

# HOUSE BILL NO. 2284

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH.

4945H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 572.015, RSMo, and to enact in lieu thereof sixteen new sections relating to sports wagering, with penalty provisions.

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

Section A. Section 572.015, RSMo, is repealed and sixteen new sections, to be known as sections 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1019, 313.1020, 313.1021, 313.1022, and 572.015, to read as follows:

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

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

**(a) Gross receipts minus:**

**(b) The total of:**

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

**b. The actual costs paid by a sports wagering operator for any personal property or services distributed to sports wagering patrons as prizes;**

**c. Excise tax payments remitted to the federal government;**

**d. Royalty fees paid under sections 313.1019 and 313.1020;**

**e. Voided wagers; and**

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

**(i) A reasonable provision for uncollectible patron checks received from sports wagering operations; or**

**(ii) Two percent of the total of all sums, including checks, whether collected or not, less the amount paid out as winnings to sports wagering patrons. For purposes of this**

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.

16 section, a counter or personal check that is invalid or unenforceable under this section is  
17 considered cash received by the sports wagering operator from sports wagering operations;

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

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

22 (4) "Commission", the Missouri gaming commission;

23 (5) "Department", the department of revenue;

24 (6) "Excursion gambling boat", the same meaning as defined under section  
25 313.800;

26 (7) "Gross receipts", the total amount of cash and cash equivalents paid by sports  
27 wagering patrons to a sports wagering operator, excluding promotional wagering credits  
28 issued to sports wagering patrons, to participate in sports wagering;

29 (8) "Interactive sports wagering platform" or "platform", a person that offers  
30 sports wagering over the internet, including on internet websites and mobile devices on  
31 behalf of a certificate holder;

32 (9) "Licensed applicant", a person holding a license issued under section 313.807  
33 to operate an excursion gambling boat;

34 (10) "Licensed facility", an excursion gambling boat licensed under this chapter;

35 (11) "Licensed supplier", a person holding a supplier's license issued by the  
36 commission;

37 (12) "Occupational license", a license issued by the commission;

38 (13) "Official league data", statistics, results, outcomes, and other data relating to  
39 an athletic or sporting event obtained pursuant to an agreement with the relevant sports  
40 governing body, or an entity expressly authorized by the sports governing body to provide  
41 such information to sports wagering operators, which authorizes the use of such data for  
42 determining the outcome of tier two sports wagers;

43 (14) "Person", an individual, sole proprietorship, partnership, association,  
44 fiduciary, corporation, limited liability company, or any other business entity;

45 (15) "Registered sports governing body", a sports governing body that is  
46 headquartered in the United States and that has registered with the commission under  
47 sections 313.1000 to 313.1022. The term shall not include the National Collegiate Athletic  
48 Association;

49 (16) "Sports governing body", the organization that prescribes final rules and  
50 enforces codes of conduct with respect to a sporting event and participants therein;

51 (17) "Sports wagering", wagering conducted under sections 313.1000 to 313.1022  
52 on athletic and sporting events involving human competitors or on other events as  
53 approved by the commission. Sports wagering shall not include paid fantasy sports under  
54 sections 313.900 to 313.955;

55 (18) "Sports wagering device", a mechanical, electrical, or computerized  
56 contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the  
57 commission for conducting sports wagering under sections 313.1000 to 313.1022. Sports  
58 wagering device shall not include a device used by a sports wagering patron to access an  
59 interactive sports wagering platform;

60 (19) "Sports wagering operator" or "operator", a certificate holder or an  
61 interactive sports wagering platform offering sports wagering on behalf of a certificate  
62 holder;

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

64 (21) "Tier one sports wager", a sports wager that is determined solely by the final  
65 score or final outcome of the sporting event and is placed before the sporting event has  
66 begun;

67 (22) "Tier two sports wager", a sports wager that is not a tier one sports wager.

