

FIRST REGULAR SESSION

HOUSE BILL NO. 953

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRIFFITH.

1895H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 313.800, 313.813, 313.820, 313.822, and 313.842, RSMo, and to enact in lieu thereof nineteen new sections relating to gaming, with penalty provisions.

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

Section A. Sections 313.800, 313.813, 313.820, 313.822, and 313.842, RSMo, are
2 repealed and nineteen new sections enacted in lieu thereof, to be known as sections 313.800,
3 313.813, 313.820, 313.822, 313.828, 313.842, 313.1000, 313.1002, 313.1003, 313.1004,
4 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, and
5 313.1022, to read as follows:

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

3 (1) "Adjusted gross receipts", the gross receipts from licensed gambling games and
4 devices less winnings paid to wagerers;

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

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

9 (4) "Capital, cultural, and special law enforcement purpose expenditures" shall
10 include any disbursement, including disbursements for principal, interest, and costs of
11 issuance and trustee administration related to any indebtedness, for the acquisition of land,
12 land improvements, buildings and building improvements, vehicles, machinery, equipment,
13 works of art, intersections, signing, signalization, parking lot, bus stop, station, garage,
14 terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other

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 mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape,
16 convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses
17 and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals,
18 fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank
19 restoration, any asset with a useful life greater than one year, cultural events, and any
20 expenditure related to a law enforcement officer deployed as horse-mounted patrol, school
21 resource or drug awareness resistance education (D.A.R.E) officer;

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

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

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

34 (8) "Dock", the location in a city or county authorized under subsection 10 of section
35 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to
36 a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the
37 embarking of passengers on and disembarking of passengers from a gambling excursion but
38 shall not include any artificial space created after May 20, 1994, and is located more than one
39 thousand feet from the closest edge of the main channel of the river as established by the
40 United States Army Corps of Engineers;

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

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

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

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

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

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

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

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

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

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

65 (19) "Mississippi River" and "Missouri River", the water, bed and banks of those
66 rivers, including any space filled wholly or partially by the water of those rivers in a manner
67 approved by the commission but shall not include any artificial space created after May 20,
68 1994, and is located more than one thousand feet from the closest edge of the main channel of
69 the river as established by the United States Army Corps of Engineers;

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

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

77 2. (1) In addition to the games of skill defined in this section, the commission may
78 approve other games of skill upon receiving a petition requesting approval of a gambling
79 game from any applicant or licensee. The commission may set the matter for hearing by
80 serving the applicant or licensee with written notice of the time and place of the hearing not
81 less than five days prior to the date of the hearing and posting a public notice at each
82 commission office. The commission shall require the applicant or licensee to pay the cost of
83 placing a notice in a newspaper of general circulation in the applicant's or licensee's home
84 dock city or county. The burden of proof that the gambling game is a game of skill is at all
85 times on the petitioner. The petitioner shall have the affirmative responsibility of establishing
86 the petitioner's case by a preponderance of evidence including:

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

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

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

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

313.820. 1. (1) An excursion boat licensee shall pay to the commission an admission
2 fee of ~~[two]~~ **three dollars and fifty-six cents** for each person embarking on an excursion
3 gambling boat ~~[with a ticket of admission]~~. One dollar **and fifty-six cents** of such fee shall be
4 deposited to the credit of the gaming commission fund as authorized pursuant to section
5 313.835, ~~[and]~~ **one dollar and fifty cents** of such fee shall not be considered state funds and
6 shall be paid to the home dock city or county, **and fifty cents of such fee shall be deposited**
7 **to the credit of the steamboat legacy fund established under section 313.828 beginning**
8 **on the effective date of this section and for each fiscal year beginning on or after July 1,**
9 **2024, but ending on or before June 30, 2040; and upon the expiration of such purpose,**
10 **for all fiscal years beginning on or after July 1, 2040, such fifty-cent fee shall be divided**
11 **equally between the home dock city or county and the commission.** Subject to
12 appropriation, ~~[one-cent]~~ **six cents** of such fee deposited to the credit of the gaming
13 commission fund may be deposited to the credit of the compulsive gamblers fund created
14 pursuant to the provisions of section 313.842. Nothing in this section shall preclude any
15 licensee from charging any amount deemed necessary for a ticket of admission to any person
16 embarking on an excursion gambling boat. If tickets are issued which are good for more than
17 one excursion, the admission fee shall be paid to the commission for each person using the
18 ticket on each excursion that the ticket is used. If free passes or complimentary admission
19 tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon

