

SECOND REGULAR SESSION

HOUSE BILL NO. 3154

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOK.

5554H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapters 311 and 313, RSMo, by adding thereto three new sections relating to criminal background checks.

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

Section A. Chapters 311 and 313, RSMo, are amended by adding thereto three new sections, to be known as sections 311.661, 313.912, and 313.1000, to read as follows:

- 311.661. 1. As used in this section, the following terms mean:**
- 2 **(1) "Alcohol carrier or transportation license", a license issued to an applicant**
 - 3 **for the transport or delivery of intoxicating liquor into, within, or through this state;**
 - 4 **(2) "Applicant", the same meaning as such term is defined under section 43.540;**
 - 5 **(3) "Division", the division of alcohol and tobacco control;**
 - 6 **(4) "Manufacturer-solicitor, domestic winery, or microbrewery liquor license", a**
 - 7 **license issued to an applicant authorizing the manufacturing, distilling, blending, or**
 - 8 **brewing of intoxicating liquor in this state;**
 - 9 **(5) "Owner", an individual holding ten percent or greater financial interest or**
 - 10 **voting interest in an entity seeking to be licensed;**
 - 11 **(6) "Primary retail liquor license", a license issued to an applicant for the retail**
 - 12 **sale of intoxicating liquor in this state;**
 - 13 **(7) "Solicitor license", a license issued to an applicant that allows for the**
 - 14 **solicitation of orders for the sale of intoxicating liquor to wholesalers licensed in this**
 - 15 **state;**
 - 16 **(8) "Wholesalers license", a license issued to an applicant authorizing the sale of**
 - 17 **intoxicating liquor to retail licensees;**

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.

18 **(9) "Wine direct shipper license", a license issued to an applicant allowing for**
19 **the direct shipping of intoxicating liquor to consumers who are residents of this state**
20 **and who are twenty-one years of age or older for the resident's personal use and not for**
21 **resale.**

22 **2. The division may require any owner or applicant seeking a license for the**
23 **manufacture, sale, transport, consumption, or delivery of intoxicating liquors within**
24 **this state, as provided in this chapter, to submit fingerprints to the Missouri state**
25 **highway patrol for the purpose of conducting a state and federal fingerprint-based**
26 **criminal history background check. The licenses provided by this chapter that require a**
27 **background check for licensure are as follows:**

- 28 **(1) Alcohol carrier or transportation license;**
29 **(2) Manufacturer-solicitor, domestic winery, or microbrewery liquor license;**
30 **(3) Primary retail liquor license;**
31 **(4) Solicitor license;**
32 **(5) Wholesalers license; and**
33 **(6) Wine direct shipper license.**

34 **3. The fingerprints and any required fees shall be sent to the Missouri state**
35 **highway patrol's central repository. The fingerprints shall be used for searching the**
36 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
37 **Investigation for a federal criminal records search under section 43.540. The Missouri**
38 **state highway patrol shall notify the division of any criminal history record information**
39 **or lack of criminal history record information discovered on the individual.**
40 **Notwithstanding the provisions of section 610.120 to the contrary, all records related**
41 **to any criminal history information discovered shall be accessible and available to the**
42 **division.**

313.912. 1. As used in this section, the following terms mean:

- 2 **(1) "Commission", the Missouri gaming commission;**
3 **(2) "Fantasy sports contest operator", a sole proprietorship, corporation,**
4 **partnership, limited liability company, or a division thereof that is engaged in the**
5 **business of professionally conducting paid fantasy sports contests, as defined under**
6 **section 313.905, for cash or other prizes or awards for members of the general public**
7 **that requires cash or cash equivalent as an entry fee to be paid by a member of the**
8 **general public.**

9 **2. The commission may require that fingerprint submissions be made as part of**
10 **an application for a fantasy sports contest operator license by any employees, officers,**
11 **or directors of a fantasy sports contest operator.**

12 **3. If the commission requires that fingerprint submissions be made as part of**
13 **such application, the commission shall require applicants to submit fingerprints to the**
14 **Missouri state highway patrol for the purpose of conducting a state and federal**
15 **fingerprint-based criminal history background check.**

16 **4. The fingerprints and any required fees shall be sent to the Missouri state**
17 **highway patrol's central repository. The fingerprints shall be used for searching the**
18 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
19 **Investigation for a federal criminal records search under section 43.540. The Missouri**
20 **state highway patrol shall notify the commission of any criminal history record**
21 **information or lack of criminal history record information discovered on the individual.**
22 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
23 **any criminal history information discovered shall be accessible and available to the**
24 **commission.**

313.1000. 1. As used in this section, the following terms mean:

- 2 **(1) "Commission", the Missouri gaming commission;**
3 **(2) "Excursion gambling boat", the same meaning as such term is defined under**
4 **section 313.800;**
5 **(3) "Mobile sports wagering license", a license granted by the Missouri gaming**
6 **commission authorizing the licensee to offer sports wagering through an online sports**
7 **wagering platform to individuals physically located in this state;**
8 **(4) "Retail sports wagering license", a license granted by the Missouri gaming**
9 **commission authorizing the licensee to offer sports wagering in person to individuals at**
10 **excursion gambling boats or at any location within each sports district, as approved by**
11 **each applicable professional sports team that plays its home games in such sports**
12 **district;**
13 **(5) "Sports district", the premises of a facility located in this state with a**
14 **capacity of eleven thousand five hundred people or more, at which one or more**
15 **professional sports teams play their home games, and the surrounding area within four**
16 **hundred yards of such premises.**

17 **2. The commission may require that fingerprint submissions be made as part of**
18 **an application for a retail sports wagering license or mobile sports wagering license.**

19 **3. If the commission requires that fingerprint submissions be made as part of**
20 **such application, the commission shall require applicants to submit fingerprints to the**
21 **Missouri state highway patrol for the purpose of conducting a state and federal**
22 **fingerprint-based criminal history background check.**

23 **4. The fingerprints and any required fees shall be sent to the Missouri state**
24 **highway patrol's central repository. The fingerprints shall be used for searching the**

25 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
26 **Investigation for a federal criminal records search under section 43.540. The Missouri**
27 **state highway patrol shall notify the commission of any criminal history record**
28 **information or lack of criminal history record information discovered on the individual.**
29 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
30 **any criminal history information discovered shall be accessible and available to the**
31 **commission.**

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