rule or portion of a rule, as that term is defined in
12 section 536.010, that is created under the authority
13 delegated in this section shall become effective only if it

14 complies with and is subject to all of the provisions of
15 chapter 536 and, if applicable, section 536.028. This
16 section and chapter 536 are nonseverable, and if any of the
17 powers vested with the general assembly pursuant to chapter
18 536 to review, to delay the effective date, or to disapprove
19 and annul a rule are subsequently held unconstitutional,
20 then the grant of rulemaking authority and any rule proposed
21 or adopted after August 28, 2023, shall be invalid and void.

22 4. The commission shall adopt rules to ensure that
23 advertisements for sports wagering:

24 (1) Do not knowingly target minors or other persons
25 who are ineligible to place wagers, problem gamblers, or
26 other vulnerable persons;

27 (2) Disclose the identity of the sports wagering
28 operator;

29 (3) Provide information about or links to resources
30 relating to gambling addiction;

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

33 (5) Are not included on internet sites or pages
34 dedicated to compulsive or problem gambling; and

35 (6) Include responsible gambling messages and a
36 commission-approved problem gambling helpline number in all
37 promotional activity.

38 5. The commission shall establish penalties of not
39 less than ten thousand dollars but not more than one hundred
40 thousand dollars for any sports wagering operator who
41 violates the restrictions placed on advertising to persons
42 listed in subdivision (1) of subsection 4 of this section.

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 include a search for criminal history and
5 any charges or convictions involving corruption or
6 manipulation of sporting events. A background check under
7 this section shall be consistent with the provisions of
8 section 313.810.

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

11 (a) Prohibit the sports wagering operator; directors,
12 officers, and employees of the sports wagering operator; and
13 any relative of an operator, director, or officer living in
14 the same household from placing sports wagers with the
15 sports wagering operator;

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

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

24 (d) Prohibit persons from placing sports wagers as
25 agents or proxies for other persons; and

26 (e) Prohibit the purchase or use by the sports
27 wagering operator of any personal biometric data of an
28 athlete, unless the sports wagering operator has received
29 written permission from the athlete or the athlete's
30 representative.

31 (2) Nothing in this section shall preclude the use of
32 internet-based hosting or cloud-based hosting of data or any
33 disclosure of information required by court order or other
34 provisions of law.

35 3. (1) The following individuals are prohibited from
36 engaging in sports wagering under sections 313.1000 to
37 313.1022:

38 (a) Any person whose participation may undermine the
39 integrity of the betting or sports event; or

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

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

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

47 c. Any person who holds a position of authority or
48 influence sufficient to exert influence over the
49 participants in a sporting contest including, but not
50 limited to, coaches, managers, handlers, or athletic
51 trainers;

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

53 e. Any person with access to certain types of
54 exclusive information on any sports event overseen by that
55 person's sports governing body based on publicly available
56 information; or

57 f. Any person identified by any lists provided by the
58 commission.

59 (2) The direct or indirect legal or beneficial owner
60 of five percent or more of a sports governing body or any of
61 its member teams shall not place or accept any wager on a
62 sports event in which any member team of that sports
63 governing body participates. Any violation of this
64 subdivision shall be a class C misdemeanor.

65 (3) The provisions of subdivision (1) of this
66 subsection shall not apply to any person who is a direct or

67 indirect owner of a specific sports governing body member
68 team and:

69 (a) Has less than five percent direct or indirect
70 ownership interest in a casino or sports wagering operator;
71 or

72 (b) The value of the ownership of such team represents
73 less than one percent of the person's total enterprise value
74 and such shares of such person are registered under section
75 12 of the Securities Exchange Act of 1934, 15 U.S.C. Section
76 781, as amended.

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

80 (b) A sports wagering operator shall not knowingly
81 accept wagers from any person whose identity is known to the
82 operator and:

83 a. Whose name appears on the exclusion list maintained
84 by the commission;

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

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

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

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

94 4. Given good and sufficient reason, both the
95 commission and each sports wagering operator shall cooperate
96 with investigations conducted by law enforcement agencies or
97 sports governing bodies, including providing or facilitating
98 the provision of relevant betting information and audio or

99 video files relating to persons placing sports wagers;
100 except that, with respect to any such information or files
101 disclosed by a sports wagering operator to a sports
102 governing body, the sports governing body shall:

103 (1) Maintain the confidentiality of such information
104 or files;

105 (2) Comply with all privacy laws applicable to such
106 information or files; and

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

109 5. A sports wagering operator shall immediately report
110 to the commission any information relating to:

111 (1) Criminal or disciplinary proceedings commenced
112 against the sports wagering operator in connection with its
113 operations;

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

115 (3) Abnormal wagering activity or patterns that may
116 indicate a concern regarding the integrity of a sporting
117 event or events;

118 (4) Any other conduct that corrupts the wagering
119 outcome of a sporting event or events for purposes of
120 financial gain; and

121 (5) Suspicious or illegal wagering activities.

