

SENATE BILL NO. 764

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

3425S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 313.800 and 572.015, RSMo, and to enact in lieu thereof fourteen new sections relating to gaming.

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

Section A. Sections 313.800 and 572.015, RSMo, are
2 repealed and fourteen new sections enacted in lieu thereof, to
3 be known as sections 313.800, 313.1000, 313.1002, 313.1003,
4 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014,
5 313.1016, 313.1018, 313.1022, and 572.015, to read as follows:

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

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

9 (2) "Applicant", any person applying for a license
10 authorized under the provisions of sections 313.800 to
11 313.850;

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

15 (4) "Capital, cultural, and special law enforcement
16 purpose expenditures" shall include any disbursement,

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 including disbursements for principal, interest, and costs
18 of issuance and trustee administration related to any
19 indebtedness, for the acquisition of land, land
20 improvements, buildings and building improvements, vehicles,
21 machinery, equipment, works of art, intersections, signing,
22 signalization, parking lot, bus stop, station, garage,
23 terminal, hanger, shelter, dock, wharf, rest area, river
24 port, airport, light rail, railroad, other mass transit,
25 pedestrian shopping malls and plazas, parks, lawns, trees,
26 and other landscape, convention center, roads, traffic
27 control devices, sidewalks, alleys, ramps, tunnels,
28 overpasses and underpasses, utilities, streetscape,
29 lighting, trash receptacles, marquees, paintings, murals,
30 fountains, sculptures, water and sewer systems, dams,
31 drainage systems, creek bank restoration, any asset with a
32 useful life greater than one year, cultural events, and any
33 expenditure related to a law enforcement officer deployed as
34 horse-mounted patrol, school resource or drug awareness
35 resistance education (D.A.R.E) officer;

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

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

40 (7) "Credit instrument", a written check, negotiable
41 instrument, automatic bank draft or other authorization from
42 a qualified person to an excursion gambling boat licensee or
43 any of its affiliated companies licensed by the commission
44 authorizing the licensee to withdraw the amount of credit
45 extended by the licensee to such person from the qualified
46 person's banking account in an amount determined under
47 section 313.817 on or after a date certain of not more than
48 thirty days from the date the credit was extended, and

49 includes any such writing taken in consolidation, redemption
50 or payment of a previous credit instrument, but does not
51 include any interest-bearing installment loan or other
52 extension of credit secured by collateral;

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

64 (9) "Excursion gambling boat", a boat, ferry, other
65 floating facility, or any nonfloating facility licensed by
66 the commission on which gambling games are allowed;

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

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

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

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

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

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

93 (16) "Gross receipts", the total sums wagered by
94 patrons of licensed gambling games. **"Gross receipts" shall**
95 **not include gross receipts from sports wagering as defined**
96 **in section 313.1000;**

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

101 (18) "Licensee", any person licensed under sections
102 313.800 to 313.850;

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

111 (20) "Nonfloating facility", any structure within one
112 thousand feet of the Missouri or Mississippi River that
113 contains at least two thousand gallons of water beneath or
114 inside the facility either by an enclosed space containing
115 such water or in rigid or semirigid storage containers or
116 structures;

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

119 2. (1) In addition to the games of skill defined in
120 this section, the commission may approve other games of
121 skill upon receiving a petition requesting approval of a
122 gambling game from any applicant or licensee. The
123 commission may set the matter for hearing by serving the
124 applicant or licensee with written notice of the time and
125 place of the hearing not less than five days prior to the
126 date of the hearing and posting a public notice at each
127 commission office. The commission shall require the
128 applicant or licensee to pay the cost of placing a notice in
129 a newspaper of general circulation in the applicant's or
130 licensee's home dock city or county. The burden of proof
131 that the gambling game is a game of skill is at all times on
132 the petitioner. The petitioner shall have the affirmative
133 responsibility of establishing the petitioner's case by a
134 preponderance of evidence including:

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

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

139 (2) All testimony shall be given under oath or
140 affirmation. Any citizen of this state shall have the
141 opportunity to testify on the merits of the petition. The
142 commission may subpoena witnesses to offer expert

143 testimony. Upon conclusion of the hearing, the commission
144 shall evaluate the record of the hearing and issue written
145 findings of fact that shall be based exclusively on the
146 evidence and on matters officially noticed. The commission
147 shall then render a written decision on the merits which
148 shall contain findings of fact, conclusions of law and a
149 final commission order. The final commission order shall be
150 within thirty days of the hearing. Copies of the final
151 commission order shall be served on the petitioner by
152 certified or overnight express mail, postage prepaid, or by
153 personal delivery.