20 these passes or complimentary tickets as if they were sold at the regular and usual admission
21 rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary
22 officials and employees of the licensee or other persons actually working on the excursion
23 gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and
24 a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

25 **(2) The commission shall, within the first three months of each calendar year,**
26 **adjust the admission fee established in subdivision (1) of this subsection in accordance**
27 **with the federal Bureau of Labor Statistics consumer price index and shall place the**
28 **revised fee in effect at the beginning of the immediately following fiscal year.**

29 2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes,
30 property taxes or any other tax or fee now or hereafter lawfully levied by any political
31 subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes
32 or fees shall be imposed, levied or assessed exclusively upon licensees by a political
33 subdivision. All state taxes not connected directly to gambling games shall be collected by
34 the department of revenue. Notwithstanding the provisions of section 32.057 to the contrary,
35 the department of revenue may furnish and the commission may receive tax information to
36 determine if applicants or licensees are complying with the tax laws of this state; however,
37 any tax information acquired by the commission shall not become public record and shall be
38 used exclusively for commission business.

313.822. A tax is imposed on the adjusted gross receipts received from gambling
2 games authorized pursuant to sections 313.800 to 313.850 **and sections 313.1000 to**
3 **313.1022** at the rate of twenty-one percent. The taxes imposed by this section shall be
4 returned to the commission in accordance with the commission's rules and regulations who
5 shall transfer such taxes to the director of revenue. All checks and drafts remitted for
6 payment of these taxes and fees shall be made payable to the director of revenue. If the
7 commission is not satisfied with the return or payment made by any licensee, it is hereby
8 authorized and empowered to make an assessment of the amount due based upon any
9 information within its possession or that shall come into its possession. Any licensee against
10 whom an assessment is made by the commission may petition for a reassessment. The
11 request for reassessment shall be made within twenty days from the date the assessment was
12 mailed or delivered to the licensee, whichever is earlier. Whereupon the commission shall
13 give notice of a hearing for reassessment and fix the date upon which the hearing shall be
14 held. The assessment shall become final if a request for reassessment is not received by the
15 commission within the twenty days. Except as provided in this section, on and after April 29,
16 1993, all functions incident to the administration, collection, enforcement, and operation of
17 the tax imposed by sections 144.010 to 144.525 shall be applicable to the taxes and fees
18 imposed by this section.

19 (1) Each excursion gambling boat shall designate a city or county as its home dock.
20 The home dock city or county may enter into agreements with other cities or counties
21 authorized pursuant to subsection 10 of section 313.812 to share revenue obtained pursuant to
22 this section. The home dock city or county shall receive ten percent of the adjusted gross
23 receipts tax collections, as levied pursuant to this section, for use in providing services
24 necessary for the safety of the public visiting an excursion gambling boat. Such home dock
25 city or county shall annually submit to the commission a shared revenue agreement with any
26 other city or county. All moneys owed the home dock city or county shall be deposited and
27 distributed to such city or county in accordance with rules and regulations of the commission.
28 All revenues provided for in this section to be transferred to the governing body of any city
29 not within a county and any city with a population of over three hundred fifty thousand
30 inhabitants shall not be considered state funds and shall be deposited in such city's general
31 revenue fund to be expended as provided for in this section.

32 (2) The remaining amount of the adjusted gross receipts tax shall be deposited in the
33 state treasury to the credit of the "Gaming Proceeds for Education Fund" which is hereby
34 created in the state treasury. Moneys deposited in this fund shall be kept separate from the
35 general revenue fund as well as any other funds or accounts in the state treasury, shall be used
36 solely for education pursuant to the Missouri Constitution and shall be considered the
37 proceeds of excursion boat gambling and state funds pursuant to Article IV, Section 15 of the
38 Missouri Constitution. All interest received on the gaming proceeds for education fund shall
39 be credited to the gaming proceeds for education fund. Appropriation of the moneys
40 deposited into the gaming proceeds for education fund shall be pursuant to state law.

