

FIRST REGULAR SESSION

SENATE BILL NO. 187

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Pre-filed December 19, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0136S.02I

AN ACT

To repeal sections 143.011 and 313.800, RSMo, and to enact in lieu thereof twenty-five new sections relating to gaming, with penalty provisions.

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

Section A. Sections 143.011 and 313.800, RSMo, are repealed and twenty-
2 five new sections enacted in lieu thereof, to be known as sections 143.011,
3 313.450, 313.453, 313.456, 313.459, 313.462, 313.465, 313.468, 313.471, 313.474,
4 313.477, 313.480, 313.800, 313.1000, 313.1002, 313.1004, 313.1006, 313.1008,
5 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1020, and 1, to read as
6 follows:

143.011. 1. A tax is hereby imposed for every taxable year on the
2 Missouri taxable income of every resident. The tax shall be determined by
3 applying the tax table or the rate provided in section 143.021, which is based
4 upon the following rates:

5	If the Missouri taxable income is:	The tax is:
6	Not over \$1,000.00	1 1/2% of the Missouri taxable income
7	Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
8	Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
9	Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
10	Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
11	Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
12	Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
13	Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
14	Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
15	Over \$9,000	\$315 plus 6% of excess over \$9,000

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

16 2. (1) Beginning with the 2017 calendar year, the top rate of tax under
17 subsection 1 of this section may be reduced over a period of years. Each
18 reduction in the top rate of tax shall be by one-tenth of a percent and no more
19 than one reduction shall occur in a calendar year. No more than five reductions
20 shall be made under this subsection. Reductions in the rate of tax shall take
21 effect on January first of a calendar year and such reduced rates shall continue
22 in effect until the next reduction occurs.

23 (2) A reduction in the rate of tax shall only occur if the amount of net
24 general revenue collected in the previous fiscal year exceeds the highest amount
25 of net general revenue collected in any of the three fiscal years prior to such fiscal
26 year by at least one hundred fifty million dollars.

27 (3) Any modification of tax rates under this subsection shall only apply
28 to tax years that begin on or after a modification takes effect.

29 (4) The director of the department of revenue shall, by rule, adjust the tax
30 tables under subsection 1 of this section to effectuate the provisions of this
31 subsection. The bracket for income subject to the top rate of tax shall be
32 eliminated once the top rate of tax has been reduced to five and one-half percent,
33 and the top remaining rate of tax shall apply to all income in excess of the income
34 in the second highest remaining income bracket.

35 3. (1) In addition to the rate reductions under subsection 2 of this section,
36 beginning with the 2019 calendar year, the top rate of tax under subsection 1 of
37 this section shall be reduced by four-tenths of one percent. Such reduction in the
38 rate of tax shall take effect on January first of the 2019 calendar year.

39 (2) The modification of tax rates under this subsection shall only apply to
40 tax years that begin on or after the date the modification takes effect.

41 (3) The director of the department of revenue shall, by rule, adjust the tax
42 tables under subsection 1 of this section to effectuate the provisions of this
43 subsection.

44 **4. (1) In addition to the rate reductions under subsections 2 and**
45 **3 of this section, beginning with the 2020 calendar year, the top rate of**
46 **tax under subsection 1 of this section shall be reduced by two tenths of**
47 **one percent. Such reduction in the rate of tax shall take effect on**
48 **January first of a calendar year.**

49 **(2) The modification of tax rates under this subsection shall only**
50 **apply to tax years that begin on or after the date the modification takes**
51 **effect.**

52 **(3) The director of the department of revenue shall, by rule,**
53 **adjust the tax tables under subsection 1 of this section to effectuate the**
54 **provisions of this subsection.**

55 5. Beginning with the 2017 calendar year, the brackets of Missouri
56 taxable income identified in subsection 1 of this section shall be adjusted
57 annually by the percent increase in inflation. The director shall publish such
58 brackets annually beginning on or after October 1, 2016. Modifications to the
59 brackets shall take effect on January first of each calendar year and shall apply
60 to tax years beginning on or after the effective date of the new brackets.