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

3 (1) "Adjusted gross receipts":

4 (a) Gross receipts minus:

5 (b) The total of:

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

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

11 c. Excise tax payments remitted to the federal
12 government;

13 d. Voided wagers; and

14 e. Uncollectible sports wagering receivables, not to
15 exceed the lesser of:

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

18 (ii) Two percent of the total of all sums, including
19 checks, whether collected or not, less the amount paid out
20 as winnings to sports wagering patrons. For purposes of
21 this section, a counter or personal check that is invalid or

22 unenforceable under this section is considered cash received
23 by the sports wagering operator from sports wagering
24 operations;

25 (2) "Amateur athletic or sporting event", an athletic
26 event involving at least two competitors who do not receive
27 compensation for participating in such event. "Amateur
28 athletic or sporting event" shall include domestic,
29 international, and Olympic sporting events, but shall not
30 include collegiate athletic or sporting events;

31 (3) "Approved limited mobile gaming system", a limited
32 mobile gaming system approved by the commission;

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

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

38 (6) "Collegiate athletic or sporting event", an
39 athletic or sporting event offered or sponsored by, or
40 played in connection with, a public or private institution
41 that offers educational services beyond the secondary level;

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

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

44 (9) "Designated entertainment district", any
45 establishment registered to do business in this state that
46 is or becomes licensed pursuant to chapter 311 to sell
47 liquor at retail, and that is an area owned and operated by
48 an entity or affiliated entities that are licensed pursuant
49 to chapter 311 as an entertainment district as defined in
50 section 311.086, and such entity or affiliate entities have
51 made a verifiable financial investment of more than two
52 hundred million dollars to develop such district;

53 (10) "Designated sports and entertainment district":

54 (a) Any area within this state that is a designated
55 entertainment district as of the effective date of sections
56 313.1000 to 313.1022 and continues to be qualified as a
57 designated entertainment district thereafter; provided,
58 however, that for the purposes of sections 313.1000 to
59 313.1022 the boundaries of such designated entertainment
60 district shall not be enlarged or otherwise modified after
61 the effective date of sections 313.1000 to 313.1022; or

62 (b) The premises of a facility located in this state
63 with a seating capacity of seventeen thousand five hundred
64 people or more, at which one or more professional sports
65 teams plays its home games, and the surrounding area within
66 four hundred yards of such premises;

67 (11) "Designated sports and entertainment district
68 entity":

69 (a) An establishment that is a designated
70 entertainment district as of the effective date of sections
71 313.1000 to 313.1022; or

72 (b) A person or entity registered to do business in
73 this state that owns or operates a professional sports team
74 that plays its home games within a designated sports and
75 entertainment district;

76 (12) "Excursion gambling boat", the same meaning as
77 defined under section 313.800;

78 (13) "Gross receipts", the total amount of cash and
79 cash equivalents paid by sports wagering patrons to a sports
80 wagering operator to participate in sports wagering;

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

85 (15) "Licensed applicant", a person holding a license
86 issued under section 313.807 to operate an excursion
87 gambling boat;

88 (16) "Licensed facility", an excursion gambling boat
89 licensed under this chapter;

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

92 (18) "Limited mobile gaming system", a system that
93 enables a certificate holder to accept sports wagers through
94 the use of sports wagering devices, including self-service
95 betting terminals or kiosks, or through the use of an
96 interactive sports wagering platform whose use is
97 geographically restricted to the areas authorized pursuant
98 to subsection 10 of section 313.1008;

99 (19) "Occupational license", a license issued by the
100 commission within excursion gambling boat operations which
101 the commission has identified as requiring a license;

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

105 (21) "Professional athletic or sporting event", an
106 athletic or sporting event at which two or more competitors
107 participate and one or more competitors receives
108 compensation;

109 (22) "Proposition wager", a wager on an individual
110 action, statistic, occurrence, or non-occurrence to be
111 determined during an athletic or sporting event and includes
112 any such action, statistic, occurrence, or non-occurrence
113 that does not directly affect the final outcome of the
114 athletic or sporting event to which it relates;