41 (3) The state auditor shall perform an annual audit of the gaming proceeds for
42 education fund, which shall include the evaluation of whether appropriations for elementary
43 and secondary education have increased and are being used as intended. The state auditor
44 shall make copies of each audit available to the public and to the general assembly.

**313.828. 1. There is hereby created in the state treasury the "Steamboat Legacy
2 Fund", which shall consist of moneys from the administrative fee imposed under
3 subsection 3 of section 313.1021 and a portion of the admission fees collected under
4 section 313.820. The state treasurer shall be the custodian of the fund. In accordance
5 with sections 30.170 and 30.180, the state treasurer shall annually approve
6 disbursements from the fund to the National Steamboat Museum. Notwithstanding
7 the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the
8 end of the biennium shall not revert to the credit of the general revenue fund. The state
9 treasurer shall invest moneys in the fund in the same manner as other funds are
10 invested. Any interest and moneys earned on such investments shall be credited to the
11 fund.**

12 **2. The steamboat legacy fund shall be a dedicated fund and moneys in the fund**
13 **shall be used as follows:**

14 **(1) For the construction, maintenance, and operation of a facility that is exempt**
15 **from taxation under 26 U.S.C. 503(c) and shall be known as the "National Steamboat**
16 **Museum" and shall be located within the state of Missouri, with the purpose of such**
17 **facility being a museum housing and displaying books, maps, artifacts, recovered**
18 **steamboat structures, and any other material related to the significance of the**
19 **steamboat era in the history of Missouri; and**

20 **(2) For the acquisition of books, maps, artifacts, recovered steamboat structures,**
21 **and any other material related to the significance of the steamboat era in the history of**
22 **Missouri.**

23 **3. The national steamboat museum shall be organized under the laws of this**
24 **state, shall be a trustee of this state, shall hold all its present and future collections and**
25 **property for this state, and shall not mortgage or deed in trust any of its property or sell**
26 **any of such property, except by way of exchange for property of equal value or for**
27 **reinvestment.**

28 **4. The national steamboat museum shall for budgetary purposes be one of the**
29 **worthy causes of the commission.**

313.842. 1. There ~~may~~ **shall** be established programs which shall provide
2 treatment, prevention, **recovery**, and education services for **people affected by** compulsive
3 gambling. As used in this section, "**people affected by** compulsive gambling" means a
4 condition suffered by a person who is chronically and progressively preoccupied with
5 gambling and the urge to gamble. Subject to appropriation, such programs shall be funded
6 from the one-cent admission fee authorized pursuant to section 313.820, and in addition, may
7 be funded from the taxes collected and distributed to any city or county under section 313.822
8 **or any other funds appropriated by the general assembly.** Such moneys shall be
9 submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby
10 established within the department of mental health. Notwithstanding the provisions of section
11 33.080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred
12 to the credit of the general revenue fund. The department of mental health shall administer
13 programs, either directly or by contract, for compulsive gamblers. The commission ~~may~~
14 **shall** administer programs to educate the public about problem gambling and promote
15 treatment programs offered by the department of mental health. In addition, the commission
16 shall administer the voluntary exclusion program for problem gamblers authorized by section
17 ~~313.833~~ **313.813.**

18 **2. The commission, in cooperation with the department of mental health, shall**
19 **develop an annual research report in order to assess the social and economic effects of**

20 gaming in the state and to obtain scientific information related to the neuroscience,
21 psychology, sociology, epidemiology, and etiology of compulsive gambling. The report
22 and associated studies shall be submitted to the governor, the president pro tempore of
23 the senate, and the speaker of the house of representatives no later than January thirty-
24 first of each year. The research report shall consist of at least:

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

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

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

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

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

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

7 (3) "Commission", the Missouri gaming commission;

8 (4) "Department", the department of revenue;

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

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

13 (7) "Interactive sports wagering platform" or "platform", a person that offers
14 sports wagering over the internet, including on websites and mobile devices, on behalf of
15 a certificate holder;

16 (8) "Licensed applicant", a person holding a license issued under section 313.807
17 to operate an excursion gambling boat;

18 (9) "Licensed facility", an excursion gambling boat licensed under this chapter;

19 (10) "Licensed supplier", a person holding a supplier's license issued by the
20 commission;

