

FIRST REGULAR SESSION

HOUSE BILL NO. 1024

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (163).

2191H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 313.800 and 572.015, RSMo, and to enact in lieu thereof fourteen new sections relating to gaming.

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

Section A. Sections 313.800 and 572.015, RSMo, are repealed and fourteen new sections enacted in lieu thereof, to be known as sections 313.800, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1022, and 572.015, to read as follows:

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

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

(2) **"Amateur athletic or sporting event", an athletic event involving at least two human competitors who do not receive compensation in excess of their expenses for participating in such event. "Amateur athletic or sporting event" includes certain domestic, international, and Olympic sports events. "Amateur athletic or sporting event" does not include a collegiate athletic or sporting event;**

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

~~[(3)]~~ (4) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

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

15 ~~[(4)]~~ (5) "Capital, cultural, and special law enforcement purpose expenditures" shall
16 include any disbursement, including disbursements for principal, interest, and costs of issuance
17 and trustee administration related to any indebtedness, for the acquisition of land, land
18 improvements, buildings and building improvements, vehicles, machinery, equipment, works
19 of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger,
20 shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian
21 shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads,
22 traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities,
23 streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water
24 and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life
25 greater than one year, cultural events, and any expenditure related to a law enforcement officer
26 deployed as horse-mounted patrol, school resource or drug awareness resistance education
27 (D.A.R.E) officer;

28 ~~[(5)]~~ (6) "Cheat", to alter the selection of criteria which determine the result of a
29 gambling game or the amount or frequency of payment in a gambling game;

30 ~~[(6)]~~ (7) "Commission", the Missouri gaming commission;

31 ~~[(7)]~~ (8) "Credit instrument", a written check, negotiable instrument, automatic bank
32 draft or other authorization from a qualified person to an excursion gambling boat licensee or
33 any of its affiliated companies licensed by the commission authorizing the licensee to withdraw
34 the amount of credit extended by the licensee to such person from the qualified person's banking
35 account in an amount determined under section 313.817 on or after a date certain of not more
36 than thirty days from the date the credit was extended, and includes any such writing taken in
37 consolidation, redemption or payment of a previous credit instrument, but does not include any
38 interest-bearing installment loan or other extension of credit secured by collateral;

39 ~~[(8)]~~ (9) "Dock", the location in a city or county authorized under subsection 10 of
40 section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or
41 adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to
42 the embarking of passengers on and disembarking of passengers from a gambling excursion but
43 shall not include any artificial space created after May 20, 1994, and is located more than one
44 thousand feet from the closest edge of the main channel of the river as established by the United
45 States Army Corps of Engineers;

46 ~~[(9)]~~ (10) "Excursion gambling boat", a boat, ferry or other floating facility licensed by
47 the commission on which gambling games are allowed;

48 ~~[(10)]~~ (11) "Fiscal year", ~~[shall]~~ for the purposes of ~~[subsections 3 and 4 of]~~ section
49 313.820, ~~[mean]~~ the fiscal year of a home dock city or county;

50 ~~[(11)]~~ (12) "Floating facility", any facility built or originally built as a boat, ferry or barge
51 licensed by the commission on which gambling games are allowed;

52 ~~[(12)]~~ (13) "Gambling excursion", the time during which gambling games may be
53 operated on an excursion gambling boat whether docked or during a cruise;

54 ~~[(13)]~~ (14) "Gambling game" includes, but is not limited to, games of skill or games of
55 chance on an excursion gambling boat ~~[but does not include gambling on sporting events];~~
56 provided such games of chance are approved by amendment to the Missouri Constitution;

57 ~~[(14)]~~ (15) "Games of chance", any gambling game in which the player's expected return
58 is not favorably increased by ~~[his or her]~~ **such player's** reason, foresight, dexterity, sagacity,
59 design, information or strategy;

60 ~~[(15)]~~ (16) "Games of skill", any gambling game in which there is an opportunity for the
61 player to use ~~[his or her]~~ **such player's** reason, foresight, dexterity, sagacity, design, information
62 or strategy to favorably increase the player's expected return; including, but not limited to, the
63 gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai
64 gow poker", "Texas hold'em", "double down stud", **"sports wagering"**, and any video
65 representation of such games;