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

3 2. All shipments of gambling devices used to conduct sports wagering under  
4 sections 313.1000 to 313.1022 to licensed applicants or certificate holders, the registering,  
5 recording, and labeling of which have been completed by the manufacturer or dealer  
6 thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal  
7 shipments of gambling devices into this state.

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

3 2. A licensed facility may offer sports wagering:

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

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

313.1004. 1. The commission shall adopt rules to implement the provisions of  
2 sections 313.1000 to 313.1022. Any rule or portion of a rule, as that term is defined in  
3 section 536.010, that is created under the authority delegated in this section shall become  
4 effective only if it complies with and is subject to all of the provisions of chapter 536 and,  
5 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any  
6 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay

7 the effective date, or to disapprove and annul a rule are subsequently held  
8 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
9 after August 28, 2020, shall be invalid and void.

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

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

14 (a) Wagers are received;

15 (b) Payouts are paid; and

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

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

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

24 (4) Standards concerning the detection and prevention of compulsive gambling.

25 3. Rules adopted under this section shall require a certificate holder to make  
26 commercially reasonable efforts to do the following:

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

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

31 (3) Ensure that the certificate holder's surveillance system covers all areas of the  
32 licensed facility in which sports wagering is conducted;

33 (4) Allow the commission to be present through the commission's gaming agents  
34 during the time sports wagering is conducted in all areas of the certificate holder's licensed  
35 facility in which sports wagering is conducted to do the following:

36 (a) Ensure maximum security of the counting and storage of the sports wagering  
37 revenue received by the certificate holder;

38 (b) Certify the sports wagering revenue received by the certificate holder;

39 (c) Receive complaints from the public;

40 (5) Prevent individuals who are under twenty-one years of age from making sports  
41 wagers;

42 (6) Provide written information to sports wagering patrons about sports wagering,  
43 payouts, winning wagers, and other information considered relevant by the commission;

44 (7) Post a sign in the designated sports wagering area indicating the minimum and  
45 maximum amounts that may be wagered.

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

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

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

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

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

5 2. (1) A certificate holder shall designate an area or areas within the certificate  
6 holder's licensed facility for conducting sports wagering.

7 (2) A certificate holder may administer or contract with up to three individually  
8 branded interactive sports wagering platforms to administer interactive sports wagering  
9 on the certificate holder's behalf. The certificate holder or its interactive sports wagering  
10 platform provider shall have the authority to establish sports wagering accounts  
11 electronically through approved mobile applications and interactive sports wagering  
12 platforms.

13 3. (1) Sports wagering may be conducted with chips, tokens, electronic cards, or  
14 money or other negotiable currency. Sports wagering accounts may be funded through:

15 (a) Electronic bank transfer of funds, including such transfers through third  
16 parties;

17 (b) Debit cards;

18 (c) Credit cards;

19 (d) Online and mobile payment systems that support online money transfers; and

20 (e) Any other method approved by the rule of the commission.

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

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

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

27           6. The commission shall determine the occupations related to sports wagering that  
28 require an occupational license.

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

36           8. A certificate holder may contract with a third party to conduct sports wagering  
37 at an individually branded sportsbook at the certificate holder's licensed facility.

313.1010. 1. An interactive sports wagering platform provider may offer sports  
2 wagering on behalf of a certificate holder only if the interactive sports wagering platform  
3 holds an interactive sports wagering platform license issued by the commission. An  
4 interactive sports wagering platform provider may submit a request to the commission for  
5 the issuance of a temporary interactive sports wagering platform license and the immediate  
6 commencement of sports wagering operations. Such a request shall include the initial  
7 application fee identified in subdivision (2) of subsection 2 of this section. Upon receiving  
8 a request for a temporary interactive sports wagering platform license, the commission  
9 shall review the request. If the commission determines that the entity requesting the  
10 temporary interactive sports wagering platform license offers sports wagering through an  
11 interactive sports wagering platform in any jurisdiction in the United States under a state  
12 regulatory structure specifically determined by the commission to have similar regulatory  
13 requirements, and the entity has paid the initial application fee, the commission shall  
14 authorize the interactive sports wagering platform provider to conduct sports wagering on  
15 behalf of a certificate holder under a temporary interactive sports wagering platform  
16 license until a final determination on the interactive sports wagering platform provider's  
17 license application is made.

