

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill
2 No. 92, Page 21, Section 135.778, Line 69, by inserting after all of said section and line the following:
3

4 "313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise,
5 the following terms mean:

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

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

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

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

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

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

27 (7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or other
28 authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated
29 companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by
30 the licensee to such person from the qualified person's banking account in an amount determined under

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1 section 313.817 on or after a date certain of not more than thirty days from the date the credit was extended,
 2 and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument,
 3 but does not include any interest-bearing installment loan or other extension of credit secured by collateral;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 2. (1) In addition to the games of skill defined in this section, the commission may approve other
4 games of skill upon receiving a petition requesting approval of a gambling game from any applicant or
5 licensee. The commission may set the matter for hearing by serving the applicant or licensee with written
6 notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a
7 public notice at each commission office. The commission shall require the applicant or licensee to pay the
8 cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or
9 county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The
10 petitioner shall have the affirmative responsibility of establishing the petitioner's case by a preponderance of
11 evidence including:

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

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

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

22 313.813. The commission may promulgate rules allowing a person that is a problem gambler to
23 voluntarily exclude him/herself from an excursion gambling boat, or a licensed facility or platform regulated
24 under sections 313.1000 to 313.1022. Any person that has been self-excluded is guilty of trespassing in the
25 first degree pursuant to section 569.140 if such person enters an excursion gambling boat. Any person who
26 has been self-excluded and is found to have placed a wager under sections 313.1000 to 313.1022 shall forfeit
27 his or her winnings and such winnings shall be credited to the compulsive gamblers fund created under
28 section 313.842.

29 313.842. 1. There ~~[may]~~ shall be established programs which shall provide treatment, prevention,
30 recovery, and education services for compulsive gambling. As used in this section, "compulsive gambling"
31 means a condition suffered by a person who is chronically and progressively preoccupied with gambling and
32 the urge to gamble. Subject to appropriation, such programs shall be funded from the one-cent admission fee
33 authorized pursuant to section 313.820, and in addition, may be funded from the taxes collected and
34 distributed to any city or county under section 313.822 or any other funds appropriated by the general
35 assembly. Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund",
36 which is hereby established within the department of mental health. Notwithstanding the provisions of
37 section 33.080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the
38 credit of the general revenue fund. The department of mental health shall administer programs, either
39 directly or by contract, for compulsive gamblers. The commission ~~[may]~~ shall administer programs to

1 educate the public about problem gambling and promote treatment programs offered by the department of
 2 mental health. In addition, the commission shall administer the voluntary exclusion program for problem
 3 gamblers authorized by section ~~[313.833]~~ 313.813.

4 2. The commission, in cooperation with the department of mental health, shall develop a triennial
 5 research report in order to assess the social and economic effects of gaming in the state and to obtain
 6 scientific information related to the neuroscience, psychology, sociology, epidemiology, and etiology of
 7 compulsive gambling. The report and associated studies shall be submitted to the governor, the president pro
 8 tempore of the senate, and the speaker of the house of representatives no later than December 31, 2024, and
 9 not later than December thirty-first of every third year thereafter. The research report shall consist of at least:

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

13 (2) A comprehensive legal and factual study of the social and economic impacts of gambling on the
 14 state; and

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

18 313.1000. 1. As used in sections 313.1000 to 313.1022, the following terms shall mean:

19 (1) "Adjusted gross receipts":

20 (a) The total of all cash and cash equivalents received by a sports wagering operator from sports
 21 wagering minus the total of:

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

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

26 c. Voided or cancelled wagers;

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

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

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

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

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

(b) The deductions allowed under paragraph (a) of this subdivision shall not include any costs arising directly from the purchase of advertising with a nonpatron third party, including the direct cost of purchasing print, television, or radio advertising or any signage or billboards;