66 ~~[(16)]~~ (17) "Gross receipts", the total sums wagered by patrons of licensed gambling
67 games. **"Gross receipts" shall not include gross receipts from sports wagering, as defined**
68 **in section 313.1000;**

69 ~~[(17)]~~ (18) "Holder of occupational license", a person licensed by the commission to
70 perform an occupation within excursion gambling boat operations which the commission has
71 identified as requiring a license;

72 ~~[(18)]~~ (19) "Licensee", any person licensed under sections 313.800 to 313.850;

73 ~~[(19)]~~ (20) "Mississippi River" and "Missouri River", the water, bed and banks of those
74 rivers, including any space filled by the water of those rivers for docking purposes in a manner
75 approved by the commission but shall not include any artificial space created after May 20, 1994,
76 and is located more than one thousand feet from the closest edge of the main channel of the river
77 as established by the United States Army Corps of Engineers;

78 ~~[(20)]~~ (21) "Supplier", a person who sells or leases gambling equipment and gambling
79 supplies to any licensee.

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

86 newspaper of general circulation in the applicant's or licensee's home dock city or county. The
87 burden of proof that the gambling game is a game of skill is at all times on the petitioner. The
88 petitioner shall have the affirmative responsibility of establishing ~~[his or her]~~ **the petitioner's**
89 case by a preponderance of evidence including:

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

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

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

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

2 **(1) "Adjusted gross receipts", gross receipts minus the total of:**

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

4 **(b) The actual costs paid by a sports wagering operator for any personal property**
5 **or services distributed to sports wagering patrons as prizes;**

6 **(c) Excise tax payments remitted to the federal government;**

7 **(d) Voided wagers; and**

8 **(e) Uncollectible sports wagering receivables, not to exceed the lesser of:**

9 **a. A reasonable provision for uncollectible patron checks received from sports**
10 **wagering operations; or**

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

16 **(2) "Amateur athletic or sporting event", an athletic event involving at least two**
17 **competitors who do not receive compensation for participating in such event. "Amateur**
18 **athletic or sporting event" includes certain domestic, international, and Olympic sports**
19 **events. "Amateur athletic or sporting event" does not include any collegiate athletic or**
20 **sporting event;**

- 21 (3) "Approved limited mobile gaming system", a limited mobile gaming system
22 approved by the commission;
- 23 (4) "Certificate holder", a licensed applicant issued a certificate of authority by the
24 commission;
- 25 (5) "Certificate of authority", a certificate issued by the commission authorizing
26 a licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022;
- 27 (6) "Collegiate athletic or sporting event", an athletic or sporting event offered or
28 sponsored by, or played in connection with, a public or private institution that offers
29 educational services beyond the secondary level;
- 30 (7) "Commission", the Missouri gaming commission;
- 31 (8) "Department", the department of revenue;
- 32 (9) "Excursion gambling boat", the same meaning as defined under section
33 313.800;
- 34 (10) "Gross receipts", the total amount of cash and cash equivalents paid by sports
35 wagering patrons to a sports wagering operator to participate in sports wagering;
- 36 (11) "Interactive sports wagering platform" or "platform", a person that offers
37 sports wagering over the internet, including on internet websites and mobile devices, on
38 behalf of a certificate holder;
- 39 (12) "Licensed applicant", a person holding a license issued under section 313.807
40 to operate an excursion gambling boat;
- 41 (13) "Licensed facility", an excursion gambling boat licensed under this chapter
42 or a designated sports and entertainment district for which a certificate holder is licensed
43 under sections 313.1000 to 313.1022;
- 44 (14) "Licensed supplier", a person holding a supplier's license issued by the
45 commission;
- 46 (15) "Limited mobile gaming system", a system that enables a certificate holder to
47 accept sports wagers through the use of sports wagering devices, including self-service
48 betting terminals or kiosks, or through the use of an interactive sports wagering platform
49 whose use is geographically restricted to the areas authorized under subsection 10 of
50 section 313.1008;
- 51 (16) "Occupational license", a license issued by the commission for excursion
52 gambling boat operations that the commission has identified as requiring a license;
- 53 (17) "Official league data", statistics, results, outcomes, and other data relating to
54 an athletic or sporting event that is obtained pursuant to an agreement with a relevant
55 sports governing body or with an entity expressly authorized by a relevant sports