115 (23) "Sports event", "sporting event", or "athletic
116 event", a professional athletic or sporting event, an

117 amateur athletic or sporting event, a collegiate athletic or
118 sporting event, and any athletic event, motor race event,
119 electronic sports event, or competitive video game event;

120 (24) "Sports governing body", an organization that is
121 headquartered in the United States and prescribes final
122 rules and enforces codes of conduct with respect to a
123 sporting event and participants therein;

124 (25) "Sports wagering", wagering conducted under
125 sections 313.1000 to 313.1022 on athletic and sporting
126 events, on portions of athletic and sporting events, or on
127 the individual statistics of athletes or competitors in a
128 sporting event or combination of sporting events. The term
129 includes, but is not limited to, single-game wagers, teaser
130 wagers, parlays, over-under, moneyline, pools, exchange
131 wagering, in-game wagers, in-play wagers, proposition
132 wagers, and straight wagers. Sports wagering shall not
133 include paid fantasy sports under sections 313.900 to
134 313.955;

135 (26) "Sports wagering commercial activity", any
136 operation, promotion, signage, advertising, or other
137 business activity relating to sports wagering, including the
138 operating or advertising of a business or location at which
139 sports wagering is offered or a business or location at
140 which sports wagering through one or more interactive sports
141 wagering platforms is promoted or advertised;

142 (27) "Sports wagering device", a mechanical,
143 electrical, or computerized contrivance, terminal, device,
144 apparatus, piece of equipment, or supply approved by the
145 commission for conducting sports wagering under sections
146 313.1000 to 313.1022. "Sports wagering device" shall not
147 include a device used by a sports wagering patron to access
148 an interactive sports wagering platform;

149 (28) "Sports wagering operator" or "operator", a
150 certificate holder or an interactive sports wagering
151 platform offering sports wagering on behalf of a certificate
152 holder;

153 (29) "Supplier's license", a license issued by the
154 commission under section 313.807;

155 (30) "Tier one sports wager", a sports wager that is
156 determined solely by the final score or final outcome of the
157 sporting event and is placed before the sporting event has
158 begun;

159 (31) "Tier two sports wager", a sports wager that is
160 not a tier one sports wager.

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

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

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

3 2. A licensed facility may offer sports wagering:

4 (1) In person at the licensed facility;

5 (2) Through an approved limited mobile gaming system;
6 and

7 (3) Over the internet via an interactive sports
8 wagering platform to persons physically located in this
9 state.

10 3. Notwithstanding any other provision of law to the
11 contrary, sports wagering commercial activity shall be

12 prohibited from being conducted within any designated sports
13 and entertainment district by or on behalf of any person or
14 entity that directly or indirectly offers sports wagering in
15 person or over the internet via an interactive sports
16 wagering platform, except to the extent such prohibition is
17 waived in writing by each designated sports and
18 entertainment district entity located in such designated
19 sports and entertainment district and such written waiver is
20 delivered to the commission. Nothing in this subsection
21 shall prohibit:

22 (1) Any certificate holder from offering sports
23 wagering over the internet via an interactive sports
24 wagering platform that is accessible to persons physically
25 located within such designated sports and entertainment
26 district in accordance with the provisions of sections
27 313.1000 to 313.1022; or

28 (2) Any restaurant, bar, or other business physically
29 located within a designated sports and entertainment
30 district from advertising sports wagering or conducting any
31 sports wagering commercial activity within its premises if
32 such advertising or commercial activity is not conducted by
33 or on behalf of, by contract or otherwise, any person or
34 entity that, directly or indirectly, offers sports wagering
35 in person or over the internet via an interactive sports
36 wagering platform.

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

8 section and chapter 536 are nonseverable and if any of the
9 powers vested with the general assembly pursuant to chapter
10 536 to review, to delay the effective date, or to disapprove
11 and annul a rule are subsequently held unconstitutional,
12 then the grant of rulemaking authority and any rule proposed
13 or adopted after August 28, 2022, shall be invalid and void.