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

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

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

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

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

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

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

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

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

(6) "Covered persons", athletes; umpires, referees, and officials; personnel associated with clubs, teams, leagues, and athletic associations; medical professionals, including athletic trainers, who provide services to athletes and players; and the family members and associates of these persons where required to serve the purposes of sections 313.1000 to 313.1022;

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

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

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

- 1 (10) "Esports", athletic and sporting events in which all participants are eighteen years of age or
 2 older and involving electronic sports and competitive video games;
- 3 (11) "Excursion gambling boat", the same meaning as defined under section 313.800;
- 4 (12) "Gross receipts", the total amount of cash and cash equivalents paid by sports wagering patrons
 5 to a sports wagering operator to participate in sports wagering;
- 6 (13) "Interactive sports wagering platform" or "platform", a platform operated by an interactive
 7 sports wagering platform operator that offers sports wagering through an individual account registered to an
 8 eligible person, under section 313.1014, over the internet, including on websites and mobile devices, on
 9 behalf of a licensed facility or designated sports district. Except as otherwise provided, an interactive sports
 10 wagering platform may also offer in-person sports wagering on behalf of a licensed facility that is an
 11 excursion gambling boat at its licensed facility, including through sports wagering devices;
- 12 (14) "Interactive sports wagering platform operator", a suitable legal entity that holds a license
 13 issued by the commission to operate an interactive sports wagering platform;
- 14 (15) "Licensed applicant", a person holding a license issued under section 313.807 to operate an
 15 excursion gambling boat, an interactive sports wagering platform operator, or a designated sports district
 16 mobile licensee;
- 17 (16) "Licensed facility", an excursion gambling boat licensed under this chapter or a designated
 18 sports district for which a certificate holder is licensed under sections 313.1000 to 313.1022;
- 19 (17) "Licensed supplier", a person holding a supplier's license issued by the commission;
- 20 (18) "Occupational license", a license issued by the commission;
- 21 (19) "Official league data", statistics, results, outcomes, and other data related to a sports event or
 22 other event utilized to determine the outcome of tier 2 bets obtained pursuant to an agreement with the
 23 relevant sports governing body or an entity expressly authorized by the sports governing body to provide
 24 such information that authorizes a sports wagering operator to use such data for determining the outcome of
 25 tier 2 bets;
- 26 (20) "Person", an individual, sole proprietorship, partnership, association, fiduciary, corporation,
 27 limited liability company, or any other business entity;
- 28 (21) "Personal biometric data", any information about an athlete that is derived from the athlete's
 29 DNA, heart rate, blood pressure, perspiration rate, internal or external body temperature, hormone levels,
 30 glucose levels, hydration levels, vitamin levels, bone density, muscle density, or sleep patterns or other
 31 information as may be prescribed by the commission by regulation;
- 32 (22) "Professional sports team entity", a person or entity, registered to do business in this state, that
 33 owns or operates a professional sports team that is a member of the National Football League, Major League
 34 Baseball, the National Hockey League, the National Basketball Association, Major League Soccer, the
 35 Women's National Basketball Association, or the National Women's Soccer League and that plays its home
 36 games within a designated sports district;
- 37 (23) "Prohibited conduct", any statement, action, or other communication intended to influence,
 38 manipulate, or control a betting outcome of a sporting contest or of any individual occurrence or performance
 39 in a sporting contest in exchange for financial gain or to avoid financial or physical harm. "Prohibited

conduct" includes statements, actions, and communications made to a covered person by a third party, such as a family member or through social media, but shall not include statements, actions, or communications made or sanctioned by a team or sports governing body;

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

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

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

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

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

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

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

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

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

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

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

9 313.1003. 1. Sports wagering shall not be offered in this state except by a certificate holder.

10 2. A certificate holder may offer sports wagering:

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

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

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

21 313.1004. 1. The commission shall have full jurisdiction to supervise all gambling operators
22 governed by sections 313.1000 to 313.1022 and shall adopt rules and regulations to implement the provisions
23 of sections 313.1000 to 313.1022. Any rule or portion of a rule, as that term is defined in section 536.010,
24 that is created under the authority delegated in this section shall become effective only if it complies with and
25 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
26 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to
27 review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
28 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be
29 invalid and void.