56 governing body to provide such data to sports wagering operators for determining the
57 outcome of tier two sports wagers on an athletic or sporting event;

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

60 (19) "Professional athletic or sporting event", an athletic or sporting event at which
61 two or more competitors participate and one or more competitors receive compensation;

62 (20) "Proposition wager", a wager on an individual action, statistic, occurrence, or
63 non-occurrence to be determined during an athletic or sporting event and includes any
64 such action, statistic, occurrence, or non-occurrence that does not directly affect the final
65 outcome of the athletic or sporting event to which it relates;

66 (21) "Sports event", "sporting event", or "athletic event", a professional athletic
67 or sporting event, an amateur athletic or sporting event, a collegiate athletic or sporting
68 event, or any athletic event, motor race event, electronic sports event, or competitive video
69 game event;

70 (22) "Sports governing body", an organization that is headquartered in the United
71 States and prescribes final rules and enforces codes of conduct with respect to a sporting
72 event and participants therein;

73 (23) "Sports wagering", wagering conducted under sections 313.1000 to 313.1022
74 on athletic and sporting events, on portions of athletic and sporting events, or on the
75 individual statistics of athletes or competitors in a sporting event or combination of
76 sporting events. "Sports wagering" includes, but is not limited to, single-game wagers,
77 teaser wagers, parlays, over-unders, moneylines, pools, exchange wagering, in-game
78 wagers, in-play wagers, proposition wagers, and straight wagers. "Sports wagering" does
79 not include paid fantasy sports under sections 313.900 to 313.955;

80 (24) "Sports wagering device", a mechanical, electrical, or computerized
81 contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the
82 commission for conducting sports wagering under sections 313.1000 to 313.1022. "Sports
83 wagering device" does not include a device used by a sports wagering patron to access an
84 interactive sports wagering platform;

85 (25) "Sports wagering operator" or "operator", a certificate holder or an
86 interactive sports wagering platform offering sports wagering on behalf of a certificate
87 holder;

88 (26) "Supplier's license", a license issued by the commission under section 313.807;

89 (27) "Tier one sports wager", a sports wager that is determined solely by the final
90 score or outcome of the sporting event and is placed before the sporting event has begun;

91 (28) "Tier two sports wager", a sports wager that is not a tier one sports wager.

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

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

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

2. A licensed facility may offer sports wagering:

- (1) In person at the licensed facility;
- (2) Through an approved limited mobile gaming system; and
- (3) Over the internet via an interactive sports wagering platform to persons physically located in this state.

313.1004. 1. The commission shall adopt rules 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, 2021, 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; and

(b) Payouts are paid;

(2) Standards governing how a certificate holder offers sports wagering over the internet through an interactive sports wagering platform to patrons physically located in Missouri or in a state with which Missouri has entered into a reciprocal agreement on sports wagering;

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

22 of a certificate holder's gross receipts from sports wagering and standards to ensure that
23 internal controls are followed; and

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

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

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

29 (2) Ensure the security and integrity of sports wagers accepted under an approved
30 limited mobile gaming system;

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

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

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

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

39 (c) Receive complaints from the public;

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

42 (6) Provide written information to sports wagering patrons about sports wagering,
43 payouts, winning wagers, and other information considered relevant by the commission;
44 and

45 (7) Post a sign in the designated sports wagering area indicating the minimum and
46 maximum amounts that may be wagered.

313.1006. 1. Sports wagering shall not be conducted except on an excursion
2 gambling boat licensed under this chapter.