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

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

21 (2) Pay an initial application fee of twenty-five thousand dollars.

22 3. The commission shall accept licensing or authorization to operate an interactive  
23 sports wagering platform by another jurisdiction that is specifically determined by the  
24 commission to have similar licensing requirements as evidence that the applicant meets the  
25 interactive sports wagering platform license requirements. The commission shall accept  
26 another jurisdiction's or approved third party's testing of the interactive sports wagering  
27 platform as evidence that the platform meets any requirements mandated by the  
28 commission by regulation.

29 4. Each year on or before the anniversary date of the payment of the initial  
30 application fee under subsection 2 of this section, an interactive sports wagering platform  
31 provider holding a license issued under this section shall pay to the commission an annual  
32 license renewal fee of fifty thousand dollars. Such license renewal fees and the initial  
33 application fee provided for under subdivision (2) of subsection 2 of this section shall be  
34 deposited in the gaming commission fund and distributed according to section 313.835.

35 5. Notwithstanding any other provision of law to the contrary, the following  
36 information shall be confidential and shall not be disclosed to the public unless required  
37 by court order or by any other provision of section 313.1000 to 313.1022:

38 (1) An interactive sports wagering platform license application; and

39 (2) All documents, reports, and data submitted by an interactive sports wagering  
40 platform provider to the commission containing proprietary information, trade secrets,  
41 financial information, or personally identifiable information about any person.

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

3 2. The commission shall adopt rules and regulations for a sports wagering  
4 self-exclusion program consistent with those adopted under sections 313.800 to 313.850.  
5 Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
6 under the authority delegated in this section shall become effective only if it complies with  
7 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
8 This section and chapter 536 are nonseverable, and if any of the powers vested with the  
9 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
10 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
11 rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be  
12 invalid and void.

13           **3. The commission shall adopt rules that require certificate holders and interactive**  
14 **sports wagering platforms to make commercially reasonable efforts to ensure that**  
15 **advertisements for sports wagering:**

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

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

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

20 **and**

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

**313.1014. 1. (1) The commission shall not grant a license, except for a temporary**  
2 **license under subsection 1 of section 313.1010, until the commission determines that each**  
3 **person that has control of the applicant seeking a license meets all qualifications for**  
4 **licensure. A background check conducted under this section shall be consistent with the**  
5 **provisions of section 313.810, and shall include a search for criminal history and any**  
6 **charges or convictions involving corruption or manipulation of sporting events.**

7           **(2) The following persons are considered to have control of an applicant:**

8           **(a) Each corporate holding company, parent company, subsidiary company, and**  
9 **person that owns ten percent or more of the corporate applicant and that has the ability**  
10 **to control the activities of the corporate applicant or elect a majority of the board of**  
11 **directors of that corporate applicant, except for a bank or other licensed lending institution**  
12 **that holds a mortgage or other lien acquired in the ordinary course of business;**

13           **(b) Each person associated with a noncorporate applicant that directly or indirectly**  
14 **holds a beneficial or proprietary interest in the noncorporate applicant's business**  
15 **operation or that the director otherwise determines has the ability to control the**  
16 **noncorporate applicant; and**

17           **(c) Key personnel of an applicant, including any executive, employee, or agent,**  
18 **having the power to exercise significant influence over decisions concerning any part of the**  
19 **applicant's business operation in the state of Missouri.**

20           **(3) The investigation set forth in this section does not apply to a renewal of a**  
21 **license.**

22           **2. (1) A certificate holder shall employ commercially reasonable methods to:**