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

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

18 (a) Wagers are received; and

19 (b) Payouts are paid;

20 (2) Standards governing how a certificate holder
21 offers sports wagering over the internet through an
22 interactive sports wagering platform to patrons physically
23 located in Missouri;

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

30 (4) Standards concerning the detection and prevention
31 of compulsive gambling;

32 (5) Standards prohibiting sports wagering commercial
33 activity within any designated sports and entertainment
34 district and standards for applying and enforcing any waiver
35 of such prohibition by a designated sports and entertainment
36 district entity pursuant to subsection 3 of section 313.1003.

37 3. Rules adopted under this section shall require a
38 certificate holder to do the following:

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

42 (2) Ensure the security and integrity of sports wagers
43 accepted under an approved limited mobile gaming system;

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

47 (4) Allow the commission to be present through the
48 commission's gaming agents during the time sports wagering
49 is conducted in all areas of the certificate holder's
50 licensed facility in which sports wagering is conducted, to
51 do the following:

52 (a) Ensure maximum security of the counting and
53 storage of the sports wagering revenue received by the
54 certificate holder;

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

57 (c) Receive complaints from the public;

58 (5) Ensure that individuals who are less than twenty-
59 one years of age do not make sports wagers;

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

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

 313.1006. 1. Sports wagering shall not be conducted
2 except by an excursion gambling boat licensed under this
3 chapter.

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

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

10 (2) Pay an initial application fee of fifty thousand
11 dollars, which shall be deposited in the gaming commission
12 fund created pursuant to section 313.835.

13 3. Upon receipt of the application and fee required
14 under subsection 2 of this section, the commission shall
15 issue a certificate of authority to a licensed applicant
16 authorizing the licensed applicant to conduct sports
17 wagering under sections 313.1000 to 313.1022 in a licensed
18 facility, in a location authorized under sections 313.1000
19 to 313.1022 through an approved limited mobile gaming
20 system, or through an interactive sports wagering platform.

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

7 2. (1) A certificate holder shall designate an area
8 or areas within the certificate holder's licensed facility
9 for conducting sports wagering. In addition to such
10 designated area, sports wagering may be conducted at any
11 location authorized under subsection 10 of this section
12 through the use of an approved limited mobile gaming
13 system. An approved limited mobile gaming system shall not
14 be counted against a certificate holder's limit of three
15 individually branded interactive sports wagering platforms
16 under subdivision (2) of this subsection.

17 (2) A certificate holder may administer or contract
18 with up to three individually branded interactive sports
19 wagering platforms to administer interactive sports wagering
20 on the certificate holder's behalf. The certificate holder
21 or its interactive sports wagering platform provider shall
22 have the authority to establish sports wagering accounts
23 electronically through approved mobile applications and
24 interactive sports wagering platforms.

25 3. (1) Except as provided in subdivision (2) of this
26 subsection, a person who is less than twenty-one years of
27 age shall not be present in the area designated under
28 subsection 2 of this section where sports wagering is being
29 conducted.

30 (2) A person who is at least eighteen years of age and
31 who is an employee of the certificate holder may be present
32 in an area where sports wagering is conducted. However, an
33 employee who is less than twenty-one years of age shall not
34 perform any function involving sports wagering by patrons.

35 4. (1) Sports wagering may be conducted with chips,
36 tokens, electronic cards, or money or other negotiable
37 currency.

38 (2) Interactive sports wagering accounts may be funded
39 through:

- 40 (a) Cash;
- 41 (b) Checks and electronic checks;
- 42 (c) Electronic bank transfer of funds, including such
43 transfers through third parties;
- 44 (d) Debit cards;
- 45 (e) Credit cards;
- 46 (f) Online and mobile payment systems that support
47 online money transfers; and
- 48 (g) Any other method approved by the commission.

49 (3) A certificate holder shall determine the minimum
50 and maximum wagers in sports wagering conducted in the
51 certificate holder's licensed facility.

52 5. A certificate holder shall not permit any sports
53 wagering on the premises of the licensed facility except as
54 provided under subsection 2 of this section.

55 6. A sports wagering device shall be approved by the
56 commission and acquired by a certificate holder from a
57 licensed supplier.

58 7. The commission shall determine the occupations
59 related to sports wagering that require an occupational
60 license.

61 8. A certificate holder may lay off one or more sports
62 wagers.

63 9. A certificate holder may contract with a third
64 party to conduct sports wagering at an individually branded
65 sportsbook at the certificate holder's licensed facility.

