

SECOND REGULAR SESSION

SENATE BILL NO. 900

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS ROWDEN AND CURLS.

Read 1st time January 10, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5263S.02I

AN ACT

To repeal sections 311.660, 313.220, and 313.260, RSMo, and to enact in lieu thereof three new sections relating to activities extended to persons found guilty of certain criminal offenses.

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

Section A. Sections 311.660, 313.220, and 313.260, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 311.660,
3 313.220, and 313.260, to read as follows:

311.660. 1. The supervisor of liquor control shall have the authority to
2 suspend or revoke for cause all such licenses; and to make the following
3 regulations, without limiting the generality of provisions empowering the
4 supervisor of liquor control as in this chapter set forth as to the following
5 matters, acts and things:

6 (1) Fix and determine the nature, form and capacity of all packages used
7 for containing intoxicating liquor of any kind, to be kept or sold under this law;

8 (2) Prescribe an official seal and label and determine the manner in which
9 such seal or label shall be attached to every package of intoxicating liquor so sold
10 under this law; this includes prescribing different official seals or different labels
11 for the different classes, varieties or brands of intoxicating liquor;

12 (3) Prescribe all forms, applications and licenses and such other forms as
13 are necessary to carry out the provisions of this chapter, except that when a
14 licensee substantially complies with all requirements for the renewal of a license
15 by the date on which the application for renewal is due, such licensee shall be
16 permitted at least an additional ten days from the date notice is sent that the
17 application is deficient, in which to complete the application;

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

18 (4) Prescribe the terms and conditions of the licenses issued and granted
19 under this law;

20 (5) Prescribe the nature of the proof to be furnished and conditions to be
21 observed in the issuance of duplicate licenses, in lieu of those lost or destroyed;

22 (6) Establish rules and regulations for the conduct of the business carried
23 on by each specific licensee under the license, and such rules and regulations if
24 not obeyed by every licensee shall be grounds for the revocation or suspension of
25 the license;

26 (7) The right to examine books, records and papers of each licensee and
27 to hear and determine complaints against any licensee;

28 (8) To issue subpoenas and all necessary processes and require the
29 production of papers, to administer oaths and to take testimony;

30 (9) Prescribe all forms of labels to be affixed to all packages containing
31 intoxicating liquor of any kind; [and]

32 (10) To make such other rules and regulations as are necessary and
33 feasible for carrying out the provisions of this chapter, as are not inconsistent
34 with this law.

35 **2. Notwithstanding subsection 1 of this section, the supervisor**
36 **of liquor control shall not prohibit persons from participating in the**
37 **sale of intoxicating liquor solely on the basis of being found guilty of**
38 **any felony offense, except for prohibitions set forth in sections 311.191**
39 **and 311.193.**

313.220. 1. The commission shall promulgate such rules and regulations
2 governing the establishment and operation of a state lottery as it deems
3 necessary and desirable to fully implement the mandate of the people expressed
4 in the approval of the lottery amendment to Article III of the Missouri
5 Constitution. Such rules and regulations shall be designed so that a lottery may
6 be initiated at the earliest feasible and practicable time. No rule or portion of a
7 rule promulgated under the authority of this chapter shall become effective unless
8 it has been promulgated pursuant to the provisions of section 536.024.

9 2. The commission shall have the authority to require a fingerprint
10 background check on any person seeking employment or employed by the
11 commission, any person seeking contract with or contracted to the commission
12 and any person seeking license from or licensed by the commission. The
13 background check shall include a check of the Missouri criminal records
14 repository and when the commission deems it necessary to perform a nationwide

15 criminal history check, a check of the Federal Bureau of Investigation's criminal
16 records file. Fingerprints shall be submitted to the Missouri criminal records
17 repository as required. Notwithstanding the provisions of section 610.120, the
18 commission shall have access to closed criminal history information when
19 fingerprints are submitted. **The commission shall not prohibit a person**
20 **from participating in the sale of lottery tickets solely on the basis of**
21 **the person being found guilty of any criminal offense, except for**
22 **termination of any lottery vendor under subsection 5 of section 313.270.**

313.260. 1. No license shall be issued to any person to engage in business
2 primarily as a lottery game retailer.

3 2. No person shall be licensed as a lottery game retailer who:

4 (1) [Has been convicted of a felony;

5 (2)] Is or has been a professional gambler or gambling promoter;

6 [(3)] **(2)** Has been convicted of bookmaking or any other form of illegal
7 gambling;

8 [(4)] **(3)** Has been convicted of a crime involving fraud or
9 misrepresentation;

10 [(5)] **(4)** Has purchased a federal tax stamp for wagering or gambling
11 activity;

12 [(6)] **(5)** Has been convicted of or pleaded nolo contendere to any illegal
13 gambling activity;

14 [(7)] **(6)** Has had his ticket retailer's license revoked by the commission;

15 [(8)] **(7)** Is a lottery contractor or lottery vendor;

16 [(9)] **(8)** Is an employee of the commission or any spouse, child, brother,
17 sister, or parent of an employee of the commission; [or]

18 [(10)] **(9)** Is under the age of twenty-one; **or**

19 [(11)] **(10)** Is a firm, corporation or organization in which a person
20 defined in subdivision (1), (2), **or** (3)[, or (4)] of this subsection is to participate
21 in the management or sales of lottery tickets or shares.

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