3 2. A licensed applicant who seeks to offer sports wagering under sections 313.1000
4 to 313.1022 shall:

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

8 (2) Pay an initial application fee of fifty thousand dollars, which shall be deposited
9 in the gaming commission fund created under section 313.835.

10 3. Upon receipt of the application and fee required under subsection 2 of this
11 section, the commission shall issue a certificate of authority to a licensed applicant

12 authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to
13 313.1022 in a licensed facility, in a location authorized under sections 313.1000 to 313.1022
14 through an approved limited mobile gaming system or through an interactive sports
15 wagering platform.

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

5 2. (1) A certificate holder shall designate an area or areas within the certificate
6 holder's licensed facility for conducting sports wagering. In addition to such designated
7 area, sports wagering may be conducted at any location authorized under subsection 10
8 of this section through the use of an approved limited mobile gaming system. An approved
9 limited mobile gaming system shall not be counted against a certificate holder's limit of
10 three individually branded interactive sports wagering platforms, as provided under
11 subdivision (2) of this subsection.

12 (2) A certificate holder may administer or contract with up to three individually
13 branded interactive sports wagering platforms to administer interactive sports wagering
14 on the certificate holder's behalf. The certificate holder or its interactive sports wagering
15 platform provider shall have the authority to establish sports wagering accounts
16 electronically through approved mobile applications and interactive sports wagering
17 platforms.

18 3. (1) Except as provided in subdivision (2) of this subsection, a person who is
19 under twenty-one years of age shall not be present in the area designated under subsection
20 2 of this section where sports wagering is being conducted.

21 (2) A person who is at least eighteen years of age and who is an employee of the
22 certificate holder may be present in an area where sports wagering is conducted. However,
23 an employee who is under twenty-one years of age shall not perform any function
24 involving sports wagering by patrons.

25 4. (1) Sports wagering may be conducted with chips, tokens, electronic cards,
26 moneys, or other negotiable currency.

27 (2) Interactive sports wagering accounts may be funded through:

28 (a) Cash;

29 (b) Checks and electronic checks;

30 (c) Electronic bank transfer of funds, including transfers through third parties;

31 (d) Debit cards;

32 (e) Credit cards;

- 33 (f) Online and mobile payment systems that support online money transfers; and
34 (g) Any other method approved by the commission.

35 (3) A certificate holder shall determine the minimum and maximum wagers in
36 sports wagering conducted in the certificate holder's licensed facility.

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

39 6. A sports wagering device shall be approved by the commission and acquired by
40 a certificate holder from a licensed supplier.

41 7. The commission shall determine the occupations related to sports wagering that
42 require an occupational license.

43 8. A certificate holder may lay off one or more sports wagers.

44 9. A certificate holder may contract with a third party to conduct sports wagering
45 at an individually branded sportsbook at the certificate holder's licensed facility.

46 10. (1) A certificate holder may request approval from the commission to use a
47 limited mobile gaming system in the certificate holder's sports wagering operations.

48 (2) A certificate holder may approve the use of a limited mobile gaming system to
49 allow a patron to wager on sports while in the following locations:

50 (a) The area designated under subsection 2 of this section;

51 (b) A gaming or other betting area of the certificate holder's licensed facility that
52 is outside of the area designated under subsection 2 of this section; or

53 (c) A hotel, restaurant, or other amenity that is operated by the certificate holder
54 and subject to the supervision of the commission.

55

56 A patron shall not transmit a sports wager using a mobile gaming system while present
57 in any other location.

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

4 2. An interactive sports wagering platform provider may submit a request to the
5 commission for the issuance of a temporary interactive sports wagering platform license
6 and the immediate commencement of sports wagering operations. Such a request shall
7 include the initial application fee identified in subdivision (2) of subsection 3 of this section.
8 Upon receiving a request for a temporary interactive sports wagering platform license, the
9 commission shall review the request. If the commission determines that the entity
10 requesting the temporary interactive sports wagering platform license offers sports
11 wagering through an interactive sports wagering platform in any jurisdiction in the United

12 States under a state regulatory structure specifically determined by the commission to have
13 similar regulatory requirements, and the entity has paid the initial application fee, the
14 commission shall authorize the interactive sports wagering platform provider to conduct
15 sports wagering on behalf of a certificate holder under a temporary interactive sports
16 wagering platform license until a final determination on the interactive sports wagering
17 platform provider's license application is made.