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

126 6. A sports wagering operator shall maintain the
127 confidentiality of information provided by a sports
128 governing body to the sports wagering operator unless

129 disclosure is required by court order, the commission, or
130 any other provision of law.

131 7. A sports governing body may submit to the
132 commission a request in writing to restrict, limit, or
133 exclude a type or form of sports wagering on its sporting
134 events if such body believes that such sports wagering
135 affects the integrity or perceived integrity of its sport.
136 The commission may grant the request upon a showing of good
137 cause by the applicable sports governing body. The
138 commission shall promptly review any information provided
139 and respond as expeditiously as practicable to the request.
140 Prior to making a determination, the commission shall notify
141 and consult with sports wagering operators. If the
142 commission deems it relevant, it may also consult with any
143 applicable independent monitoring providers or other
144 jurisdictions. No restrictions, limitations, or exclusions
145 of wagers shall be conducted without the express written
146 approval of the commission. Sports wagering operators shall
147 be notified of any restrictions, limitations, or exclusions
148 granted by the commission.

149 8. (1) No sports wagering operator shall offer any
150 sports wagers on an elementary or secondary school athletic
151 or sporting event in which a school team from this state is
152 a participant, or on the individual performance statistics
153 of an athlete in an elementary or secondary school athletic
154 or sporting event in which a school team from this state is
155 a participant.

156 (2) No sports wager shall be placed on the performance
157 or nonperformance of any individual athlete participating in
158 a single game or match of a collegiate sporting event in
159 which a collegiate team from this state is a participant.

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

- 6 (1) Personally identifiable information of the patron;
- 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 discernible pattern of abnormal betting
14 activity by the patron.

15 2. A licensed facility, interactive sports wagering
16 platform operator, or sports wagering supplier where
17 applicable, for all bets and wagers placed through an
18 interactive sports wagering platform, shall maintain the
19 following records for a period of at least three years after
20 the sporting event occurs:

- 21 (1) Personally identifiable information of the patron;
- 22 (2) The amount and type of bet placed;
- 23 (3) The time and date the bet was placed;
- 24 (4) The location, including specific information
25 pertaining to the internet protocol address, where the bet
26 was placed;
- 27 (5) The outcome of the bet; and
- 28 (6) Any discernible pattern of abnormal betting
29 activity by the patron.

30 3. A sports wagering operator shall make the records
31 and data that it is required to maintain under this section

32 available for inspection upon request of the commission or
33 as required by court order.

313.1018. A sports wagering operator is not liable
2 under the laws of this state to any party, including
3 patrons, for disclosing information as required under
4 sections 313.1000 to 313.1022 and is not liable for refusing
5 to disclose information unless required under sections
6 313.1000 to 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 an interactive sports wagering
5 platform operator is contracted to conduct sports wagering
6 at a certificate holder's licensed facility that is an
7 excursion gambling boat, or through an interactive sports
8 wagering platform, the licensed interactive sports wagering
9 platform operator may fulfill the certificate holder's
10 duties under this section.

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

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

24 4. Revenues received from the tax imposed under
25 subsection 1 of this section shall be deposited in the state
26 treasury to the credit of the "Gaming Proceeds for Education
27 Fund", which shall be distributed as provided under section
28 313.822.

29 5. (1) A licensed facility that is an excursion
30 gambling boat shall pay to the commission an annual license
31 renewal fee not to exceed fifty thousand dollars. The fee
32 imposed shall be due on the anniversary date of issuance of
33 the license and on each anniversary date thereafter. The
34 commission shall deposit the annual license renewal fees
35 received under this subdivision in the gaming commission
36 fund established under section 313.835.

37 (2) In addition to the annual license renewal fee
38 required in this subsection, a certificate holder shall pay
39 to the commission a fee of ten thousand dollars to cover the
40 costs of a full reinvestigation of the certificate holder in
41 the fourth year after the date on which the certificate
42 holder commences sports wagering operations under sections
43 313.1000 to 313.1022 and on each fourth year thereafter.
44 The commission shall deposit the fees received under this
45 subdivision in the gaming commission fund established under
46 section 313.835.

47 6. Subject to appropriation, five hundred thousand
48 dollars shall be appropriated from the gaming commission
49 fund created under section 313.835 and credited annually to
50 the compulsive gamblers fund created under section 313.842.

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

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

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