

SECOND REGULAR SESSION

HOUSE BILL NO. 2835

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE QUADE.

5715H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 313.800, 313.813, and 313.842, RSMo, and to enact in lieu thereof twenty-four 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Section A. Sections 313.800, 313.813, and 313.842, RSMo, are repealed and twenty-four new sections enacted in lieu thereof, to be known as sections 313.427, 313.429, 313.431, 313.433, 313.434, 313.435, 313.437, 313.800, 313.813, 313.842, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1011, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, and 313.1022, to read as follows:

313.427. As used in sections 313.427 to 313.437, the following terms mean:

- (1) "Centralized computer system", a computerized system developed or procured by the commission that mechanical amusement devices are connected to using standard industry protocols that can activate or deactivate a particular mechanical amusement device from a remote location and that is capable of monitoring and auditing interactive digital game plays;**
- (2) "Commission" or "lottery commission", the body appointed by the governor to manage and oversee the lottery under section 313.215;**
- (3) "Device handler", a person employed by a mechanical amusement device operator and who is licensed by the commission to handle, place, operate, and service mechanical amusement devices and associated equipment;**
- (4) "Device manufacturer" or "device distributor", any person licensed by the commission that manufactures mechanical amusement devices or major parts and components for mechanical amusement devices as approved by the commission for sale**

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 to licensed mechanical amusement device operators, or a person licensed by the
16 department to distribute or service mechanical amusement devices or major parts and
17 components of mechanical amusement devices including buying, selling, leasing,
18 renting, or financing new, used, or refurbished mechanical amusement devices to and
19 from mechanical amusement device manufacturers and licensed mechanical amusement
20 device operators;

21 (5) "Device operator", a person licensed by the commission that owns, rents, or
22 leases and services or maintains mechanical amusement devices for placement in
23 licensed device retailer establishments;

24 (6) "Device retailer", a retail establishment meeting the requirements of a
25 lottery game retailer under section 313.260 that secures and maintains a license issued
26 by the commission to conduct interactive digital games played on a mechanical
27 amusement device or devices and that is a fraternal organization, veterans organization,
28 truck stop, or business entity licensed under chapter 311 to sell liquor by the drink;

29 (7) "Fraternal organization", any organization within this state operating under
30 the lodge system that exists for the common benefit, brotherhood, or other interest of its
31 members, except college fraternities and sororities, of which no part of the net earnings
32 inures to the benefit of any private shareholder or any individual member of such
33 organization, which has been exempted from the payment of federal income tax, and
34 which derives its charter from a national fraternal organization which regularly meets;

35 (8) "Interactive digital game", any digital or video game approved by the
36 commission for play on an approved mechanical amusement device using interactive
37 digital game credits that have been purchased with cash, cash equivalents, or with a
38 winning interactive digital game ticket;

39 (9) "Interactive digital game credit", credits either purchased or won on a
40 mechanical amusement device by a player that may be used to play interactive digital
41 games and that may be converted into an interactive digital game ticket;

42 (10) "Interactive digital game ticket" or "ticket", a document printed at the
43 conclusion of any interactive digital game play or group of plays on a mechanical
44 amusement device that is redeemable for cash, utilizing a ticket redemption terminal, or
45 that may be reinserted into a mechanical amusement device in the device retailer from
46 which such ticket is issued for interactive digital game credit;

47 (11) "Interactive digital gaming adjusted gross receipts" or
48 "adjusted gross receipts", the total of cash or cash equivalents used for the play of an
49 interactive digital game on a mechanical amusement device minus cash or cash
50 equivalents paid to players as a result of playing interactive digital games on a
51 mechanical amusement device;

52 **(12) "Mechanical amusement device" or "device", a player-activated terminal**
53 **that exchanges coins, currency, tickets, ticket vouchers, or electronic payment methods**
54 **approved by the commission for credit on a mechanical amusement device used to play**
55 **interactive digital games approved by the commission. Such mechanical amusement**
56 **devices may use a video display and microprocessor capable of printing and issuing a**
57 **ticket at the conclusion of any interactive digital game play that may be redeemed at a**
58 **ticket redemption terminal or may be reinserted into a mechanical amusement device**
59 **for interactive digital game credit and game plays. All interactive digital games**
60 **approved by the commission for play on a mechanical amusement device shall have a**
61 **minimum theoretical payout of eighty-five percent;**

62 **(13) "Sales agent", an individual, partnership, corporation, limited liability**
63 **company, or other business entity engaged in the solicitation or receipt of business from**
64 **a current or potential retail establishment either on an employment or contractual**
65 **basis;**

66 **(14) "Ticket redemption terminal", the collective hardware, software,**
67 **communications technology, and other ancillary equipment used to facilitate the**
68 **payment of tickets cashed out by players as a result of playing a mechanical amusement**
69 **device;**

70 **(15) "Truck stop", a location that provides parking and is equipped for fueling**
71 **commercial vehicles, that has sold on average at least ten thousand gallons of diesel or**
72 **biodiesel fuel each month for the previous twelve months or is projected to sell an**
73 **average of at least ten thousand gallons of diesel or biodiesel fuel each month for the**
74 **next twelve months, and that obtains and maintains a mechanical amusement device**
75 **license issued by the commission;**