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

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



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

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

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

36           3. (1) A sports governing body may notify the commission that it desires to restrict,  
37 limit, or exclude sports wagers on its sporting events by providing notice in the form and  
38 manner as the commission may require, including, without limitation, restrictions on the  
39 sources of data and associated video upon which an operator may rely in offering and  
40 paying wagers and the bet types that may be offered. Upon receiving such notice, the  
41 commission shall review the request in good faith, seek input from the certificate holders  
42 and interactive sports wagering platforms on such a request, and if the commission deems  
43 it appropriate, promulgate regulations to restrict such wagering. If the commission denies  
44 a request, the sports governing body shall be afforded notice and the right to be heard and  
45 offer proof in opposition to such determination in accordance with the regulations of the  
46 commission. Offering or taking wagers contrary to restrictions promulgated by the  
47 commission is a violation of this section. Except in relation to an emergency situation as  
48 provided in subdivision (2) of this subsection, the provisions of this subsection shall not  
49 apply to tier one sports wagers on nonexhibition games or events of professional sports  
50 organizations or the National Collegiate Athletics Association. For the purposes of this  
51 subsection, "professional sports organization" shall include, but shall not be limited to, the  
52 National Football League, Major League Baseball, the National Basketball Association, the  
53 National Hockey League, Major League Soccer, and the Professional Golfers Association.  
54 "Professional sports organization" shall not include minor league baseball or any other  
55 developmental league, whether or not such league is affiliated with a professional sports  
56 organization.

57           (2) In the event that a request is submitted in relation to an emergency situation,  
58 the executive director of the commission may temporarily grant the request of the sports  
59 governing body until the commission makes a final determination.

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

64           **5. (1) A certificate holder shall promptly report to the commission any information**  
65 **relating to:**

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

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

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

71           **(d) Any other conduct that corrupts the wagering outcome of a sporting event or**  
72 **events for purposes of financial gain, including match fixing;**

73           **(e) Suspicious or illegal wagering activities, including use of funds derived from**  
74 **illegal activity, wagers to conceal or launder funds derived from illegal activity, using**  
75 **agents to place wagers, and using false identification; and**

76           **(f) Any potential breach of the relevant sports governing body's internal rules and**  
77 **codes of conduct pertaining to sports wagering.**

78           **(2) Certificate holders shall also immediately report information relating to conduct**  
79 **described in paragraphs (c), (d), and (f) of subdivision (1) of this subsection to the relevant**  
80 **sports governing body.**

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

84           **7. Except as provided in subsection 8 of this section, certificate holders may use any**  
85 **data source to determine the results of sports wagers, provided the data is not obtained**  
86 **directly or indirectly from live event attendees who collect the data in violation of the terms**  
87 **of admittance to an event or through automated computer programs that compile data**  
88 **from the internet in violation of the terms of service of the relevant website or other**  
89 **internet platform.**

90           **8. A sports governing body may notify the commission that it desires to supply**  
91 **official league data to certificate holders for determining the results of tier two sports**  
92 **wagers. Such notification shall be made in the form and manner as the commission may**  
93 **require. Within thirty days of such notification by a sports governing body, certificate**  
94 **holders shall use only official league data to determine the results of tier two wagers, unless**  
95 **the certificate holder can demonstrate to the commission that the sports governing body**  
96 **or its designee cannot provide a feed of official league data to the certificate holder on**  
97 **commercially reasonable terms.**

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

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

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

- 15           **(1) Personally identifiable information of the bettor;**
- 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 protocol**  
19 **address, where the bet was placed;**
- 20           **(5) The outcome of the bet; and**
- 21           **(6) Any discernable pattern of abnormal betting activity by the patron.**

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

25           **4. If a sports governing body has notified the commission that real-time**  
26 **information sharing for wagers placed on its sporting events is necessary and desirable,**  
27 **sports wagering operators shall share in real time, at the account level, and in**  
28 **pseudonymous form, the information required to be retained under subsections 1 and**  
29 **2 of this section, other than video files, with the sports governing body or its designee with**  
30 **respect to wagers on its sporting events. For purposes of this subsection, "real time"**  
31 **means on a commercially reasonable periodic interval. Such information may be used by**  
**a sports governing body solely for integrity purposes.**