66 10. (1) A certificate holder may request approval
67 from the commission to use a limited mobile gaming system in
68 the certificate holder's sports wagering operations.

69 (2) A certificate holder may approve the use of a
70 limited mobile gaming system to allow a patron to wager on
71 sports while in the following locations:

72 (a) The area designated under subsection 2 of this
73 section;

74 (b) A gaming or other betting area of the certificate
75 holder's licensed facility that is outside of the area
76 designated under subsection 2 of this section; or

77 (c) A hotel, restaurant, or other amenity that is
78 operated by the certificate holder and subject to the
79 supervision of the commission.

80 A patron shall not transmit a sports wager using a mobile
81 gaming system while present in any other location.

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

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

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

11 (2) Pay an initial application fee of ten thousand
12 dollars.

13 3. An interactive sports wagering platform provider
14 may submit a request to the commission for the issuance of a
15 temporary interactive sports wagering platform license and
16 the immediate commencement of sports wagering operations.
17 Such a request shall include the initial application fee
18 identified in subdivision (2) of subsection 2 of this
19 section. Upon receiving a request for a temporary
20 interactive sports wagering platform license, the commission
21 shall review the request. If the commission determines that
22 the entity requesting the temporary interactive sports
23 wagering platform license offers sports wagering through an
24 interactive sports wagering platform in any jurisdiction in
25 the United States pursuant to a state regulatory structure
26 specifically determined by the commission to have similar
27 regulatory requirements, and the entity has paid the initial
28 application fee, the commission shall authorize the
29 interactive sports wagering platform provider to conduct
30 sports wagering on behalf of a certificate holder under a

31 temporary interactive sports wagering platform license until
32 a final determination on the interactive sports wagering
33 platform provider's license application is made.

34 4. Each year on or before the anniversary date of the
35 payment of the initial application fee under subsection 2 of
36 this section, an interactive sports wagering platform
37 provider holding a license issued under this section shall
38 pay to the commission an annual license renewal fee of five
39 thousand dollars. Such license renewal fees and the initial
40 application fee provided for under subdivision (2) of
41 subsection 2 of this section shall be deposited in the
42 gaming commission fund created pursuant to section 313.835.

43 5. Notwithstanding any other provision of law to the
44 contrary, the following information shall be confidential
45 and shall not be disclosed to the public unless required by
46 court order or by any other provision of sections 313.1000
47 to 313.1022:

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

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

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

5 2. A certificate holder shall not offer proposition
6 wagers on any collegiate athletic or sporting event or on
7 the individual performance statistics of an athlete in a
8 collegiate athletic or sporting event.

9 3. The commission shall adopt rules and regulations
10 for a sports wagering self-exclusion program. Any rule or
11 portion of a rule, as that term is defined in section
12 536.010, that is created under the authority delegated in
13 this section shall become effective only if it complies with
14 and is subject to all of the provisions of chapter 536 and,
15 if applicable, section 536.028. This section and chapter
16 536 are nonseverable and if any of the powers vested with
17 the general assembly pursuant to chapter 536 to review, to
18 delay the effective date, or to disapprove and annul a rule
19 are subsequently held unconstitutional, then the grant of
20 rulemaking authority and any rule proposed or adopted after
21 August 28, 2022, shall be invalid and void.

22 4. Rules promulgated under subsection 3 of this
23 section shall:

24 (1) Allow individuals to restrict themselves from
25 placing wagers with the certificate holder; and

26 (2) Enable the certificate holder to take reasonable
27 steps to prevent a person from placing wagers prohibited
28 under sections 313.1000 to 313.1022, including sharing, upon
29 request of the person, the person's request for self-
30 exclusion with the commission, for the sole purpose of
31 disseminating the request to other sports wagering
32 certificate holders.

33 5. The commission shall adopt rules that require
34 sports wagering operators to make commercially reasonable
35 efforts to ensure that advertisements for sports wagering:

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

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

41 (3) Provide information about or links to resources
42 relating to gambling addiction;

43 (4) Are not otherwise false, misleading, or deceptive
44 to a reasonable consumer; and

45 (5) Are not undertaken within any designated sports
46 and entertainment district without a waiver from each
47 applicable designated sports and entertainment district
48 entity pursuant to subsection 3 of section 313.1003.