76 **(16) "Veterans' organization", a post or organization of veterans, or an auxiliary**
77 **unit or society of, or a trust or foundation for, any such post or organization organized**
78 **in the United States or any of its possessions in which at least seventy-five percent of the**
79 **members are veterans of the United States Armed Forces and substantially all of the**
80 **other members are individuals who are veterans or are cadets, or are spouses, widows,**
81 **or widowers of such individuals, in which no part of the net earnings inures to the**
82 **benefit of any private shareholder or individual, and which has been exempted from**
83 **payment of federal income taxes.**

313.429. 1. (1) Except as provided in subdivision (2) of this subsection, the
2 **commission shall implement a system of mechanical amusement devices utilizing a**
3 **licensing structure for processing license applications and issuing licenses to device**
4 **manufacturers, distributors, operators, handlers, and retailers for the conducting of**
5 **interactive digital games on mechanical amusement devices within the state. This**

6 **licensing structure and process shall be referred to as the mechanical amusement device**
7 **program.**

8 **(2) No person licensed as a:**

9 **(a) Device manufacturer or distributor shall be issued a license as a device**
10 **operator or a device retailer;**

11 **(b) Device operator shall be issued a license as a device manufacturer, device**
12 **distributor, or device retailer; and**

13 **(c) Device retailer shall be issued a license as a device manufacturer, device**
14 **distributor, or device operator.**

15 **(3) Nothing in this subsection shall prevent a device manufacturer from**
16 **obtaining a device manufacturer's license and a device distributor's license and**
17 **providing and operating the centralized computer system for monitoring mechanical**
18 **amusement devices.**

19 **2. Under no circumstances shall the commission:**

20 **(1) Authorize or allow a single vendor or licensee to implement the mechanical**
21 **amusement device program created under this section; or**

22 **(2) Allow a single licensed device operator to control or operate more than**
23 **twenty-five percent of mechanical amusement devices in the state after December 31,**
24 **2028.**

25 **3. (1) The mechanical amusement device program authorized under sections**
26 **313.427 to 313.437 shall allow for multiple device manufacturers, distributors, and**
27 **operators to encourage private sector investment and job opportunities for Missouri**
28 **citizens. Mechanical amusement devices shall be connected to a centralized computer**
29 **system developed or procured by the commission. The commission shall provide**
30 **licensed device operators with the necessary protocols to connect the operators' device**
31 **or devices to the centralized computer system after such device or devices have been**
32 **approved by the commission. No mechanical amusement device shall be placed in**
33 **operation without first connecting to the centralized computer system after such device**
34 **or devices have been approved by the commission. A vendor that provides the**
35 **centralized computer system authorized under this subsection shall not be eligible to be**
36 **licensed as a device operator or device retailer. The commission shall impose an initial**
37 **nonrefundable license application fee as follows:**

38 **(a) For device manufacturers, device distributors, and device operators, no more**
39 **than twenty-five thousand dollars;**

40 **(b) For device retailers, no more than one thousand dollars; or**

41 **(c) For device handlers, no more than one hundred dollars.**

42 **(2) The initial license shall be for a period of one year. Thereafter, license**
43 **renewal periods shall be four years with the applicable renewal fee paid for each year of**
44 **such license renewal in advance. Annual license renewal fees for anyone licensed under**
45 **this subsection, and subsequent to the initial one-year period, shall be as follows:**

46 **(a) Ten thousand dollars for device manufacturers, device distributors, and**
47 **device operators;**

48 **(b) One hundred dollars for device handlers; and**

49 **(c) One thousand dollars for each device retailer.**

50 **(3) In addition to the license fees required under subdivisions (1) and (2) of this**
51 **subsection, an annual administrative fee of five hundred dollars shall be paid for each**
52 **mechanical amusement device placed in service.**

53 **(4) Nothing in this subsection shall be construed to relieve the licensee of the**
54 **affirmative duty to notify the commission of any change relating to the status of the**
55 **license or to any other information contained in the application materials on file with**
56 **the commission.**

57 **4. (1) No license shall be issued to any person, and no person shall be allowed to**
58 **serve as a sales agent, who has been convicted of a felony. Sales agents shall be**
59 **registered with the commission by a licensed device operator and shall not solicit or**
60 **enter into any contract with a device retailer prior to such retailer being licensed to**
61 **conduct interactive digital games on mechanical amusement devices.**

62 **(2) A person or sales agent's operation, handling, leasing, licensing, servicing, or**
63 **placing of unregulated coin-operated amusement machines shall in no way prohibit or**
64 **prejudice that person or sales agent's participation in the mechanical amusement device**
65 **program authorized under sections 313.427 to 313.437, nor shall it constitute a valid**
66 **reason to refuse to issue or renew or to revoke or suspend any license or permit issued**
67 **under sections 313.427 to 313.437. The commission or any political subdivisions shall in**
68 **no way prejudice or prohibit the participation or the issuance of any license relating to**
69 **interactive digital games or mechanical amusement devices to persons or sales agents on**
70 **the basis of such person or sales agent's operation, handling, leasing, licensing, servicing,**
71 **or placing of unregulated coin-operated amusement machines.**

72 **5. No license requirement, sticker fee, or tax shall be imposed by any local**
73 **jurisdiction upon a device manufacturer, device distributor, device operator, device**
74 **retailer, device handler, or a mechanical amusement device or a device retailer**
75 **establishment relating to the operation of interactive digital games, mechanical**
76 **amusement devices, or associated equipment.**

77 **6. (1) Mechanical amusement devices shall meet independent testing standards**
78 **approved by the commission, as tested by one or more licensed independent test labs,**

79 and be capable of randomly generating the outcome of interactive digital games
80 approved by the commission. Mechanical amusement devices shall be capable of
81 printing a ticket redeemable for winning interactive digital game plays. Such
82 mechanical amusement devices shall be inspected and approved prior to being sold,
83 leased, or transferred.