21 (11) "Occupational license", a license issued by the commission;

22 (12) "Person", an individual, sole proprietorship, partnership, association,
23 fiduciary, corporation, limited liability company, or any other business entity;

24 (13) "Sports wagering", wagering conducted under sections 313.1000 to
25 313.1022 on athletic and sporting events involving human competitors or on other
26 events as approved by the commission. "Sports wagering" shall not include moneys
27 spent to participate in paid fantasy sports under sections 313.900 to 313.955;

28 (14) "Sports wagering device", a mechanical, electrical, or computerized
29 contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the
30 commission for conducting sports wagering under sections 313.1000 to 313.1022.
31 "Sports wagering device" shall not include a device used by a sports wagering patron to
32 access an interactive sports wagering platform;

33 (15) "Sports wagering operator" or "operator", a certificate holder or an
34 interactive sports wagering platform offering sports wagering on behalf of a certificate
35 holder;

36 (16) "Supplier's license", a license issued by the commission under section
37 313.807.

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

3 2. All shipments of gambling devices used to conduct sports wagering under
4 sections 313.1000 to 313.1022 to licensed applicants or certificate holders, the
5 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,
7 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
2 licensed facility.

3 2. A licensed facility may offer sports wagering:

4 (1) In person at the licensed facility; and

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

313.1004. 1. The commission shall adopt rules to implement the provisions of
2 sections 313.1000 to 313.1022. Any rule or portion of a rule, as that term is defined in
3 section 536.010, that is created under the authority delegated in this section shall
4 become effective only if it complies with and is subject to all of the provisions of chapter
5 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
6 and if any of the powers vested with the general assembly pursuant to chapter 536 to
7 review, to delay the effective date, or to disapprove and annul a rule are subsequently
8 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
9 adopted after August 28, 2023, shall be invalid and void.

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

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

14 **(a) Wagers are received;**

15 **(b) Payouts are paid; and**

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

17 **(2) Standards governing how a certificate holder offers sports wagering over the**
18 **internet through an interactive sports wagering platform to patrons physically located**
19 **in Missouri;**

20 **(3) The manner in which a certificate holder's books and financial records**
21 **relating to sports wagering are maintained and audited, including standards for the**
22 **daily counting of a certificate holder's gross receipts from sports wagering and**
23 **standards to ensure that 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 make**
26 **commercially reasonable efforts to do the following:**

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

29 **(2) Ensure the security and integrity of sports wagers accepted through an**
30 **interactive sports wagering platform;**

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 **in all areas of the certificate holder's licensed facility where sports wagering is**
35 **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; and**

42 **(6) Establish house rules specifying the amounts to be paid on winning wagers,**
43 **the effect of schedule changes, and the source of the information used to determine the**
44 **outcome of wagers. The house rules shall be displayed in the certificate holder's sports**
45 **wagering area, posted on the certificate holder's or platform's website or mobile**

46 application for interactive sports wagering, and included in the terms and conditions of
47 the certificate holder's or platform's interactive sports wagering system.

48 4. The commission may enter into agreements with other jurisdictions to
49 facilitate, administer, and regulate multi-jurisdictional sports betting by sports betting
50 operators to the extent that entering into the agreement is consistent with state and
51 federal laws and the sports betting agreement is conducted only in the United States.

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

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

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

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

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

7 (2) A certificate holder may administer or contract with up to three individually
8 branded interactive sports wagering platforms to administer interactive sports
9 wagering on the certificate holder's behalf within the certificate holder's licensed
10 facility for conducting sports wagering.

11 3. (1) Sports wagering may be conducted with chips, tokens, electronic cards,
12 cash, cash equivalents, debit or credit cards, other negotiable currency, online payment
13 services, automated clearinghouses, promotional funds, or any other means approved
14 by the commission.

15 (2) A certificate holder shall determine the minimum and maximum wagers in
16 sports wagering conducted in the certificate holder's licensed facility.

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

19 5. A sports wagering device shall be approved by the commission and acquired
20 by a certificate holder from a licensed supplier.