2           **313.1018. 1. The performance of any act required, or the forbearance of any act**  
3 **prohibited, by sections 313.1000 to 313.1022 by an interactive sports wagering platform**  
4 **provider is imputed to the certificate holder on behalf of which the platform is operating,**  
5 **and vice versa.**

5           **2. A certificate holder is not liable under the laws of this state to any party,**  
6 **including patrons, for disclosing information as required under sections 313.1000 to**  
7 **313.1022, and is not liable for refusing to disclose information unless required under**  
8 **sections 313.1000 to 313.1022.**

9           **3. Any person, firm, corporation, association, agent, or employee who knowingly**  
10 **violates any procedure implemented under sections 313.1000 to 313.1022 shall be liable for**  
11 **a civil penalty of not more than five thousand dollars for each violation, not to exceed fifty**  
12 **thousand dollars for violations arising out of the same transaction or occurrence, which**  
13 **shall accrue to the state and may be recovered in a civil action brought by the commission.**  
14 **Any person licensed under chapter 313 who violates any provision under sections 313.1000**  
15 **to 313.1022 shall be subject to the actions and penalties provided under subdivision (6) of**  
16 **section 313.805, excluding any financial penalties in excess of those provided under this**  
17 **subsection.**

18           **4. (1) Any person, firm, corporation, association, agent, or employee shall be guilty**  
19 **of a class E felony if such person, firm, corporation, association, agent, or employee:**

20           **(a) Places, or causes to be placed, a bet or wager on the basis of material nonpublic**  
21 **information relating to that bet or wager; or**

22           **(b) Knowingly engages in, facilitates, or conceals conduct that intends to**  
23 **improperly influence a betting outcome of a sporting event for purposes of financial gain,**  
24 **in connection with betting or wagering on a sporting event.**

25           **(2) For the purposes of this subsection, a bet or wager shall be "on the basis of**  
26 **material nonpublic information" if the person placing the bet or wager, or causing it to be**  
27 **placed, was aware of the material nonpublic information when such person placed the bet**  
28 **or wager or caused it to be placed.**

**313.1019. 1. A sports governing body may register with the commission if the**  
2 **sports governing body is headquartered in the United States and it completes such**  
3 **registration form as the commission may require. Upon submission of a completed**  
4 **registration form to the commission, the eligible sports governing body shall be deemed**  
5 **registered and shall be entitled to receive the royalty fee provided for under this section.**

6           **2. Within thirty days of the end of each calendar quarter, a certificate holder shall**  
7 **remit to the commission a royalty fee of one-fourth of one percent of the amount wagered**  
8 **on sporting events conducted by registered sports governing bodies during the previous**  
9 **calendar quarter.**

10           **3. The royalty fee shall be remitted on a form as the commission may require, on**  
11 **which the certificate holder shall identify the percentage of wagering during the reporting**  
12 **period attributable to each registered sports governing body's sporting events.**

13           **4. No later than April thirtieth of each year, a registered sports governing body**  
14 **may submit a request for disbursement of funds remitted by certificate holders in the**  
15 **previous calendar year. The commission shall disburse the funds to the registered sports**  
16 **governing body in pro rata proportion of the total amount wagered on its sporting events.**  
17 **No registered sports governing body shall be required to obtain a license from the**  
18 **commission in order to lawfully accept the funds provided for in this subsection.**

19           **5. The commission shall annually publish a report stating the amount received from**  
20 **certificate holders in royalty fees and the amount paid to registered sports governing**  
21 **bodies.**

22           **6. Any unclaimed royalty fees shall be distributed to the certificate holders that**  
23 **timely remitted the royalties required under this section to the commission. Such royalties**  
24 **shall be distributed to the eligible certificate holders on a pro rata basis.**