84 (2) Licensed device manufacturers may buy, sell, or lease new or refurbished
85 mechanical amusement devices to and from licensed device distributors.

86 (3) Licensed device distributors may buy, sell, or lease new or refurbished
87 mechanical amusement devices to or from licensed device manufacturers or licensed
88 device operators.

89 7. (1) Licensed device operators:

90 (a) May buy, lease, or rent mechanical amusement devices from licensed device
91 manufacturers, operators, or distributors;

92 (b) May handle, place, and service mechanical amusement devices;

93 (c) Shall connect such mechanical amusement devices to the centralized
94 computer system approved by the commission; and

95 (d) Shall, notwithstanding the provisions of section 313.321 to the contrary, pay
96 all interactive digital game winnings using a ticket redemption terminal. Such ticket
97 redemption terminals shall be located within the device retailer's establishment in direct
98 proximity to such mechanical amusement devices. Device operators shall pay the
99 commission thirty-two percent of any unclaimed cash prize associated with a winning
100 ticket that has not been redeemed within one hundred eighty days of issue.

101 (2) Rents or leases for mechanical amusement devices shall be written at a flat
102 rate and shall not include revenue splitting as a method used in the calculation of the
103 lease or rent.

104 (3) Licensed device operators and licensed device retailers shall enter into a
105 written agreement for the placement of mechanical amusement devices. The agreement
106 shall be on a form approved by the commission and shall specify an equal division of
107 adjusted gross receipts or upon approval of the commission, a negotiated division of
108 adjusted gross receipts between the device operator and the device retailer after
109 adjustments for taxes and administrative fees are made, shall have a minimum term of
110 five years and a maximum term of ten years, and shall be renewable for a minimum
111 term of five additional years. A device operator shall be responsible for remitting to the
112 commission and the device retailer its share of adjusted gross receipts. Nothing in this
113 subdivision shall prohibit a licensed device operator from entering into an agreement
114 with a sales agent for device retailer agreements, provided such agreement is in writing
115 and approved by the commission prior to beginning sales activities and prior to the start

116 date established under section 313.431. Device operators and their sales agents and
117 affiliates and device retailers are specifically prohibited from offering anything of value,
118 other than the percentage of adjusted gross receipts provided under this subsection, or
119 entering into an agreement with a device retailer prior to the start date for the initial or
120 continued placement of mechanical amusement devices, except that a device operator
121 may pay for construction of a mechanical amusement device area inside the premises of
122 a device retailer. Contract agreements entered into prior to the start date established
123 under section 313.431 between a prospective device operator or sales agent with a
124 prospective device retailer shall be invalid. A person or sales agent's operation,
125 handling, leasing, licensing, servicing, or placing of unregulated coin-operated
126 amusement machines shall in no way prohibit or prejudice that person or sales
127 agent's participation in the mechanical amusement device program authorized under
128 sections 313.427 to 313.437, nor shall it constitute a valid reason to refuse to issue or
129 renew or to revoke or suspend any license or permit issued under sections 313.427 to
130 313.437. The commission or any political subdivisions shall in no way prejudice or
131 prohibit the participation or the issuance of any license relating to interactive digital
132 games or mechanical amusement devices to persons or sales agents on the basis of such
133 person or sales agent's operation, handling, leasing, licensing, servicing, or placing of
134 unregulated coin-operated amusement machines.

135 (4) To combat problem gambling, device operators shall allow players to be self-
136 excluded from interactive digital game play. Operators shall provide the commission
137 with a list of players that have elected to be excluded from interactive digital game play
138 within thirty days of such election and shall update such list periodically as required by
139 the commission. Such self-excluded list shall be considered confidential information and
140 shall not be released to the public. The commission shall issue such self-exclusion
141 procedures by rule.

142 (5) Nothing in this section shall be construed to prevent a device operator or a
143 device retailer from using a player rewards system as approved by the commission. No
144 player shall be required to enroll in a rewards program offered by a device operator or
145 device retailer as a condition to play interactive digital games.

146 8. No licensed device operator shall:

147 (1) Offer mechanical amusement devices that directly dispense anything of value
148 except for tickets for winning plays. Tickets shall be dispensed by pressing the ticket
149 dispensing button on the mechanical amusement device at the end of any interactive
150 digital game play. The ticket shall indicate the total amount of interactive digital game
151 credits and the cash award, the time of day in a twenty-four-hour format showing hours
152 and minutes, the date, the device serial number, the sequential number of the ticket, and

153 an encrypted validation number from which the validity of the prize may be
154 determined. The price of interactive digital game credits shall be determined by the
155 commission. The maximum wager played per interactive digital game shall not exceed
156 five dollars. The maximum prize payoff for a winning maximum wager for a single
157 game play shall be no more than one thousand one hundred dollars, or the maximum
158 amount allowable by federal law before tax withholding is required for a single game-
159 winning play;

160 (2) Operate more than eight mechanical amusement devices per location on the
161 premises of a fraternal organization, veterans organization, or truck stop that has
162 secured and maintains a device retailer's license;

163 (3) Operate more than five mechanical amusement devices per location on the
164 premises of any business entity licensed as a device retailer that is not a fraternal
165 organization, veterans organization, or truck stop;

166 (4) Operate any mechanical amusement device at any location within one mile of
167 a casino or within one mile of an elementary or high school;

168 (5) Advertise interactive digital games or mechanical amusement devices outside
169 of a licensed device retailer's establishment through any media outlets or direct mail or
170 telephone solicitations. The advertising prohibition contained in this subdivision shall
171 apply to all licensees including, but not limited to, device manufacturers, device
172 distributors, device operators, device retailers, and device handlers; except that, a
173 device retailer may participate in an advertising program that is promoted through and
174 sponsored by the state lottery and may advertise in or on the outside of the device
175 retailer's building and parking lot and a device operator shall pay no more than two
176 thousand dollars per month for the cost of such advertising; or

177 (6) Allow mechanical amusement devices or interactive digital games to be
178 played at any time when the device retailer is closed for business.