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

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

21 (2) Pay an initial application fee of ten thousand dollars.

22 4. Each year on or before the anniversary date of the payment of the initial
23 application fee under subsection 3 of this section, an interactive sports wagering platform
24 provider holding a license issued under this section shall pay to the commission an annual
25 license renewal fee of five thousand dollars. The license renewal fee and the initial
26 application fee provided for under subdivision (2) of subsection 3 of this section shall be
27 deposited in the gaming commission fund created under section 313.835.

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

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

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

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

4 2. A certificate holder shall not offer proposition wagers on any collegiate athletic
5 or sporting event in which a collegiate team from this state is a participant or on the
6 individual performance statistics of an athlete in a collegiate athletic or sporting event in
7 which a collegiate team from this state is a participant.

8 3. The commission shall adopt rules and regulations for a sports wagering
9 self-exclusion program. Any rule or portion of a rule, as that term is defined in section
10 536.010, that is created under the authority delegated in this section shall become effective
11 only if it complies with and is subject to all of the provisions of chapter 536 and, if
12 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of
13 the powers vested with the general assembly pursuant to chapter 536 to review, to delay

14 the effective date, or to disapprove and annul a rule are subsequently held
15 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
16 after August 28, 2021, shall be invalid and void.

17 4. Rules promulgated under subsection 3 of this section shall:

18 (1) Allow individuals to restrict themselves from placing wagers with the certificate
19 holder; and

20 (2) Enable the certificate holder to take reasonable steps to prevent a person from
21 placing wagers prohibited under sections 313.1000 to 313.1022. Such steps shall include
22 sharing, upon request of the person, the person's request for self-exclusion with the
23 commission for the sole purpose of disseminating the request to other sports wagering
24 certificate holders.

25 5. The commission shall adopt rules that require sports wagering operators to make
26 commercially reasonable efforts to ensure that advertisements for sports wagering:

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

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

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

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

313.1014. 1. The commission shall not grant a license, except for a temporary
2 license under section 313.1010, until the commission determines that each person that has
3 control of the applicant meets all qualifications for licensure. A background check
4 conducted under this section shall be consistent with the provisions of section 313.810, and
5 shall include a search for criminal history, and any charges or convictions involving
6 corruption or manipulation of sporting events. The following persons are considered to
7 have control of an applicant:

8 (1) Each corporate holding company, parent company, subsidiary company, and
9 person that owns ten percent or more of a corporate applicant and that has the ability to
10 control the activities of the corporate applicant or elect a majority of the board of directors
11 of that corporate applicant, except for a bank or other licensed lending institution that
12 holds a mortgage or other lien acquired in the ordinary course of business;

13 (2) Each person associated with a noncorporate applicant that directly or indirectly
14 holds a beneficial or proprietary interest in the noncorporate applicant's business
15 operation or that the commission otherwise determines has the ability to control the
16 noncorporate applicant; and

17 (3) Key personnel of an applicant, including any executive, employee, or agent
18 having the power to exercise ultimate decision-making authority over the applicant's sports
19 wagering operation in the state of Missouri.

20 2. (1) A certificate holder shall employ commercially reasonable methods to:

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

24 (b) Using publicly available information and any lists of employees and affiliates
25 provided to the certificate holder or the commission by a sports governing body, prohibit
26 wagering by any athlete, coach, referee, team owner, employee of a sports governing body
27 or one of its member teams, or player or referee union personnel;

28 (c) Prohibit any individual with access to nonpublic confidential information held
29 by the certificate holder from placing sports wagers with the certificate holder;

30 (d) Prevent the sharing of confidential information that could affect sports
31 wagering offered by the certificate holder or by third parties until the information is made
32 publicly available; and

33 (e) Prohibit persons from placing sports wagers as agents or proxies for other
34 persons.