25           **7. The commission shall cooperate with a registered sports governing body and**  
26 **certificate holders to ensure the timely, efficient, and accurate sharing of information and**  
27 **the remittance of the royalty fee to the registered sports governing body or its designee.**

**313.1020. 1. Within thirty days of the end of each calendar quarter, a certificate**  
2 **holder shall remit to the commission a royalty fee of one-fourth of one percent of the**  
3 **amounts wagered on:**

4           **(1) Sporting events involving at least one National Collegiate Athletic Association**  
5 **Football Bowl Subdivision football team; and**

6           **(2) Sporting events involving at least one National Collegiate Athletic Association**  
7 **Division I basketball team.**

8           **2. No later than April thirtieth of each year, the commission shall disburse the**  
9 **royalty fees collected from certificate holders under this section as follows:**

10           **(1) The royalty fees collected under subdivision (1) of subsection 1 of this section**  
11 **shall be distributed evenly among the public universities in this state that sponsor National**  
12 **Collegiate Athletic Association Football Bowl Subdivision football teams; and**

13           **(2) The royalty fees collected under subdivision (2) of subsection 1 of this section**  
14 **shall be distributed evenly among the public universities in this state that sponsor National**  
15 **Collegiate Athletic Association Division I basketball teams.**

16           **3. The royalty fees received by public universities under this section shall be used**  
17 **solely for athletics compliance.**

**313.1021. 1. A wagering tax of nine percent is imposed on the adjusted gross**  
2 **receipts received from sports wagering conducted by a certificate holder under sections**  
3 **313.1000 to 313.1022. If a third party is contracted with to conduct sports wagering at a**

4 certificate holder's licensed facility, the third party contractor shall fulfill the certificate  
5 holder's duties under this section.

6           2. A certificate holder shall remit the tax imposed by subsection 1 of this section to  
7 the department before the close of the business day one day prior to the last business day  
8 of each month for the wagering taxes collected for such month. Any taxes collected during  
9 the month, but after the day on which the taxes are required to be paid to the department,  
10 shall be paid to the department at the same time the following month's taxes are due.

11           3. The payment of the tax under this section shall be by an electronic funds transfer  
12 by an automated clearinghouse.

13           4. Revenues received from the tax imposed under subsection 1 of this section shall  
14 be deposited in the state treasury to the credit of the "Gaming Proceeds for Education  
15 Fund" and shall be distributed as provided under section 313.822.

16           5. (1) A certificate holder shall pay to the commission an annual administrative fee  
17 of fifty thousand dollars. The fee imposed shall be due one year after the date on which  
18 the certificate holder commences sports wagering operations under sections 313.1000 to  
19 313.1022, and on each annual anniversary date thereafter. The commission shall deposit  
20 the administrative fees received under this subsection in the gaming commission fund and  
21 shall distribute such fees according to section 313.835.

22           (2) In addition to the annual administrative fee required under this subsection, a  
23 certificate holder shall pay to the commission a fee of ten thousand dollars to cover the  
24 costs of a renewal investigation of the certificate holder in the fifth year after the date on  
25 which the certificate holder commences sports wagering operations under sections  
26 313.1000 to 313.1022 and on each fifth year thereafter. The commission shall deposit the  
27 fees received under this subdivision in the gaming commission fund and shall distribute  
28 such fees according to section 313.835.

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

          572.015. Nothing in this chapter prohibits constitutionally authorized activities under  
2 Article III, Sections 39(a) to 39(f) of the Missouri Constitution, including a raffle using tickets,  
3 a device, or a machine, where a person or persons buy one or more chances from a finite

4 **number of draws for a prize. A machine or device shall be certified as a raffle by an**  
5 **ISO-17025-accredited independent testing laboratory authorized to test similar devices for**  
6 **compliance in at least five jurisdictions.**

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