21 **6. The commission shall determine the occupations related to sports wagering**
22 **that require an occupational license.**

23 **7. A certificate holder may lay off one or more sports wagers. The commission**
24 **may promulgate rules permitting certificate holders or platforms to employ systems that**
25 **offset loss or manage risk in the operation of sports wagering under sections 313.1000 to**
26 **313.1022 through the use of liquidity pools in other jurisdictions in which the certificate**
27 **holder, platform, an affiliate of the certificate holder or platform, or a third party also**
28 **holds licenses to conduct sports wagering, provided that, at all times adequate**
29 **protections are maintained to ensure sufficient funds are available to pay winnings to**
30 **patrons.**

31 **8. Subject to the approval of the commission, a certificate holder may contract**
32 **with a third party to conduct sports wagering in an area within the certificate holder's**
33 **licensed facility.**

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

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

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

8 **(2) Pay an initial application fee of fifty thousand dollars.**

9 **3. Each year on or before the anniversary date of the payment of the initial**
10 **application fee under this section, an interactive sports wagering platform provider**
11 **holding a license issued under this section shall pay to the commission an annual license**
12 **renewal fee of twenty thousand dollars.**

13 **4. Notwithstanding any other provision of law to the contrary, all documents,**
14 **reports, and data submitted by an interactive sports wagering platform provider to the**
15 **commission containing proprietary information, trade secrets, financial information, or**
16 **personally identifiable information about any person shall be confidential and shall not**
17 **be disclosed to the public unless required by court order or by any other provision of**
18 **sections 313.1000 to 313.1022.**

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

3 **2. The commission shall adopt rules and regulations for a sports wagering self-**
4 **exclusion program consistent with those adopted under sections 313.800 to 313.850.**
5 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
6 **under the authority delegated in this section shall become effective only if it complies**

7 with and is subject to all of the provisions of chapter 536 and, if applicable, section
8 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
9 with the general assembly pursuant to chapter 536 to review, to delay the effective date,
10 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
11 of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall
12 be invalid and void.

13 3. The commission shall adopt rules to ensure that advertisements for sports
14 wagering:

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

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

18 (3) Provide information about or links to resources relating to gambling
19 addiction; and

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

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

5 2. (1) A certificate holder shall employ commercially reasonable methods to:

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

9 (b) Prohibit any individual with access to nonpublic confidential information
10 held by the certificate holder from placing sports wagers with the certificate holder;

11 (c) Prevent the sharing of confidential information that could affect sports
12 wagering offered by the certificate holder or by third parties until the information is
13 made publicly available; and

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

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

19 3. (1) The following persons are prohibited from engaging in sports wagering
20 under sections 313.1000 to 313.1022:

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

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

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

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

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

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

33 **e. Any person with access to certain types of exclusive information on any sports**
34 **event overseen by that person's sports governing body based on publicly available**
35 **information; and**

36 **f. Any person identified by any lists provided by the commission.**

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

42 **(3) Subdivision (1) of this subsection shall not apply to any person who is a direct**
43 **or indirect owner of a specific sports governing body member team and:**

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

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

48 **(4) (a) An operator shall adopt procedures to prevent persons who are**
49 **prohibited from placing sports wagers from wagering on sports events.**

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

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

53 **b. Who is the operator, director, officer, owner, or employee of the operator, or**
54 **any relative thereof living in the same household as the operator;**

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

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

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

60 **4. The commission and certificate holders shall cooperate with investigations**
61 **conducted by law enforcement agencies, including by providing or facilitating the**
62 **provision of betting information and audio or video files relating to persons placing**
63 **sports wagers.**

64 **5. A certificate holder shall immediately report to the commission any**
65 **information relating to:**

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

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

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

71 **(4) Any other conduct that corrupts the wagering outcome of a sporting event or**
72 **events for purposes of financial gain; and**

73 **(5) Suspicious or illegal wagering activities.**

74 **6. A certificate holder shall maintain the confidentiality of information provided**
75 **by a sports governing body to the certificate holder unless disclosure is required by**
76 **court order, the commission, or any other provision of law.**