61 [5.] 6. As used in this section, the following terms mean:

62 (1) "CPI", the Consumer Price Index for All Urban Consumers for the
63 United States as reported by the Bureau of Labor Statistics, or its successor
64 index;

65 (2) "CPI for the preceding calendar year", the average of the CPI as of the
66 close of the twelve month period ending on August thirty-first of such calendar
67 year;

68 (3) "Net general revenue collected", all revenue deposited into the general
69 revenue fund, less refunds and revenues originally deposited into the general
70 revenue fund but designated by law for a specific distribution or transfer to
71 another state fund;

72 (4) "Percent increase in inflation", the percentage, if any, by which the
73 CPI for the preceding calendar year exceeds the CPI for the year beginning
74 September 1, 2014, and ending August 31, 2015.

313.450. 1. For the purposes of sections 313.450 to 313.480, the
2 **following terms shall mean:**

3 **(1) "Associated equipment", equipment or a mechanical,**
4 **electromechanical or electronic contrivance, component, or machine**
5 **used in connection with video gaming terminals or redemption**
6 **terminals, including replacement parts, hardware, and software;**

7 **(2) "Background investigation", a security, criminal, credit, and**
8 **suitability investigation of a person that includes the status of taxes**
9 **owed to the United States, this state, and political subdivisions of this**
10 **state;**

11 **(3) "Cash equivalent", a ticket, token, chip, card, or other similar**
12 **instrument or representation of value that the commission deems a**
13 **cash equivalent;**

14 (4) "Central control computer", a central site computer controlled
15 by the commission and accessible by the commission to which all video
16 gaming terminals communicate for the purpose of auditing capacity,
17 real-time information retrieval of the details of any financial event that
18 occurs in the operation of a video gaming terminal or redemption
19 terminal, including, but not limited to, coin-in, coin-out, ticket-in,
20 ticket-out, jackpots, video gaming terminal and redemption terminal
21 door openings and power failure, and remote video gaming terminal or
22 redemption terminal activation and disabling of video gaming
23 terminals or redemption terminals;

24 (5) "Commission" the five-member body appointed by the
25 governor to manage and oversee the lottery under section 313.215;

26 (6) "Conduct of video gaming", the licensed placement, operation,
27 and play of video gaming terminals under sections 313.450 to 313.480,
28 as authorized and approved by the commission;

29 (7) "Establishment license", a license issued by the commission
30 authorizing a truck stop establishment to permit a terminal operator
31 licensee to place and operate video gaming terminals on the truck stop
32 establishment's premises under sections 313.450 to 313.480, and the
33 rules and regulations promulgated by the commission;

34 (8) "Gross terminal revenue", the total of cash or cash equivalents
35 received by a video gaming terminal minus the total of cash or cash
36 equivalents paid out to players as a result of playing a video gaming
37 terminal. Gross terminal revenue shall not include counterfeit cash or
38 cash taken in a fraudulent act perpetrated against a terminal operator
39 licensee for which the terminal operator licensee is not reimbursed;

40 (9) "Incentive", consideration, including a promotion or prize,
41 provided to a player or potential player as an enticement to play a
42 video gaming terminal;

43 (10) "Inducement", includes:

44 (a) Any of the following:

45 a. Consideration paid directly or indirectly, from a
46 manufacturer, supplier, terminal operator, key employee, or another
47 person on behalf of an applicant or anyone licensed under sections
48 313.450 to 313.480, to a truck stop establishment or an employee of the
49 establishment licensee, directly or indirectly as an enticement to solicit
50 or maintain the establishment licensee's business;

51 **b. Cash, incentives, marketing and advertising costs, gifts, food,**
52 **beverage, loans, prepayment of gross terminal revenue, and other**
53 **contributions or payments that offset an establishment licensee's**
54 **operational costs, as otherwise determined by the commission;**

55 **c. Any other incentive determined by the commission;**

56 **(b) Inducement shall not include costs paid by a terminal**
57 **operator applicant or terminal operator licensee related to making**
58 **video gaming terminals operate at the premises of an establishment**
59 **licensee, including wiring and rewiring, software updates, ongoing**
60 **video gaming terminal maintenance, redemption terminals, network**
61 **connections, site controllers, and costs associated with communicating**
62 **with the central control computer system;**

63 **(11) "Key employee", an individual employed by or otherwise**
64 **associated with a manufacturer, supplier, terminal operator, or truck**
65 **stop establishment that is determined by the commission to be involved**
66 **in the conduct of video gaming. Key employee shall not include**
67 **nongaming personnel, as determined by the commission;**