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

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

33 (a) Wagers are received;

34 (b) Payouts are paid; and

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

36 (2) Standards governing how a sports wagering operator offers sports wagering over the internet
37 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 sports wagering and standards to ensure that internal controls are followed; and

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

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

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

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

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

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

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

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

(c) Receive complaints from the public;

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

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

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

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

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

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

1 (a) During the pendency of a request by such sports wagering operator to the commission, under this
 2 section, to use alternative data sources approved by the commission to settle such tier 2 bets; or

3 (b) Following approval by the commission of a request by such sports wagering operator to use
 4 alternative data sources approved by the commission in accordance with this section.

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

7 (4) A sports wagering operator may submit a written request to the commission for the use, or
 8 continued use, of alternative data sources approved by the commission within sixty days of receiving the
 9 notification from the commission regarding the availability of official league data. The request shall
 10 demonstrate in detail that the sports governing body or other authorized entity that maintains official league
 11 data is unable or unwilling to offer official league data on commercially reasonable terms. Within sixty days
 12 of receipt of the written request from a sports wagering operator to use an alternative data source, the
 13 commission shall issue a written approval or disapproval of such a request.

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

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

19 6. (1) The commission shall establish a hotline or other method of communication that allows any
 20 person to confidentially report information about prohibited conduct to the commission.

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

23 (3) The identity of any reporting person shall remain confidential unless that person authorizes
 24 disclosure of his or her identity or until such time as the allegation of prohibited conduct is referred to law
 25 enforcement.

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

28 (5) The commission shall adopt rules governing investigations of prohibited conduct and referrals to
 29 law enforcement entities.

30 313.1006. 1. A licensed applicant holding a license issued under section 313.807 to operate an
 31 excursion gambling boat who wishes to offer sports wagering under sections 313.1000 to 313.1022 shall:

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

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

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

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

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

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

4 2. Upon receipt of the application and fee required under subsection 1 of this section, the
5 commission shall issue a certificate of authority to a licensed applicant authorizing the licensed applicant to
6 conduct sports wagering under sections 313.1000 to 313.1022 in a licensed facility or through an interactive
7 sports wagering platform.

8 313.1008. 1. The commission shall ensure that new sports wagering devices and new forms,
9 variations, or composites of sports wagering are tested under the terms and conditions that the commission
10 considers appropriate prior to authorizing a sports wagering operator to offer a new sports wagering device or
11 a new form, variation, or composite of sports wagering. The commission may utilize an approved
12 independent testing laboratory to assist with any requirements of this section. The commission shall accept
13 such testing of another sports wagering governing body in the United States if the commission determines the
14 testing of that governing body is substantially similar to the testing that would otherwise be required by the
15 commission and the sports wagering operator verifies that its sports wagering devices and forms have not
16 materially changed since such testing.

17 2. A licensed facility that is an excursion gambling boat may also offer sports wagering through up
18 to three individually branded interactive sports wagering platforms under the brand, trade name, or another
19 name it is doing business as (d/b/a) selected by the sports wagering operator or, as applicable, the interactive
20 sports wagering platform operator. A sports wagering operator may operate each interactive sports wagering
21 platform or contract with one or more interactive sports wagering platform operators to administer any or all
22 of the interactive sports wagering platforms on the licensed facility's behalf. Notwithstanding any provision
23 of this section and anything to the contrary set forth under sections 313.1000 through 313.1022, in no event
24 shall sports wagering be offered through more than six sports wagering platforms contracting with any one
25 owner of a licensed facility, directly or indirectly through any parent company, subsidiary, or affiliate of such
26 owner.