313.1014. 1. The commission shall not grant a
2 license, except for a temporary license granted pursuant to
3 subsection 3 of section 313.1010, until the commission
4 determines that each person that has control of the
5 applicant meets all qualifications for licensure. A
6 background check conducted under this section shall be
7 consistent with the provisions of section 313.810, and shall
8 include a search for criminal history, and any charges or
9 convictions involving corruption or manipulation of sporting
10 events. The following persons are considered to have
11 control of a licensed applicant:

12 (1) Each corporate holding company, parent company,
13 subsidiary company, and person that owns ten percent or more
14 of a corporate licensed applicant and that has the ability
15 to control the activities of a corporate licensed applicant
16 or elect a majority of the board of directors of such
17 licensed applicant, except for a bank or other licensed
18 lending institution that holds a mortgage or other lien
19 acquired in the ordinary course of business;

20 (2) Each person associated with a noncorporate
21 licensed applicant that directly or indirectly holds a
22 beneficial or proprietary interest in the noncorporate
23 licensed applicant's business operation or that the director

24 otherwise determines has the ability to control the
25 noncorporate licensed applicant; and

26 (3) Key personnel of a licensed applicant, including
27 any executive, employee or agent, having the power to
28 exercise ultimate decision-making authority over the
29 licensed applicant's sports wagering operation in the state.

30 2. (1) A certificate holder shall employ commercially
31 reasonable methods to:

32 (a) Prohibit the certificate holder, directors,
33 officers, and employees of the certificate holder, and any
34 relative living in the same household of a person described
35 in this paragraph from placing sports wagers with the
36 certificate holder;

37 (b) Use publicly available information and any lists
38 of employees and affiliates provided to the certificate
39 holder or the commission by a sports governing body,
40 prohibit wagering by any athlete, coach, referee, team
41 owner, employee of a sports governing body or one of its
42 member teams, or player or referee union personnel;

43 (c) Prohibit any individual with access to nonpublic
44 confidential information held by the certificate holder from
45 placing sports wagers with the certificate holder;

46 (d) Prevent the sharing of confidential information
47 that could affect sports wagering offered by the certificate
48 holder or by third parties until the information is made
49 publicly available; and

50 (e) Prohibit persons from placing sports wagers as
51 agents or proxies for other persons.

52 (2) Nothing in this section shall preclude the use of
53 internet or cloud based hosting of data, or any disclosure
54 of information required by court order or other provisions
55 of law.

56 3. A sports governing body may notify the commission
57 that it desires to restrict, limit, or exclude tier two
58 sports wagers on its sporting events by providing notice in
59 the form and manner as the commission may require. Upon
60 receiving such notice, the commission shall only deny a
61 request if it deems such request arbitrary and capricious.
62 If the commission denies a request, the sports governing
63 body shall be afforded notice and the right to be heard and
64 offer proof in opposition to such determination in
65 accordance with the regulations of the commission. Offering
66 or taking wagers contrary to restrictions promulgated by the
67 commission is a violation of this section. In the event
68 that a request is submitted in relation to an emergency
69 situation, the executive director of the commission may
70 temporarily grant the request of the sports governing body
71 until the commission makes a final determination as to
72 whether such request is arbitrary and capricious.

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

79 5. A certificate holder shall, within a commercially
80 reasonable timeframe or as soon as possible, report to the
81 commission any information relating to:

82 (1) Criminal or disciplinary proceedings commenced
83 against the certificate holder in connection with its
84 operations;

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

86 (3) Abnormal wagering activity or patterns that may
87 indicate a concern regarding the integrity of a sporting
88 event or events;

89 (4) Any potential breach of the relevant sports
90 governing body's internal rules and codes of conduct
91 pertaining to sports wagering;

92 (5) Any other conduct that corrupts the wagering
93 outcome of a sporting event or events for purposes of
94 financial gain, including match fixing; and

95 (6) Suspicious or illegal wagering activities,
96 including the use of funds derived from illegal activity,
97 wagers to conceal or launder funds derived from illegal
98 activity, using agents to place wagers, and using false
99 identification.

100 6. A certificate holder shall also immediately report
101 information relating to conduct described in subdivisions
102 (3), (4), and (5) of subsection 5 of this section to the
103 relevant sports governing body.