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

38 3. A sports governing body may notify the commission that it desires to restrict,
39 limit, or exclude tier two sports wagers on its sporting events by providing notice in the
40 form and manner as the commission may require. Upon receiving such notice, the
41 commission shall only deny a request if it deems such request arbitrary and capricious.
42 If the commission denies a request, the sports governing body shall be afforded notice and
43 the right to be heard and offer proof in opposition to such determination in accordance
44 with the regulations of the commission. Offering or taking wagers contrary to restrictions
45 promulgated by the commission is a violation of this section. In the event that a request
46 is submitted in relation to an emergency situation, the executive director of the commission
47 may temporarily grant the request of the sports governing body until the commission
48 makes a final determination as to whether such request is arbitrary and capricious.

49 4. The commission and certificate holders shall cooperate with investigations
50 conducted by sports governing bodies or law enforcement agencies, including providing
51 or facilitating the provision of account-level betting information and audio or video files
52 relating to persons placing sports wagers.

53 **5. A certificate holder shall, within a commercially reasonable time frame or as**
54 **soon as possible, report to the commission any information relating to:**

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

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

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

60 **(4) Any potential breach of the relevant sports governing body's internal rules and**
61 **codes of conduct pertaining to sports wagering;**

62 **(5) Any other conduct that corrupts the wagering outcome of a sporting event or**
63 **events for purposes of financial gain, including match fixing; and**

64 **(6) Suspicious or illegal wagering activities, including using funds derived from**
65 **illegal activity, wagering to conceal or launder funds derived from illegal activity, using**
66 **agents to place wagers, and using false identification.**

67 **6. A certificate holder shall also immediately report information relating to conduct**
68 **described in subdivisions (3) to (5) of subsection 5 of this section to the relevant sports**
69 **governing body.**

70 **7. A certificate holder shall maintain the confidentiality of information provided**
71 **by a sports governing body to the certificate holder unless disclosure is required by court**
72 **order, the commission, or any other provision of law.**

73 **8. A certificate holder may use any data source for determining the results of all**
74 **tier one sports wagers.**

75 **9. (1) A sports governing body headquartered in the United States may notify the**
76 **commission that it desires certificate holders to use official league data to settle tier two**
77 **sports wagers on sporting events sanctioned by such sports governing body. Such**
78 **notification shall be made in the form and manner as the commission may require. The**
79 **commission shall notify each certificate holder of a sports governing body's notification**
80 **within five days of the commission's receipt of such notification. If a sports governing body**
81 **does not notify the commission of its desire to supply official league data, a certificate**
82 **holder may use any data source for determining the results of any and all tier two sports**
83 **wagers on athletic events of such sports governing body.**

84 **(2) Within sixty days of the commission notifying each certificate holder of a sports**
85 **governing body's notification to the commission, or a longer period as may be agreed**
86 **between the sports governing body and the applicable certificate holder, certificate holders**
87 **shall use only official league data to determine the results of tier two sports wagers on**
88 **athletic events sanctioned by such sports governing body, unless:**

89 (a) The sports governing body or designee cannot provide a feed of official league
90 data to determine the results of a particular type of tier two sports wager, in which case
91 certificate holders may use any data source for determining the results of the applicable
92 tier two sports wager until such time as such data feed becomes available on commercially
93 reasonable terms; or

94 (b) A certificate holder can demonstrate to the commission that the sports
95 governing body or its designee will not provide a feed of official league data to the
96 certificate holder on commercially reasonable terms. The following shall be a nonexclusive
97 list of other factors the commission may consider in evaluating whether official league data
98 is being offered on commercially reasonable terms:

99 a. The availability of a sports governing body's tier two official league data to a
100 certificate holder from more than one authorized source;

101 b. Market information regarding the purchase by a certificate holder of data from
102 any authorized source, including sports governing bodies or their designees for the purpose
103 of settling sports wagers, for use in this state or other jurisdictions;

104 c. The nature and quantity of data, including the quality and complexity of the
105 process utilized for collecting such data; and

106 d. The extent to which sports governing bodies or their designees have made data
107 used to settle tier two bets or wagers available to certificate holders.