179 9. (1) No person under twenty-one years of age shall play interactive digital
180 games, and such mechanical amusement devices shall be under the supervision of a
181 person that is twenty-one years of age or older to prevent persons under twenty-one
182 years of age from playing interactive digital games. Mechanical amusement devices
183 shall be placed in a fully enclosed room that is continually monitored by video
184 surveillance and where access to persons under twenty-one years of age is denied by a
185 procedure approved by the commission. A warning sign shall be posted in a
186 conspicuous location where such mechanical amusement devices are located, containing
187 in red lettering at least one-half inch high on a white background the following:

188

189 **"YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY INTERACTIVE**
190 **DIGITAL GAMES"**.

191 **(2) In addition to the placement and supervision requirements of this subsection,**
192 **video surveillance footage in the immediate area of the device retailer's establishment**
193 **where mechanical amusement devices are located shall be reviewed by device operators**
194 **as required by the commission for any violation of law, rules, or regulations governing**
195 **the conduct of interactive digital games on mechanical amusement devices and shall be**
196 **made available to the commission upon request.**

197 **(3) Device retailers shall provide an intrusion detection system capable of**
198 **detecting unauthorized entrance of the device retailer's establishment during**
199 **nonbusiness hours and shall report to the commission any unauthorized entrance of**
200 **the device retailer's establishment. Such surveillance and intrusion detection system**
201 **shall meet specifications as defined by the commission.**

202 **(4) A device operator shall post a sign in a conspicuous location where such**
203 **mechanical amusement devices are located, containing in red lettering at least one-half**
204 **inch high on a white background a telephone contact number (1-888-BETSOFF) for the**
205 **problem gambling helpline.**

206 **(5) A device operator or device retailer that fails to report any known violation**
207 **of law, rules, or regulations governing the conduct of interactive digital games on**
208 **mechanical amusement devices in conformance with established commission procedures**
209 **may be subject to an administrative fine not to exceed five thousand dollars. In the**
210 **event a device operator or device retailer is found to have knowingly committed a**
211 **violation governing the conduct of interactive digital games on mechanical amusement**
212 **devices, the commission may impose an administrative fine not to exceed ten thousand**
213 **dollars, suspend such operator's or retailer's license for up to thirty days, or in the case**
214 **of repeated violations, revoke such device operator's or device retailer's license for a**
215 **period of one year. Any device operator or device retailer aggrieved by the**
216 **commission's decision in any disciplinary action that results in the suspension or**
217 **revocation of such device operator's or device retailer's license may appeal such decision**
218 **by filing an action in circuit court.**

219 **10. (1) Device operators shall pay the commission thirty-three percent of the**
220 **adjusted gross receipts, which shall be deposited into the state lottery fund. The**
221 **commission shall transfer, subject to appropriation, the amount received from the**
222 **commission director to the state lottery fund after administrative expenses equal to four**
223 **percent of the adjusted gross receipts are paid to the municipality where a licensed**
224 **device retailer maintains an establishment licensed for the operation of mechanical**
225 **amusement devices, or if such licensed device retailer is not located within the corporate**

226 boundaries of a municipality, to the county where such licensed device retailer is located
227 to reimburse such municipality or county for administrative expenses, and any
228 administrative expenses for the commission that are not covered by reimbursements
229 from operators are deducted. Net proceeds transferred to the state lottery fund shall be
230 appropriated to public elementary and secondary education institutions with an
231 emphasis on funding student, teacher, and community health and safety.

232 (2) Device operators shall retain the remainder of the adjusted gross receipts, a
233 portion of which shall be utilized to pay for administrative expenses, which shall include
234 the cost of the centralized computer system, which cost shall be paid by device operators
235 in proportion to the number of mechanical amusement devices operated. Fifty percent
236 of the costs of the centralized computer system shall be apportioned by the device
237 operator among device retailers to which it provides operations based on the number of
238 mechanical amusement devices located at the device retailer's establishment. The
239 remainder of adjusted gross receipts retained by the device operator, after the cost of the
240 centralized computer system and administrative costs are paid and apportioned, shall
241 be divided equally between the device operator and device retailer as agreed under
242 subsection 7 of this section.