77 **7. A sports governing body may notify the commission that it desires to restrict,**
78 **limit, or exclude sports wagering on its sporting events by providing notice in the form**
79 **and manner as required by the commission. A sports governing body may request the**
80 **commission to restrict, limit, or exclude a type of wager based solely upon the actions of**
81 **a single player. To demonstrate good cause, the sports governing body shall provide**
82 **written information that indicates a credible threat to the integrity of sports wagering**
83 **that is beyond the control of the sports governing body to preemptively remedy or**
84 **mitigate. The commission shall promptly review the information provided and respond**
85 **as expeditiously as possible to the request. In making its determination, the commission**
86 **may consult with a sports betting operation, independent monitoring provider, and**
87 **other jurisdictions. No restrictions, limitations, or exclusions of wagers shall be**
88 **conducted without the express written approval of the commission. Certificate holders**
89 **shall be notified of any restrictions, limitations, or exclusions granted by the**
90 **commission.**

313.1016. 1. A certificate holder shall, for bets and wagers that exceed ten
2 **thousand dollars in a twenty-four-hour period and that are placed in person by a**
3 **patron, maintain the following records for a period of at least three years after the**
4 **sporting event occurs:**

5 **(1) Personally identifiable information of the patron;**

6 **(2) The amount and type of bet placed;**

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

8 (4) The location, including specific information pertaining to the betting window
9 or the limited mobile gaming system device, where the bet was placed;

10 (5) The outcome of the bet; and

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

12 2. A certificate holder shall, for all bets and wagers placed through an
13 interactive sports wagering platform, maintain the following records for a period of at
14 least three years after the sporting event occurs:

15 (1) Personally identifiable information of the patron;

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

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

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

20 (5) The outcome of the bet; and

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

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

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
4 operating, 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.

313.1021. 1. A certificate holder shall pay to the commission an annual
2 administrative fee of twenty thousand dollars. The fee imposed shall be due one year
3 after the date on which the certificate holder commences sports wagering operations
4 under sections 313.1000 to 313.1022, and on each anniversary date thereafter. The
5 commission shall deposit the administrative fees received under this subdivision in the
6 sports wagering fund established in this section.

7 2. In addition to the annual administrative fee required under subsection 1 of
8 this section, a certificate holder shall pay to the commission a fee of ten thousand dollars
9 to cover the costs of a full reinvestigation of the certificate holder in the fifth year after
10 the date on which the certificate holder commences sports wagering operations under
11 sections 313.1000 to 313.1022 and on each fifth year thereafter. The commission shall

12 deposit the fees received under this subdivision in the sports wagering fund established
13 in this section.

14 3. In addition to the fees authorized under subsections 1 and 2 of this subsection,
15 at least once per calendar quarter, a sports wagering operator shall remit to the
16 commission an administrative fee of one percent of the gross amount wagered on its
17 sporting events during the previous calendar quarter. Such a fee shall be deposited in
18 the steamboat legacy fund created under section 313.828.

19 4. (1) There is hereby created in the state treasury the "Sports Wagering Fund",
20 which shall consist of moneys collected under this subsection. The state treasurer shall
21 be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
22 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon
23 appropriation, moneys in the fund shall be used solely as provided in this section.

24 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
25 remaining in the fund at the end of the biennium shall not revert to the credit of the
26 general revenue fund.

27 (3) The state treasurer shall invest moneys in the fund in the same manner as
28 other funds are invested. Any interest and moneys earned on such investments shall be
29 credited to the fund.

313.1022. 1. All sports wagers authorized under sections 313.1000 to 313.1022
2 shall be deemed initiated, received, and otherwise made within the designated wagering
3 area of an excursion gambling boat within this state. Consistent with the intent of the
4 United States Congress as articulated in the Unlawful Internet Gambling Enforcement
5 Act of 2006, 31 U.S.C. Sections 5361 to 5367, as amended, the intermediate routing of
6 electronic data relating to lawful intrastate sports wagers authorized under sections
7 313.1000 to 313.1022 shall not determine the location or locations in which such wagers
8 are initiated, received, or otherwise made.

9 2. Any remote person placing a bet or wager shall be considered as having
10 entered the casino, as described in section 313.820, when the casino accepts the person's
11 first bet or wager. The person may place as many bets or wagers as such person wishes
12 during the ensuing two-hour period. Any bets or wagers placed during any subsequent
13 two-hour period shall be considered as part of a separate admission to the casino, and
14 the fees described in section 313.820 shall be assessed the same as if such person were
15 physically present within the casino during such time period.

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