27 3. Each designated sports district mobile licensee may offer sports wagering within the state through
28 one interactive sports wagering platform. Each designated sports district mobile licensee shall be required to
29 be licensed by the commission as an interactive sports wagering platform operator. Sports wagering over the
30 internet through any interactive sports wagering platform may be offered by any licensed sports wagering
31 operator within any designated sports district.

32 4. Notwithstanding anything to the contrary set forth under sections 313.1000 through 313.1022, no
33 sports wagering operator may offer sports wagering in person or through any sports wagering kiosk, except
34 within a licensed facility that is an excursion gambling boat.

35 5. (1) Sports wagering may be conducted with chips, tokens, electronic cards, cash, cash
36 equivalents, debit or credit cards, other negotiable currency, online payment services, automated clearing
37 houses, promotional funds, or any other means approved by the commission.

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

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

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

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

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

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

20 (1) Prominently displayed tools to set limits on the amount of time and money a player spends on
21 any interactive sports wagering platform;

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

24 (3) To a player the ability to exclude the use of certain electronic payment methods if desired by the
25 player.

26 313.1010. 1. An interactive sports wagering platform operator shall offer sports wagering on behalf
27 of a licensed facility only if the interactive sports wagering platform operator is properly licensed by the
28 commission and has contracted with a licensed facility.

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

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

32 (2) Pay an initial application fee, not to exceed one hundred fifty thousand dollars; and

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

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

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

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

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

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

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

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

12 313.1011. 1. The commission may issue a supplier's license to a sports wagering supplier.

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

15 3. At the request of an applicant for a sports wagering supplier's license, the commission may issue a
16 provisional license to the applicant, as long as the applicant has submitted a completed application for the
17 license, including paying the required application fee. The commission may prescribe by rule the
18 requirements to receive a provisional license.

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

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

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

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

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

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

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

34 313.1012. 1. A sports wagering operator shall verify that a person placing a wager is at least the
35 legal minimum age for placing a wager under sections 313.1000 to 313.1022.

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

1 3. The commission shall adopt rules and regulations that incorporate a sports wagering self-
2 exclusion program into the program adopted under sections 313.800 to 313.850. Any rule or portion of a
3 rule, as that term is defined in section 536.010, that is created under the authority delegated in this section
4 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
5 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
6 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
7 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
8 proposed or adopted after August 28, 2023, shall be invalid and void.

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

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

12 (2) Disclose the identity of the sports wagering operator;

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

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

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

16 (6) Include responsible gambling messages and a nationally recognized problem gambling helpline
17 number in all promotional activity.

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

21 313.1014. 1. The commission shall conduct background checks on individuals seeking licenses
22 under sections 313.1000 to 313.1022. A background check conducted under this section shall include a
23 search for criminal history and any charges or convictions involving corruption or manipulation of sporting
24 events. A background check under this section shall be consistent with the provisions of section 313.810.

25 2. (1) A sports wagering operator shall employ commercially reasonable methods to:

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

29 (b) Prohibit any person with access to nonpublic confidential information held by the sports
30 wagering operator from placing sports wagers with the sports wagering operator;

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

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

34 (e) Prohibit the purchase or use by the sports wagering operator of any personal biometric data of an
35 athlete, unless the sports wagering operator has received written permission from the athlete or the athlete's
36 representative.

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

1 3. (1) The following individuals are prohibited from engaging in sports wagering under sections
 2 313.1000 to 313.1022:

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

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

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

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

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

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

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

14 f. Any person identified by any lists provided by the commission.

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

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

21 (a) Has less than five percent direct or indirect ownership interest in a casino or sports wagering
 22 operator; or

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

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

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

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

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

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

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

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

37 4. Given good and sufficient reason, each of the commission and sports wagering operators shall
 38 cooperate with investigations conducted by law enforcement agencies or sports governing bodies, including
 39 providing or facilitating the provision of relevant betting information and audio or video files relating to

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

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

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

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

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

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

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

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

(4) Any other conduct that corrupts the wagering outcome of a sporting event or events for purposes of financial gain, including prohibited conduct as defined under section 313.1000; and

(5) Suspicious or illegal wagering activities.