243 11. All revenues received by the commission from license application fees, license
244 fees, administrative fines, and any reimbursements associated with the administration of
245 the provisions of sections 313.427 to 313.437, and all interest earned thereon, shall be
246 considered administrative expenses and shall be deposited in the general revenue fund.
247 Moneys deposited into the general revenue fund from such fees and fines and any
248 reimbursements of commission administrative expenses to administer sections 313.427
249 to 313.437 shall be considered administrative expenses and shall not be considered net
250 proceeds under Article III, Section 39(b) of the Constitution of Missouri. Subject to
251 appropriation, up to one percent of such fees and fines shall be deposited to the credit of
252 the veterans' commission capital improvement trust fund created under section 42.300.
253 The remainder of the moneys deposited in the general revenue fund from such fees and
254 fines and any reimbursements of commission administrative expenses to enforce
255 sections 313.427 to 313.437 shall, subject to appropriation, be divided as follows:

256 (1) Fifty percent to be appropriated to public safety with an emphasis on peace
257 officer funding for salary increases, continuing education, training, and certifications;
258 and

259 (2) Fifty percent to be used for administrative expenses associated with
260 supervising and enforcing the provisions of sections 313.427 to 313.437.

261 **12. The commission shall contract with a state law enforcement entity to assist in**
262 **conducting background investigations of mechanical amusement device program**
263 **applicants and for the enforcement of sections 313.427 to 313.437.**

264 **13. A mechanical amusement device licensee suspected of a violation of sections**
265 **313.427 to 313.437 shall be afforded an administrative hearing by the commission**
266 **director on the record, and an appeal of any action taken to impose a fine on such**
267 **licensee shall be to the commission. Any such administrative suspension or revocation**
268 **upheld by the commission may be appealed by the mechanical amusement device**
269 **licensee in a state court of competent jurisdiction.**

270 **14. The commission shall adopt rules for the implementation of the mechanical**
271 **amusement device program authorized under sections 313.427 to 313.437, including, but**
272 **not limited to, the placement of mechanical amusement devices within a device retailer**
273 **and for the active oversight of the conduct of interactive digital games on mechanical**
274 **amusement devices. Any rule or portion of a rule, as that term is defined in section**
275 **536.010, that is created under the authority delegated in this section shall become**
276 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
277 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any**
278 **of the powers vested with the general assembly pursuant to chapter 536 to review, to**
279 **delay the effective date, or to disapprove and annul a rule are subsequently held**
280 **unconstitutional, then the grant of rulemaking authority and any rule proposed or**
281 **adopted after August 28, 2024, shall be invalid and void.**

313.431. In order to expedite the orderly implementation of the mechanical
2 **amusement device program authorized under sections 313.427 to 313.437, the**
3 **commission shall:**

4 **(1) Contract for the supply and operation of a centralized computer system for**
5 **mechanical amusement devices no later than one hundred twenty days after the**
6 **effective date of this act;**

7 **(2) Make license applications for device manufacturers, device distributors,**
8 **device operators, device retailers, and device handlers available to applicants and accept**
9 **such applicants and promulgate any emergency or regular rules and regulations needed**
10 **for the implementation of the mechanical amusement device program authorized under**
11 **sections 313.427 to 313.437 no later than one hundred twenty days after the effective**
12 **date of this act;**

13 **(3) Issue an approved form for persons applying for a device operator's license**
14 **available for use in contracting with a device retailer no later than one hundred twenty**
15 **days after the effective date of this act;**

16 **(4) Establish a start date, once applications and the approved form contract are**
17 **made available, whereby any person seeking a license as a device operator that has**
18 **applied for a license to be a device operator, paid the initial license fee, and satisfactorily**
19 **completed an initial criminal background check may begin soliciting contracts with**
20 **prospective device retailers for the placement of mechanical amusement devices. Such**
21 **start date shall be set no more than sixty days after applications are made available; and**

22 **(5) Approve or deny any completed device retailer application no more than**
23 **ninety days after such an application has been received.**

313.433. 1. Notwithstanding any other provision of law to the contrary,
2 **participation by a person, firm, corporation, or organization in any aspect of the**
3 **mechanical amusement device program under sections 313.427 to 313.437 shall not be**
4 **construed to be a lottery or gift enterprise in violation of Article III, Section 39 of the**
5 **Constitution of Missouri.**

6 **2. The sale of lottery tickets, shares, or lottery game plays using a mechanical**
7 **amusement device under sections 313.427 to 313.437 shall not constitute a valid reason**
8 **to refuse to issue or renew or to revoke or suspend any license or permit issued under**
9 **the provisions of chapter 311.**

313.434. 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 mechanical amusement devices used to conduct interactive**
4 **digital games authorized under sections 313.427 to 313.437 to licensees, the registering,**
5 **recording, and labeling of which have been completed by the manufacturer or**
6 **distributor thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended,**
7 **shall not be considered shipments of gambling devices into this state.**

313.435. 1. A municipality may adopt an ordinance prohibiting mechanical
2 **amusement devices within the limits of such municipality within one hundred eighty**
3 **days from the effective date of this act.**

4 **2. A county commission may, for the unincorporated area of the county, adopt**
5 **an ordinance prohibiting mechanical amusement devices within the unincorporated**
6 **area of such county within one hundred eighty days from the effective date of this act.**

7 **3. Any municipality or county adopting an ordinance that disallows the licensing**
8 **of device retailers shall notify the commission of such action and provide a certified copy**
9 **of such ordinance to the commission. Upon receiving such notification and ordinance,**
10 **the commission shall not license device retailers within such area covered by such**
11 **municipal or county ordinance.**

12 **4. Any such municipality or county that has opted to prohibit the use of**
13 **mechanical amusement devices to play interactive digital games may repeal such**

14 ordinance, and upon such repeal and notification of such repeal, the commission may
15 license device retailers within such municipality or county to conduct interactive digital
16 games on mechanical amusement devices. A person or sales agent's operation, handling,
17 leasing, licensing, servicing, or placing of unregulated coin-operated amusement
18 machines shall in no way prohibit or prejudice that person or sales agent's
19 participation in the mechanical amusement device program authorized under sections
20 313.427 to 313.437, nor shall it constitute a valid reason to refuse to issue or renew or to
21 revoke or suspend any license or permit issued under sections 313.427 to 313.437. The
22 commission or any political subdivisions shall in no way prejudice or prohibit the
23 participation or the issuance of any license relating to interactive digital games or
24 mechanical amusement devices to persons or sales agents on the basis of such person or
25 sales agent's operation, handling, leasing, licensing, servicing, or placing of unregulated
26 coin-operated amusement machines.