68 **(12) "Licensed gaming establishment", an excursion gambling**
69 **boat as defined under section 313.800;**

70 **(13) "Licensee", a person licensed by the commission under**
71 **sections 313.450 to 313.480;**

72 **(14) "Manufacturer", a person that manufactures, builds, rebuilds,**
73 **fabricates, assembles, produces, programs, designs, or otherwise makes**
74 **modifications to a video gaming terminal, redemption terminal, or**
75 **associated equipment for use or play of video gaming terminals in this**
76 **state for video gaming purposes;**

77 **(15) "Manufacturer license", a license issued by the commission**
78 **authorizing a manufacturer to manufacture or produce video gaming**
79 **terminals, redemption terminals, or associated equipment for use in**
80 **this state for video gaming purposes;**

81 **(16) "Minor", an individual under twenty-one years of age;**

82 **(17) "Player", an individual who wagers cash or cash equivalent**
83 **in the play or operation of a video gaming terminal and the play or**
84 **operation of which may deliver or entitle the individual playing or**
85 **operating the video gaming terminal to receive cash or cash equivalent**
86 **from a terminal operator licensee;**

87 **(18) "Redemption terminal", the collective hardware, software,**

88 communications technology, and other ancillary equipment used to
89 facilitate the payment of cash or cash equivalent to a player as a result
90 of playing a video gaming terminal;

91 (19) "Supplier", a person that sells, leases, offers, or otherwise
92 provides, distributes, or services any video gaming terminal,
93 redemption terminal or associated equipment to a terminal operator
94 licensee for use or play in this state;

95 (20) "Supplier license", a license issued by the commission
96 authorizing a supplier to provide products or services related to video
97 gaming terminals, redemption terminals, or associated equipment to
98 terminal operator licensees for use in this state for the conduct of video
99 gaming;

100 (21) "Terminal operator", a person that owns, services, or
101 maintains video gaming terminals for placement and operation on the
102 premises of an establishment licensee;

103 (22) "Terminal operator license", a license issued by the
104 commission authorizing a terminal operator to place and operate video
105 gaming terminals in an establishment licensee's premises;

106 (23) "Terminal placement agreement", the formal written
107 agreement or contract between an applicant for a terminal operator
108 license or terminal operator licensee and an applicant for an
109 establishment license or establishment licensee that establishes the
110 terms and conditions regarding the placement of video gaming
111 terminals and the conduct of video gaming;

112 (24) "Truck stop establishment", a premises that:

113 (a) Is equipped with diesel islands used for fueling commercial
114 motor vehicles;

115 (b) Has sold on average fifty thousand gallons of diesel or
116 biodiesel fuel each month for the previous twelve months, or is
117 projected to sell an average of fifty thousand gallons of diesel or
118 biodiesel fuel each month for the next twelve months;

119 (c) Has parking spaces dedicated for commercial motor vehicles;

120 (d) Has a convenience store; and

121 (e) Is situated on a parcel of land of not less than three acres
122 that the truck stop establishment owns or leases;

123 (25) "Video gaming area", the area of an establishment licensee's
124 premises where video gaming terminals and redemption terminals are

125 installed for operation and play;

126 (26) "Video gaming terminal", includes:

127 (a) A mechanical or electrical contrivance, terminal, machine, or
128 other device approved by the commission that, upon insertion of cash
129 or cash equivalents, is available to play or operate one or more video
130 lottery games, the play of which utilizes a random number generator
131 and:

132 a. May award a winning player either a free game or credit that
133 shall only be redeemable for cash or cash equivalents at a redemption
134 terminal;

135 b. May utilize video displays;

136 c. May use an electronic credit system for receiving wagers and
137 making payouts that are only redeemable at a redemption terminal;

138 (b) Associated equipment necessary to conduct the operation of
139 the contrivance, terminal, machine, or other device; and

140 (c) Video gaming terminal shall not include a slot machine
141 operated on an excursion gambling boat;

142 (27) "Video lottery game", any lottery game authorized by the
143 commission to be played on a video gaming terminal;

313.453. 1. The commission shall have general and sole
2 regulatory authority over the conduct of video gaming and related
3 activities as authorized under sections 313.450 to 313.480. The
4 commission shall ensure the integrity of the acquisition and operation
5 of video gaming terminals, redemption terminals, and associated
6 equipment.