108 (3) During the pendency of a determination as to whether official league data is
109 commercially reasonable, a certificate holder may use any data source for determining the
110 results of any and all tier two sports wagers. The commission's determination shall be
111 made within one hundred twenty days of the certificate holder notifying the commission
112 that it desires to demonstrate that the sports governing body or its designee will not
113 provide a feed of official league data to the certificate holder on commercially reasonable
114 terms.

115 10. A sports governing body may enter into commercial agreements with certificate
116 holders or interactive sports wagering platform providers in which such sports governing
117 body may share in the amount bet or revenues derived from sports wagering on the sports
118 governing body's sporting events. A sports governing body is not required to obtain a
119 license or any other approval from the commission to lawfully accept such amounts or
120 revenues.

313.1016. 1. A certificate holder shall maintain the following records of all bets and
2 wagers placed on an interactive sports wagering platform, and any other bets and wagers
3 that exceed ten thousand dollars placed in person at a licensed facility, for a period of at

4 least three years after the sporting event occurs and shall make the data available for
5 inspection upon request of the commission or upon a court order:

- 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 the internet protocol address if applicable, where the bet
10 was placed;
- 11 (5) The outcome of the bet;
- 12 (6) Records of abnormal betting activity; and
- 13 (7) Video camera recordings in the case of in-person wagers.

14 2. If a sports governing body has notified the commission that real-time
15 information sharing for wagers placed on its sporting events is necessary and desirable,
16 sports wagering operators shall share in real time, at the account level, and in
17 pseudonymous form, the information required to be retained under subsection 1 of this
18 section, other than video files, with the sports governing body or its designee with respect
19 to wagers on its sporting events. Such information may be used by a sports governing body
20 solely for integrity purposes. For purposes of this subsection, "real time" means on a
21 commercially reasonable periodic interval, but in any event, not less than once every
22 seventy-two hours.

313.1018. 1. The performance of any act required, or the forbearance of any act
2 prohibited, by sections 313.1000 to 313.1022, by an interactive sports wagering platform
3 provider, is imputed to the certificate holder on behalf of which the platform is operating,
4 and vice versa.

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

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

6 2. A certificate holder shall remit the tax imposed by subsection 1 of this section to
7 the department before the close of the business day one day prior to the last business day
8 of each month for the wagering taxes collected for such month. Any taxes collected during

9 the month, but after the day on which the taxes are required to be paid to the department,
10 shall be paid to the department at the same time the following month's taxes are due.

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

13 4. Revenues received from the tax imposed under subsection 1 of this section shall
14 be deposited in the state treasury to the credit of the gaming proceeds for education fund
15 and shall be distributed as provided under section 313.822.

16 5. (1) A certificate holder shall pay to the commission an annual administrative fee
17 of fifty thousand dollars. The fee imposed shall be due one year after the date on which
18 the certificate holder commences sports wagering operations under sections 313.1000 to
19 313.1022, and on each anniversary date thereafter. The commission shall deposit the
20 administrative fees received under this subdivision in the gaming commission fund
21 established under section 313.835.

22 (2) In addition to the annual administrative fee required in this subsection, a
23 certificate holder shall pay to the commission a fee of ten thousand dollars to cover the
24 costs of a renewal investigation of the certificate holder in the fifth year after the date on
25 which the certificate holder commences sports wagering operations under sections
26 313.1000 to 313.1022 and in each fifth year thereafter. The commission shall deposit the
27 fees received under this subdivision in the gaming commission fund established under
28 section 313.835.

572.015. Nothing in this chapter prohibits constitutionally authorized activities under
2 Article III, Sections 39(a) to 39(f) of the Missouri Constitution, **including a raffle using tickets,**
3 **a device, or a machine, where a person or persons buy one or more chances from a finite**
4 **number of draws for a prize. To qualify as a raffle, a machine or device shall be certified**
5 **as a raffle by an ISO-17025-accredited independent testing laboratory authorized to test**
6 **similar devices for compliance in at least five jurisdictions.**

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