2 313.437. If any provision of sections 313.427 to 313.437 or the application thereof
3 to anyone or to any circumstance is held invalid, the remainder of those sections and the
4 application of such provisions to others or other circumstances shall not be affected
5 thereby.

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

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

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

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

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

21 expenditure related to a law enforcement officer deployed as horse-mounted patrol, school
22 resource or drug awareness resistance education (D.A.R.E) officer;

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

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

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

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

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

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

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

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

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

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

55 (15) "Games of skill", any gambling game in which there is an opportunity for the
56 player to use the player's reason, foresight, dexterity, sagacity, design, information or strategy
57 to favorably increase the player's expected return; including, but not limited to, the gambling

58 games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow
59 poker", "Texas hold'em", "double down stud", "**sports wagering**", and any video
60 representation of such games;

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

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

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

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

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

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

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

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

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

90 (2) All testimony shall be given under oath or affirmation. Any citizen of this state
91 shall have the opportunity to testify on the merits of the petition. The commission may
92 subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the
93 commission shall evaluate the record of the hearing and issue written findings of fact that
94 shall be based exclusively on the evidence and on matters officially noticed. The commission

95 shall then render a written decision on the merits which shall contain findings of fact,
96 conclusions of law and a final commission order. The final commission order shall be within
97 thirty days of the hearing. Copies of the final commission order shall be served on the
98 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 **created under section 313.842.**

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

17 **2. The commission, in cooperation with the department of mental health, shall**
18 **develop a triennial research report in order to assess the social and economic effects of**
19 **gaming in the state and to obtain scientific information related to the neuroscience,**
20 **psychology, sociology, epidemiology, and etiology of compulsive gambling. The report**
21 **and associated studies shall be submitted to the governor, the president pro tempore of**
22 **the senate, and the speaker of the house of representatives no later than December 31,**
23 **2025, and not later than December thirty-first of every third year thereafter. The**
24 **research report shall include, but not be limited to:**

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

3 **(1) "Adjusted gross receipts":**

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

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

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

11 **c. Voided or cancelled wagers;**

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

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

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

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

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

26 **(b) The deductions allowed under paragraph (a) of this subdivision shall not**
27 **include any costs arising directly from the purchase of advertising with a nonpatron**

28 **third party, including the direct cost of purchasing print, television, or radio advertising**
29 **or any signage or billboards;**

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

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

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

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

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

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

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

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

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

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

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

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

62 **(9) "Designated sports district mobile licensee", a person or entity, registered to**
63 **do business within this state, that is designated by a professional sports team entity to be**
64 **a licensed applicant and an interactive sports wagering platform operator authorized to**

65 offer sports wagering only via the internet in this state, subject to the commission's
66 approval and licensure under sections 313.1000 to 313.1022; provided, however, for
67 purposes of clarification and avoidance of doubt, the designated person or entity, rather
68 than the applicable professional sports team entity, shall be the party that submits to the
69 commission for licensure under sections 313.1000 to 313.1022;

70 (10) "Esports", athletic and sporting events in which all participants are
71 eighteen years of age or older and involving electronic sports and competitive video
72 games;

73 (11) "Excursion gambling boat", the same meaning as defined under section
74 313.800;

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

77 (13) "Interactive sports wagering platform" or "platform", a platform operated
78 by an interactive sports wagering platform operator that offers sports wagering through
79 an individual account registered to an eligible person, under section 313.1014, over the
80 internet, including on websites and mobile devices, on behalf of a licensed facility or
81 designated sports district. Except as otherwise provided, an interactive sports wagering
82 platform may also offer in-person sports wagering on behalf of a licensed facility that is
83 an excursion gambling boat at its licensed facility, including through sports wagering
84 devices;

85 (14) "Interactive sports wagering platform operator", a suitable legal entity that
86 holds a license issued by the commission to operate an interactive sports wagering
87 platform;

88 (15) "Licensed applicant", a person holding a license issued under section
89 313.807 to operate an excursion gambling boat, an interactive sports wagering platform
90 operator, or a designated sports district mobile licensee;

91 (16) "Licensed facility", an excursion gambling boat licensed under this chapter
92 or a designated sports district for which a certificate holder is licensed under sections
93 313.1000 to 313.1022;

94 (17) "Licensed supplier", a person holding a supplier's license issued by the
95 commission;

96 (18) "Occupational license", a license issued by the commission;

97 (19) "Official league data", statistics, results, outcomes, and other data related to
98 a sports event or other event utilized to determine the outcome of tier 2 bets obtained
99 pursuant to an agreement with the relevant sports governing body or an entity expressly
100 authorized by the sports governing body to provide such information that authorizes a
101 sports wagering operator to use such data for determining the outcome of tier 2 bets;

