

SECOND REGULAR SESSION

# SENATE BILL NO. 580

96TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR PARSON.

Pre-filed December 21, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4758S.011

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## AN ACT

To repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

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

Section A. Section 313.807, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 313.807, to read as follows:

313.807. 1. A person may apply to the commission for a license to conduct  
2 gambling games on an excursion gambling boat or to operate an excursion  
3 gambling boat as provided in sections 313.800 to 313.850. The application for  
4 such licenses shall be filed with the commission and shall identify the excursion  
5 gambling boat upon which gambling games will be authorized, shall specify the  
6 exact location where the excursion gambling boat will be docked, shall specify the  
7 extent of the land-based economic development or impact and an affirmative  
8 action plan for ownership, contracting and recruiting, training and hiring of  
9 minorities and women in all employment classifications for that area, a lease with  
10 a home dock city or county, or in lieu thereof a resolution adopted by a city or  
11 county supporting or opposing the docking and land-based economic development  
12 or impact plan of the operator, and shall be in a form and contain information as  
13 the commission prescribes. If a city or county fails to pass a resolution, such  
14 action shall not adversely affect the application which shall be deemed  
15 complete. The applicant for such license shall file with the application a  
16 nonrefundable fee of fifty thousand dollars or fifteen thousand dollars for each  
17 person to be investigated, whichever amount is greater. The applicant shall be  
18 responsible for the total cost of the investigation. If the cost of the investigation

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

19 exceeds the total amount of fees filed by the applicant in this subsection, the  
20 commission may assess additional fees as it deems appropriate; however, if the  
21 applicant is denied a license, the applicant shall be entitled to a refund of the  
22 difference between the application fee and the actual cost of the  
23 investigation. The initial license and first subsequent license renewal of an  
24 excursion gambling boat operator shall be for a period of one year. Thereafter,  
25 license renewal periods shall be [two] **five** years. However, the commission may  
26 reopen licensing hearings at any time. The annual fee for anyone licensed  
27 pursuant to this subsection shall be set by the commission at a minimum of  
28 twenty-five thousand dollars.

29         2. A person may apply to the commission for a license to conduct an  
30 occupation within excursion gambling boat operations which the commission has  
31 identified as requiring a license. The commission shall establish and charge  
32 holders of occupational licenses an annual license fee for each occupation in  
33 amounts determined appropriate by the commission and shall be charged each  
34 year the license is in effect. The commission shall set a nonrefundable filing fee  
35 to cover the cost of any investigation. Each applicant for a license pursuant to  
36 this subsection shall [annually] **biennially** file for a license.

37         3. A supplier shall annually apply for a license. The application fee shall  
38 be a nonrefundable amount set by the commission to cover the cost of any  
39 investigation. The annual fee for such license shall be set by the  
40 commission. The commission shall set all standards for equipment and supplies.

41         4. A licensee licensed to conduct gambling games shall acquire all  
42 gambling games or implements of gambling from a licensed supplier or from a  
43 person or entity approved by the commission. A licensee shall not sell or give  
44 gambling games or implements of gambling to another licensee without the  
45 commission's prior written approval. Any licensed supplier shall have a  
46 registered agent within this state.

47         5. The commission may issue a limited license to operate an excursion  
48 gambling boat as defined pursuant to subdivision (7) of section 313.800 at a dock  
49 other than its home dock, if such city or county where such dock is located has  
50 approved gambling games on excursion gambling boats pursuant to subsection 10  
51 of section 313.812.

52         6. Prior to granting a license for an excursion gambling boat, the  
53 commission shall ensure that the applicant complies with all local zoning laws,  
54 provided that such laws were not changed to the detriment of the applicant

55 having an ownership interest, including without limitation, an option to purchase,  
56 a contingent purchase agreement, leasehold interest or contingent leasehold  
57 interest, that is the subject of the zoning law change when such law is enacted  
58 subsequent to the filing of such application. Nothing in this section shall be  
59 construed to prohibit a change in local law in favor of the applicant having the  
60 ownership interest in the property.

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Unofficial

Bill

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