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

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

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

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

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

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

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

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

- 14 (1) Personally identifiable information of the patron;
- 15 (2) The amount and type of bet placed;
- 16 (3) The time and date the bet was placed;
- 17 (4) The location, including specific information pertaining to the internet protocol address, where the
 18 bet was placed;
- 19 (5) The outcome of the bet; and
- 20 (6) Any discernible pattern of abnormal betting activity by the patron.

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

23 313.1018. A sports wagering operator is not liable under the laws of this state to any party, including
 24 patrons, for disclosing information as required under sections 313.1000 to 313.1022 and is not liable for
 25 refusing to disclose information unless required under sections 313.1000 to 313.1022.

26 313.1021. 1. A wagering tax of fifteen percent is imposed on the adjusted gross receipts received
 27 from sports wagering conducted by a sports wagering operator under sections 313.1000 to 313.1022. If an
 28 interactive sports wagering platform operator is contracted to conduct sports wagering at a certificate holder's
 29 licensed facility that is an excursion gambling boat, or through an interactive sports wagering platform, the
 30 licensed interactive sports wagering platform operator may fulfill the certificate holder's duties under this
 31 section.

32 2. A certificate holder or interactive sports wagering platform operator shall remit the tax imposed
 33 by subsection 1 of this section to the department no later than one day prior to the last business day of the
 34 month following the month in which the taxes were generated. In a month when the adjusted gross receipts
 35 of a certificate holder or interactive sports wagering platform operator is a negative number, the certificate
 36 holder or interactive sports wagering platform operator may carry over the negative amount for a period of
 37 twelve months.

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

1 4. Revenues received from the tax imposed under subsection 1 of this section shall be deposited in
2 the state treasury to the credit of the gaming proceeds for education fund, which shall be distributed as
3 provided under section 313.822.

4 5. (1) A licensed facility that is an excursion gambling boat shall pay to the commission an annual
5 license renewal fee, not to exceed fifty thousand dollars. The fee imposed shall be due on the anniversary
6 date of the issuance of the license and on each anniversary date thereafter. The commission shall deposit the
7 annual license renewal fees received under this subdivision in the gaming commission fund established under
8 section 313.835.

9 (2) In addition to the annual license renewal fee, required in this subsection, a certificate holder shall
10 pay to the commission a fee of ten thousand dollars to cover the costs of a full reinvestigation of the
11 certificate holder in the fourth year after the date on which the certificate holder commences sports wagering
12 operations under sections 313.1000 to 313.1022 and on each fourth year thereafter. The commission shall
13 deposit the fees received under this subdivision in the gaming commission fund established under section
14 313.835.

15 6. Subject to appropriation, five hundred thousand dollars shall be appropriated from the gaming
16 commission fund created under section 313.835 and credited annually to the compulsive gamblers fund
17 created under section 313.842. When considering the amount of funds to appropriate to the compulsive
18 gamblers fund, the general assembly shall consider the findings and recommendations contained in the
19 research report required under subsection 2 of section 313.842 for increased funding in excess of the five
20 hundred thousand dollars.

21 313.1022. 1. All sports wagers authorized under sections 313.1000 to 313.1022 shall be deemed
22 initiated, received, and otherwise made on the property of an excursion gambling boat within this state.

23 2. Only to the extent required by federal law, all servers necessary to the placement or resolution of
24 wagers, other than backup servers, shall be physically located within a certificate holder's licensed facility
25 that is an excursion gambling boat in the state. Consistent with the intent of the United States Congress as
26 articulated in the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. Sections 5361 to 5367, as
27 amended, the intermediate routing of electronic data relating to lawful intrastate sports wagers authorized
28 under sections 313.1000 to 313.1022 shall not determine the location or locations in which such wager is
29 initiated, received, or otherwise made. This subsection shall apply only to the extent required by federal
30 law."; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.