

SECOND REGULAR SESSION

# SENATE BILL NO. 466

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Pre-filed December 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4360S.011

## AN ACT

To repeal section 313.835, RSMo, and to enact in lieu thereof one new section relating to the gaming commission fund.

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

Section A. Section 313.835, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 313.835, to read as follows:

313.835. All revenue received by the commission from license fees,  
2 penalties, administrative fees, reimbursement by any excursion gambling boat  
3 operators for services provided by the commission and admission fees authorized  
4 pursuant to the provisions of sections 313.800 to 313.850, except that portion of  
5 the admission fee, not to exceed one cent, that may be appropriated to the  
6 compulsive gamblers fund as provided in section 313.820, shall be deposited in  
7 the state treasury to the credit of the "Gaming Commission Fund" which is  
8 hereby created for the sole purpose of funding the administrative costs of the  
9 commission, subject to appropriation. Moneys deposited into this fund shall not  
10 be considered proceeds of gambling operations. Moneys deposited into the gaming  
11 commission fund shall be considered state funds pursuant to article IV, section  
12 15 of the Missouri Constitution. All interest received on the gaming commission  
13 fund shall be credited to the gaming commission fund. In each fiscal year, total  
14 revenues to the gaming commission fund for the preceding fiscal year shall be  
15 compared to total expenditures and transfers from the gaming commission fund  
16 for the preceding fiscal year. The remaining net proceeds in the gaming  
17 commission fund shall be distributed in the following manner:

18 (1) The first five hundred thousand dollars shall be appropriated on a per  
19 capita basis to cities and counties that match the state portion and have

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

20 demonstrated a need for funding community neighborhood organization programs  
21 for the homeless and to deter gang-related violence and crimes;

22       (2) **The remaining net proceeds in the gaming commission fund**  
23 **for fiscal year 2014 and each fiscal year thereafter attributable to any**  
24 **excursion gambling boat that received a license on or after January 1,**  
25 **1999 shall be transferred to the veterans' commission capital**  
26 **improvement trust fund created in section 42.300. However, if**  
27 **distributing these funds to the veterans' commission capital**  
28 **improvement trust causes the amount in the gaming commission fund**  
29 **to fall below the level required to result in the allocation of funds**  
30 **provided by paragraph (e) of subdivision (3) of this section, then the**  
31 **allocation of funds provided by paragraph (e) of subdivision (3) of this**  
32 **section to the access Missouri financial assistance fund and the**  
33 **Missouri national guard trust fund shall be taken from the funds**  
34 **provided to the veterans' commission capital improvement trust by this**  
35 **subdivision;**

36       (3) The remaining net proceeds in the gaming commission fund for fiscal  
37 year [1999] 2014 and each fiscal year thereafter **attributable to any**  
38 **excursion gambling boat that received a license before January 1, 1999,**  
39 shall be distributed as follows:

40       (a) The first four and one-half million dollar portion shall be transferred  
41 to the access Missouri financial assistance fund, established pursuant to the  
42 provisions of sections 173.1101 to 173.1107, and additional moneys as annually  
43 appropriated by the general assembly shall be appropriated to such fund;

44       (b) The second three million dollar portion shall be transferred to the  
45 veterans' commission capital improvement trust fund created in section 42.300;

46       (c) The third three million dollar portion shall be transferred to the  
47 Missouri national guard trust fund created in section 41.214;

48       (d) Subject to appropriations, one hundred percent of remaining net  
49 proceeds in the gaming commission fund except as provided in paragraphs (e) and  
50 (f) of this subdivision, and after the appropriations made pursuant to the  
51 provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred  
52 to the early childhood development, education and care fund created in section  
53 161.215;

54       (e) When the remaining net proceeds, as such term is used pursuant to  
55 paragraph (d) of this subdivision, in the gaming commission fund annually

56 exceeds twenty-eight million dollars: one-half million dollars of such proceeds  
57 shall be transferred annually, subject to appropriation, to the access Missouri  
58 financial assistance fund, established pursuant to the provisions of sections  
59 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred  
60 annually, subject to appropriation, to the veterans' commission capital  
61 improvement trust fund; and one million dollars of such proceeds shall be  
62 transferred annually, subject to appropriation, to the Missouri national guard  
63 trust fund created in section 41.214;

64 (f) Beginning in fiscal year 2011 and each fiscal year thereafter when the  
65 funding for early childhood education under paragraph (d) of this subdivision  
66 equals the funding level for early childhood education under paragraph (d) of this  
67 subdivision in fiscal year 2009, one-half of the next one million two hundred  
68 thousand dollars of such proceeds shall be transferred annually, subject to  
69 appropriation, to the veterans commission capital improvement trust fund for the  
70 purpose of funding veterans' service officer programs identified under subdivision  
71 (5) of subsection 1 of section 42.300, and the other half of the one million two  
72 hundred thousand dollars shall be transferred annually, subject to appropriation,  
73 to the early childhood development, education and care fund created in section  
74 161.215.

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