102 **(20) "Person", an individual, sole proprietorship, partnership, association,**
103 **fiduciary, corporation, limited liability company, or any other business entity;**

104 **(21) "Personal biometric data", any information about an athlete that is derived**
105 **from the athlete's DNA, heart rate, blood pressure, perspiration rate, internal or**
106 **external body temperature, hormone levels, glucose levels, hydration levels, vitamin**
107 **levels, bone density, muscle density, or sleep patterns or other information as may be**
108 **prescribed by the commission by regulation;**

109 **(22) "Players association", a professional sports association recognized by a**
110 **sports governing body that represents professional athletes;**

111 **(23) "Professional sports team entity", a person or entity, registered to do**
112 **business in this state, that owns or operates a professional sports team that is a member**
113 **of the National Football League, Major League Baseball, the National Hockey League,**
114 **the National Basketball Association, Major League Soccer, the Women's National**
115 **Basketball Association, or the National Women's Soccer League and that plays its home**
116 **games within a designated sports district;**

117 **(24) "Prohibited conduct", any statement, action, or other communication**
118 **intended to influence, manipulate, or control a betting outcome of a sporting contest or**
119 **of any individual occurrence or performance in a sporting contest in exchange for**
120 **financial gain or to avoid financial or physical harm. "Prohibited conduct" includes**
121 **statements, actions, and communications made to a covered person by a third party,**
122 **such as a family member or through social media, but shall not include statements,**
123 **actions, or communications made or sanctioned by a team or sports governing body;**

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

127 **(26) "Sports wagering", "sports wager", "sports bet", or "bet", wagering on**
128 **athletic, sporting, and other competitive events involving human competitors including,**
129 **but not limited to, esports, or on other events as approved by the commission. Such**
130 **terms shall include, but not be limited to, bets or wagers made on: portions of athletic**
131 **and sporting events, including those on outcomes determined prior to the start of a**
132 **sporting event, or on the individual statistics of athletes in a sporting event or**
133 **compilation of sporting events, involving human competitors. The term includes, but is**
134 **not limited to, single-game wagers, teaser wagers, parlays, over-unders, moneyline bets,**
135 **pools, exchange wagering, in-game wagers, in-play wagers, proposition wagers, and**
136 **straight wagers or other wagers approved by the commission. Sports wagering shall not**
137 **include fantasy sports under sections 313.900 to 313.955 or those games and contests in**

138 which the outcome is determined purely on chance and without any human skill,
139 intention, interaction, or direction;

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

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

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

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

164 (31) "Supplier's license", a license issued by the commission under section
165 313.807;

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

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

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, which shall include devices capable of
4 accepting sports wagers used to conduct sports wagering under sections 313.1000 to
5 313.1022 to licensed applicants or sports wagering operators, the registering, recording,
6 and labeling of which have been completed by the manufacturer or dealer thereof in

7 accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal shipments of
8 gambling devices into this state. Point-of-contact devices or kiosks not yet capable of
9 accepting sports wagers shall not be considered gambling devices for the purposes of
10 this section.

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

3 2. A certificate holder may offer sports wagering:

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

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

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

313.1004. 1. The commission shall have full jurisdiction to supervise all
2 gambling operators governed by sections 313.1000 to 313.1022 and shall adopt rules and
3 regulations to implement the provisions of sections 313.1000 to 313.1022. Any rule or
4 portion of a rule, as that term is defined in section 536.010, that is created under the
5 authority delegated in this section shall become effective only if it complies with and is
6 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
7 section and chapter 536 are nonseverable and if any of the powers vested with the
8 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
9 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
10 rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be
11 invalid and void.

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

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

16 (a) Wagers are received;

17 (b) Payouts are paid; and

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

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

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

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

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

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

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

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

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

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

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

48 **(c) Receive complaints from the public;**

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

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

53 **(7) Establish house rules specifying the amounts to be paid on winning wagers**
54 **and the effect of schedule changes. The house rules shall be displayed in the sports**
55 **wagering operator's sports wagering area or posted on the sports wagering operator's**

56 internet site or mobile application and included in the terms and conditions thereof or
57 another approved area; and

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

60 4. (1) A sports governing body or other authorized entity that maintains official
61 league data may notify the commission that official league data for settling tier 2 bets is
62 available for sports wagering operators.

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

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

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

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

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

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

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

93 **6. (1) The commission shall establish a hotline or other method of**
94 **communication that allows any person to confidentially report information about**
95 **prohibited conduct to the commission.**

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

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

102 **(4) If the commission receives a complaint of prohibited conduct by an athlete,**
103 **the commission shall notify the appropriate sports governing body and players**
104 **association of the athlete to review the complaint as provided by rule.**

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

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

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

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

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

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

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

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

18 **2. Upon receipt of the application and fee required under subsection 1 of this**
19 **section, the commission shall issue a certificate of authority to a licensed applicant**
20 **authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to**
21 **313.1022 in a licensed facility or through an interactive sports wagering platform.**

313.1008. 1. The commission shall ensure that new sports wagering devices and
2 **new forms, variations, or composites of sports wagering are tested under the terms and**

3 conditions that the commission considers appropriate prior to authorizing a sports
4 wagering operator to offer a new sports wagering device or a new form, variation, or
5 composite of sports wagering. The commission may utilize an approved independent
6 testing laboratory to assist with any requirements of this section. The commission shall
7 accept such testing of another sports wagering governing body in the United States if the
8 commission determines the testing of that governing body is substantially similar to the
9 testing that would otherwise be required by the commission and the sports wagering
10 operator verifies that its sports wagering devices and forms have not materially changed
11 since such testing.

