

SECOND REGULAR SESSION

# SENATE BILL NO. 984

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time February 22, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

5143S.01I

## AN ACT

To repeal section 313.830, RSMo, and to enact in lieu thereof one new section relating to prohibited acts on excursion gambling boats, with penalty provisions.

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

Section A. Section 313.830, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 313.830, to read as follows:

313.830. 1. A person is guilty of a class D felony for any of the following:

2 (1) Operating a gambling excursion where wagering is used or to be used  
3 without a license issued by the commission;

4 (2) Operating a gambling excursion where wagering is permitted other  
5 than in the manner specified by section 313.817; or

6 (3) Acting, or employing a person to act, as a shill or decoy to encourage  
7 participation in a gambling game.

8 2. A person is guilty of a class B misdemeanor for the first offense and a  
9 class A misdemeanor for the second and subsequent offenses for any of the  
10 following:

11 (1) Permitting a person under the age of twenty-one to make a wager  
12 while on an excursion gambling boat;

13 (2) Making or attempting to make a wager while on an excursion  
14 gambling boat when such person is under the age of twenty-one years; or

15 (3) Aiding a person who is under the age of twenty-one in entering an  
16 excursion gambling boat or in making or attempting to make a wager while on an  
17 excursion gambling boat.

18 3. A person wagering or accepting a wager at any location outside the  
19 excursion gambling boat is in violation of section 572.040, RSMo.

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

20           4. A person commits a class D felony and, in addition, shall be barred for  
21 life from excursion gambling boats under the jurisdiction of the commission, if the  
22 person:

23           (1) Offers, promises, or gives anything of value or benefit to a person who  
24 is connected with an excursion gambling boat operator including, but not limited  
25 to, an officer or employee of a licensee or holder of an occupational license  
26 pursuant to an agreement or arrangement or with the intent that the promise or  
27 thing of value or benefit will influence the actions of the person to whom the  
28 offer, promise, or gift was made in order to affect or attempt to affect the outcome  
29 of a gambling game, or to influence official action of a member of the commission;

30           (2) Solicits or knowingly accepts or receives a promise of anything of value  
31 or benefit while the person is connected with an excursion gambling boat  
32 including, but not limited to, an officer or employee of a licensee, or holder of an  
33 occupational license, pursuant to an understanding or arrangement or with the  
34 intent that the promise or thing of value or benefit will influence the actions of  
35 the person to affect or attempt to affect the outcome of a gambling game, or to  
36 influence official action of a member of the commission;

37           (3) Uses a device to assist in any of the following:

38           (a) In projecting the outcome of the game;

39           (b) In keeping track of the cards played;

40           (c) In analyzing the probability of the occurrence of an event relating to  
41 the gambling game; or

42           (d) In analyzing the strategy for playing or betting to be used in the game,  
43 except as permitted by the commission;

44           (4) Cheats at a gambling game;

45           (5) Manufactures, sells, or distributes any cards, chips, dice, game or  
46 device which is intended to be used to violate any provision of sections 313.800  
47 to 313.850;

48           (6) Instructs a person in cheating or in the use of a device for that  
49 purpose with the knowledge or intent that the information or use conveyed may  
50 be employed to violate any provision of sections 313.800 to 313.850;

51           (7) Alters or misrepresents the outcome of a gambling game on which  
52 wagers have been made after the outcome is made sure but before it is revealed  
53 to the players;

54           (8) Places a bet after acquiring knowledge, not available to all players, of  
55 the outcome of the gambling game which is the subject of the bet or to aid a

56 person in acquiring the knowledge for the purpose of placing a bet contingent on  
57 that outcome;

58 (9) Claims, collects, or takes, or attempts to claim, collect, or take, money  
59 or anything of value in or from the gambling games, with intent to defraud,  
60 without having made a wager contingent on winning a gambling game, or claims,  
61 collects, or takes an amount of money or thing of value of greater value than the  
62 amount won;

63 (10) Knowingly entices or induces a person to go to any place where a  
64 gambling game is being conducted or operated in violation of the provisions of  
65 sections 313.800 to 313.850 with the intent that the other person plays or  
66 participates in that gambling game;

67 (11) Uses counterfeit chips or tokens in a gambling game;

68 (12) Knowingly uses, other than chips, tokens, coin, of other methods of  
69 credit approved by the commission, legal tender of the United States of America,  
70 or to use coin not of the denomination as the coin intended to be used in the  
71 gambling games;

72 (13) Has in the person's possession any device intended to be used to  
73 violate a provision of sections 313.800 to 313.850;

74 (14) Has in the person's possession, except a gambling licensee or  
75 employee of a gambling licensee acting in furtherance of the employee's  
76 employment, any key or device designed for the purpose of opening, entering, or  
77 affecting the operation of a gambling game, drop box, or an electronic or  
78 mechanical device connected with the gambling game or for removing coins,  
79 tokens, chips or other contents of the gambling game; or

80 (15) Knowingly makes a false statement of any material fact to the  
81 commission, its agents or employees.

82 5. The possession of one or more of the devices described in subdivision  
83 (3), (5), (13) or (14) of subsection 4 of this section permits a rebuttable inference  
84 that the possessor intended to use the devices for cheating.

85 6. [Except for wagers on gambling games or exchanges for money as  
86 provided in section 313.817, a licensee who exchanges tokens, chips, or other  
87 forms of credit to be used on gambling games for anything of value commits a  
88 class B misdemeanor.

89 7.] If the commission determines that reasonable grounds to believe that  
90 a violation of sections 313.800 to 313.850 has occurred or is occurring which is a  
91 criminal offense, the commission shall refer such matter to both the state

92 attorney general and the prosecuting attorney or circuit attorney having  
93 jurisdiction. The state attorney general and the prosecuting attorney or circuit  
94 attorney with such jurisdiction shall have concurrent jurisdiction to commence  
95 actions for violations of sections 313.800 to 313.850 where such violations have  
96 occurred.

97       **[8.] 7.** Venue for all crimes committed on an excursion gambling boat  
98 shall be the jurisdiction of the home dock city or county or such county where a  
99 home dock city is located.

✓  
Unofficial

Bill

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