104 7. A certificate holder shall maintain the
105 confidentiality of information provided by a sports
106 governing body to the certificate holder unless disclosure
107 is required by court order, the commission, or any other
108 provision of law.

109 8. Certificate holders may use any data source for
110 determining the results of all tier one and tier two sports
111 wagers.

112 9. A sports governing body may enter into commercial
113 agreements with certificate holders or interactive sports
114 wagering platform providers in which such sports governing
115 body may share in the amount bet or revenues derived from
116 sports wagering on the sports governing body's sporting
117 events. A sports governing body is not required to obtain a

118 license or any other approval from the commission to
119 lawfully accept such amounts or revenues.

313.1016. 1. A certificate holder shall maintain the
2 following records of all bets and wagers placed on an
3 interactive sports wagering platform, and any other bets and
4 wagers that exceed ten thousand dollars placed in person at
5 a licensed facility, for a period of at least three years
6 after the sporting event occurs and make the data available
7 for inspection upon request of the commission, or upon court
8 order:

- 9 (1) Personally identifiable information of the bettor;
- 10 (2) The amount and type of bet placed;
- 11 (3) The time and date the bet was placed;
- 12 (4) The location, including the internet protocol
13 address if applicable, where the bet was placed;
- 14 (5) The outcome of the bet;
- 15 (6) Records of abnormal betting activity; and
- 16 (7) Video camera recordings in the case of in-person
17 wagers.

18 2. If a sports governing body has notified the
19 commission that real-time information sharing for wagers
20 placed on its sporting events is necessary and desirable,
21 sports wagering operators shall share in real time, at the
22 account level, and in pseudonymous form, the information
23 required to be retained under subsection 1 of this section,
24 other than video files, with the sports governing body or
25 its designee with respect to wagers on its sporting events.
26 Such information may be used by a sports governing body
27 solely for integrity purposes. For the purposes of this
28 subsection, "real-time" shall mean on a commercially
29 reasonable periodic interval, but not less than once every
30 seventy-two hours.

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

6 2. A certificate holder is not liable under the laws
7 of this state to any party, including patrons, for
8 disclosing information as required under sections 313.1000
9 to 313.1022, and is not liable for refusing to disclose
10 information unless required under sections 313.1000 to
11 313.1022.

313.1022. 1. A wagering tax of six and one-quarter
2 percent is imposed on the adjusted gross receipts received
3 from sports wagering conducted by a certificate holder under
4 sections 313.1000 to 313.1022. If a third party is
5 contracted with to conduct sports wagering at a certificate
6 holder's licensed facility, the third party contractor shall
7 fulfill the certificate holder's duties under this section.

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

16 3. The payment of the tax under this section shall be
17 by an electronic funds transfer by an automated
18 clearinghouse.

19 4. Revenues received from the tax imposed under
20 subsection 1 of this section shall be deposited in the state
21 treasury to the credit of the gaming proceeds for education

22 fund and shall be distributed as provided under section
23 313.822.

24 5. (1) A certificate holder shall pay to the
25 commission an annual administrative fee of fifty thousand
26 dollars. The fee imposed shall be due one year after the
27 date on which the certificate holder commences sports
28 wagering operations under sections 313.1000 to 313.1022, and
29 on each annual anniversary date thereafter. The commission
30 shall deposit the administrative fees received under this
31 subsection in the gaming commission fund established under
32 section 313.835.

33 (2) In addition to the annual administrative fee
34 required under this subsection, a certificate holder shall
35 pay to the commission a fee of ten thousand dollars to cover
36 the costs of a renewal reinvestigation of the certificate
37 holder in the fifth year after the date on which the
38 certificate holder commences sports wagering operations
39 under sections 313.1000 to 313.1022 and on each fifth year
40 thereafter. The commission shall deposit the fees received
41 under this subdivision in the gaming commission fund
42 established under section 313.835.

572.015. Nothing in this chapter prohibits
2 constitutionally authorized activities under Article III,
3 Sections 39(a) to 39(f) of the Missouri Constitution,
4 including a raffle using tickets, a device, or a machine,
5 where a person or persons buy one or more chances from a
6 finite number of draws for a prize. A machine or device
7 shall be certified as a raffle by an ISO-17025-accredited
8 independent testing laboratory authorized to test similar
9 devices for compliance in at least five jurisdictions.

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