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

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

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

34 5. (1) Sports wagering may be conducted with chips, tokens, electronic cards,
35 cash, cash equivalents, debit or credit cards, other negotiable currency, online payment
36 services, automated clearing houses, promotional funds, or any other means approved
37 by the commission.

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

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

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

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

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

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

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

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

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

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

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;**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 **3. The commission shall adopt rules and regulations that incorporate a sports**
8 **wagering self-exclusion program into the program adopted under sections 313.800 to**
9 **313.850. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
10 **created under the authority delegated in this section shall become effective only if it**
11 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
12 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
13 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
14 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
15 **then the grant of rulemaking authority and any rule proposed or adopted after August**
16 **28, 2024, shall be invalid and void.**

17 **4. The commission shall adopt rules to ensure that advertisements for sports**
18 **wagering:**

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

21 **(2) Disclose the identity of the sports wagering operator;**

22 **(3) Provide information about or links to resources relating to gambling**
23 **addiction;**

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

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

27 **(6) Include responsible gambling messages and a nationally recognized problem**
28 **gambling helpline number in all promotional activity.**

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

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. A background**
5 **check under this section shall be consistent with the provisions of section 313.810.**

6 **2. (1) A sports wagering operator shall employ commercially reasonable**
7 **methods to:**

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

11 **(b) Prohibit any person with access to nonpublic confidential information held**
12 **by the sports wagering operator from placing sports wagers with the sports wagering**
13 **operator;**

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

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

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

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

25 **3. (1) The following individuals are prohibited from engaging in sports wagering**
26 **under sections 313.1000 to 313.1022:**

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

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

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

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

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

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

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

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

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

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

51 **(a) Has less than five percent direct or indirect ownership interest in a casino or**
52 **sports wagering operator; or**

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

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

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

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

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

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

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

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

67 **4. Given good and sufficient reason, each of the commission and sports wagering**
68 **operators shall cooperate with investigations conducted by law enforcement agencies or**
69 **sports governing bodies, including providing or facilitating the provision of relevant**
70 **betting information and audio or video files relating to persons placing sports wagers;**
71 **except that, with respect to any such information or files disclosed by a sports wagering**
72 **operator to a sports governing body, the sports governing body shall:**

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

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

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

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

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

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

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

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

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

88

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

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

95 **7. A sports governing body or players association may submit to the commission**
96 **a request in writing to restrict, limit, or exclude a type or form of sports wagering on its**
97 **sporting events if such body or association believes that such sports wagering affects the**
98 **integrity or perceived integrity of its sport. The commission may grant the request upon**
99 **a showing of good cause by the applicable sports governing body or players association.**

100 **The commission shall promptly review any information provided and respond as**

101 expeditiously as practicable to the request. Prior to making a determination, the
102 commission shall notify and consult with sports wagering operators. If the commission
103 deems it relevant, it may also consult with any applicable independent monitoring
104 providers or other jurisdictions. No restrictions, limitations, or exclusions of wagers
105 shall be conducted without the express written approval of the commission. Sports
106 wagering operators shall be notified of any restrictions, limitations, or exclusions
107 granted by the commission.

108 **8. (1) No sports wagering operator shall offer any sports wagers on an**
109 **elementary or secondary school athletic or sporting event in which a school team from**
110 **this state is a participant, or on the individual performance statistics of an athlete in an**
111 **elementary or secondary school athletic or sporting event in which a school team from**
112 **this state is a participant.**

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

313.1016. 1. A sports wagering operator shall, for a wager that exceeds ten
2 **thousand dollars and that is placed in person by a patron, maintain the following**
3 **records for a period of at least three years after the 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**
8 **or sports wagering 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**
12 **wagering supplier where applicable, for all bets and wagers placed through an**
13 **interactive sports wagering platform, shall maintain the following records for a period**
14 **of at 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 discernible pattern of abnormal betting activity by the patron.**

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

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

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

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

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

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

20 **5. (1) A licensed facility that is an excursion gambling boat shall pay to the**
21 **commission an annual license renewal fee, not to exceed fifty thousand dollars. The fee**
22 **imposed shall be due on the anniversary date of the issuance of the license and on each**
23 **anniversary date thereafter. The commission shall deposit the annual license renewal**
24 **fees received under this subdivision in the gaming commission fund established under**
25 **section 313.835.**

26 **(2) In addition to the annual license renewal fee, required in this subsection, a**
27 **certificate holder shall pay to the commission a fee of ten thousand dollars to cover the**
28 **costs of a full reinvestigation of the certificate holder in the fourth year after the date on**
29 **which the certificate holder commences sports wagering operations under sections**
30 **313.1000 to 313.1022 and on each fourth year thereafter. The commission shall deposit**

31 the fees received under this subdivision in the gaming commission fund established
32 under section 313.835.

33 **6. Subject to appropriation, five hundred thousand dollars shall be appropriated**
34 **from the gaming commission fund created under section 313.835 and credited annually**
35 **to the compulsive gamblers fund created under section 313.842. When considering the**
36 **amount of funds to appropriate to the compulsive gamblers fund, the general assembly**
37 **shall consider the findings and recommendations contained in the research report**
38 **required under subsection 2 of section 313.842 for increased funding in excess of the five**
39 **hundred thousand dollars.**

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

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

✓