

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 743, Page 2, Section 144.812, Line 44, by inserting after all of said section
2 and line the following:
3

4 "313.057. 1. It is unlawful for any person, either as an owner, lessee or employee, to
5 operate, carry on, conduct or maintain any form of manufacturing, selling, leasing or distribution of
6 any bingo equipment or supplies without having first procured and maintained a Missouri bingo
7 equipment and supplies manufacturer or supplier license.

8 2. The commission shall submit two sets of fingerprints for each key person, as defined in
9 commission rules and regulations, of an entity or organization seeking issuance or renewal of a
10 Missouri bingo equipment and supplies manufacturer or supplier license, for the purpose of
11 checking the person's prior criminal history when the commission determines a nationwide check is
12 warranted. The fingerprint cards and any required fees shall be sent to the Missouri state highway
13 patrol's criminal records division. The first set of fingerprints shall be used for searching the state
14 repository of criminal history information. The second set of fingerprints shall be forwarded to the
15 Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal
16 history files. The patrol shall notify the commission of any criminal history information or lack of
17 criminal history information discovered on the individual. Notwithstanding the provisions of
18 section 610.120, all records related to any criminal history information discovered shall be
19 accessible and available to the commission.

20 3. The holder of a state bingo license may, within two years of cessation of conducting
21 bingo or upon specific approval by the commission, dispose of by sale in a manner approved by the
22 commission, any or all of his bingo equipment and supplies, without a supplier's license. In case of
23 foreclosure of a lien by a bank or other person holding a security interest for which bingo equipment
24 is security in whole or in part for the lien, the commission may authorize the disposition of the bingo
25 equipment without requiring a supplier's license.

26 4. Any person whom the commission determines to be a suitable person to receive a license
27 pursuant to the provisions of this section may be issued a manufacturer's or supplier's license. The
28 commission may require suppliers to post a bond with the commission in an amount and in the
29 manner prescribed by the commission. The burden of proving his qualification to receive or hold a
30 license pursuant to this section is at all times on the applicant or licensee.

Action Taken _____ Date _____

1 5. The commission shall charge and collect from each applicant for a supplier's license a
2 one-time application fee set by the commission, not to exceed five thousand dollars. The
3 commission shall charge and collect an annual renewal fee for each supplier licensee not to exceed
4 one thousand dollars. The applicant shall be responsible for the total cost of the criminal history
5 investigation. If the cost of the investigation exceeds the total amount of fees filed by the applicant
6 in this subsection, the commission may assess additional fees as it deems appropriate.

7 6. The commission shall charge and collect from each applicant for a manufacturer's license
8 a one-time application fee set by the commission, not to exceed five thousand dollars. The
9 commission shall charge and collect an annual renewal fee for each manufacturer licensee not to
10 exceed one thousand dollars. The applicant shall be responsible for the total cost of the criminal
11 history investigation. If the cost of the investigation exceeds the total amount of fees filed by the
12 applicant in this subsection, the commission may assess additional fees as it deems appropriate.

13 7. The commission shall charge and collect from each applicant for a hall provider's license
14 a one-time application fee set by the commission, not to exceed seven hundred fifty dollars. The
15 commission shall charge and collect an annual renewal fee for each hall provider licensee not to
16 exceed five hundred dollars.

17 8. All licenses issued pursuant to this section shall be issued for the calendar year and shall
18 expire on December thirty-first of each year. Regardless of the date of application or issuance of the
19 license, the fee to be charged and collected pursuant to this section shall be the full annual fee.

20 9. All license fees collected pursuant to this section shall be paid over immediately to the
21 state treasurer to be deposited to the credit of the gaming commission fund.

22 10. All licensees pursuant to this section shall maintain for a period of not less than three
23 years full and complete records of all business carried on in this state and shall make same available
24 for inspection to any duly authorized representative of the commission. If a supplier does not
25 receive payment in full from an organization within thirty days of the delivery of bingo supplies, the
26 supplier shall notify the commission in writing, or in a manner specified by the commission in its
27 rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the
28 commission shall notify all suppliers that until further notice from the commission, all sales of bingo
29 supplies to the delinquent organizations shall be on a cash-only basis. Upon receipt of the notice
30 from the commission, no supplier may extend credit to the delinquent organization until such time
31 as the commission approves credit sales. If a manufacturer does not receive payment in full from a
32 supplier within ninety days of the delivery of bingo supplies, the manufacturer shall notify the
33 commission in writing, or in a manner specified by the commission in its rules and regulations, of
34 the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all
35 manufacturers that until further notice from the commission, all sales of bingo supplies to the
36 delinquent supplier shall be on a cash-only basis. Upon receipt of the notice from the commission,
37 no manufacturer may extend credit to the delinquent supplier until such time as the commission
38 approves credit sales.

11. ~~[Until January 1, 1995, all suppliers shall pay a tax on all pull-tab cards distributed by them in the amount of ten dollars per box when sold by any organization licensed to conduct bingo pursuant to the provisions of sections 313.005 to 313.080. No box sold shall contain more than twenty-four hundred pull-tab cards. Beginning January 1, 1995, a tax is hereby imposed in the amount of two percent of the gross receipts of the retail sales value charged for each pull-tab card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, if timely filed and paid, shall be paid on a monthly basis to the commission by each supplier of pull-tabs and shall be due on the last day of each month following the month in which the pull-tabs were sold. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.] All pull-tab cards sold by suppliers in this state shall bear on the face thereof the amount for which such pull-tab cards will be sold. Each unit container shall contain cards printed in such a manner as to ensure that at least sixty percent of the gross revenues generated by the ultimate sale of such cards shall be returned to the final purchasers of such cards. [Any supplier who fails to pay the tax imposed pursuant to this subsection shall have his license issued pursuant to this section revoked and shall be guilty of a class A misdemeanor.]~~

~~[313.055. 1. A tax is hereby imposed on each organization conducting the game of bingo which awards to winners of bingo games prizes or merchandise having an aggregate retail value of more than five thousand dollars annually and more than one hundred dollars in any single day. The tax shall be in the amount of two-tenths of one cent upon each bingo card and progressive bingo game card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, shall be paid on a monthly basis to the commission, by each supplier of bingo supplies and shall be due on the last day of the month following the month in which the bingo card was sold, with the date of sale being the date on the invoice evidencing the sale, along with such reports as may be required by the commission. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.~~

~~2. All taxes not paid to the commission by the person or licensee required to remit the same on the date when the same becomes due and payable to the commission under the provisions of sections 313.005 to 313.085 shall bear interest at the rate to be set by the commission not to exceed two percent per calendar month, or fraction thereof, from and after such date until paid. In addition, the commission may impose a penalty not to exceed three times the amount of taxes due for failure to submit the reports required by this section and pay the taxes due.]"~~; and

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