7 2. The commission may employ individuals as necessary to carry
8 out the requirements of sections 313.450 to 313.480.

9 3. The commission shall have the power and duty to:

10 (1) Issue, deny, deny the renewal, revoke, condition, or suspend
11 a license or permit provided for under section 313.459 if the
12 commission finds in its sole discretion that a person furnished false or
13 misleading information to the commission or failed to comply with the
14 provisions of sections 313.450 to 313.480 or the rules and regulations
15 promulgated by the commission, and that it would be in the public
16 interest to deny, deny the renewal, revoke, condition or suspend the
17 license or permit;

18 (2) Restrict access to confidential information in the possession

19 of the commission that has been obtained under sections 313.450 to
20 313.480, and ensure that the confidentiality of information is
21 maintained and protected; and

22 (3) Promulgate rules and regulations necessary to govern the
23 conduct of video gaming and for the administration and enforcement
24 of sections 313.450 to 313.480. Any rule or portion of a rule, as that
25 term is defined in section 536.010 that is created under the authority
26 delegated in this section shall become effective only if it complies with
27 and is subject to all of the provisions of chapter 536, and, if applicable,
28 section 536.028. This section and chapter 536 are nonseverable and if
29 any of the powers vested with the general assembly pursuant to chapter
30 536, to review, to delay the effective date, or to disapprove and annul
31 a rule are subsequently held unconstitutional, then the grant of
32 rulemaking authority and any rule proposed or adopted after August
33 28, 2019, shall be invalid and void.

313.456. To facilitate the auditing and security programs critical
2 to the integrity of video gaming terminals in this state, the commission
3 shall have overall control of video gaming terminals that:

4 (1) Shall be linked, at an appropriate time to be determined by
5 the commission, to a central control computer accessible by the
6 commission to provide auditing program capacity and individual
7 terminal information as approved by the commission; and

8 (2) Shall include real-time information retrieval and terminal
9 activation and disabling programs.

313.459. 1. No person may offer or otherwise make available for
2 play in this state a video gaming terminal unless the person is licensed
3 under this section.

4 2. An application for a manufacturer, supplier, terminal
5 operator, truck stop establishment, or key employee license shall be on
6 a form prescribed by the commission.

7 3. An application for a manufacturer, supplier, terminal
8 operator, truck stop establishment, or key employee license shall
9 include such information, documentation, and assurances as may be
10 required to establish by clear and convincing evidence of the
11 applicant's suitability for a license issued under this section, including
12 good character, honesty, and integrity. The application shall include,
13 but shall not be limited to, information pertaining to family, habits,

14 character, reputation, criminal history background, business activities,
15 financial affairs, and business, professional, and personal associates,
16 covering at least the ten year period immediately preceding the filing
17 date of the application. The commission shall conduct a background
18 investigation of all applicants prior to issuing any license.

19 4. The commission shall be prohibited from granting a license
20 under this section to any applicant or person who has been convicted
21 of a felony offense in any jurisdiction.

22 5. In addition to any other criteria provided under this section,
23 any terminal operator, truck stop establishment, supplier,
24 manufacturer, key employee, or other person that the commission
25 approves as qualified to receive a license, permit, or other
26 authorization under this section shall be issued a license or permit
27 upon the payment of an initial nonrefundable license fee in the
28 following amounts:

29 (1) For manufacturers and terminal operators, no more than fifty
30 thousand dollars;

31 (2) For truck stop establishments, no more than five hundred
32 dollars;

33 (3) For suppliers, no more than five hundred dollars; or

34 (4) For key employees, no more than fifty dollars.

35 6. Manufacturers, terminal operators, suppliers, and truck stop
36 establishments shall annually renew any license issued under this
37 section for a fee as follows:

38 (1) For manufacturers, five thousand dollars;

39 (2) For terminal operators, five thousand dollars; and

40 (3) For each truck stop establishment, five hundred dollars; and

41 (4) For suppliers, five hundred dollars.

42 7. In addition to the fees required in subsections 5 and 6 of this
43 section, terminal operators shall annually pay the commission a fee of
44 two hundred dollars for each video gaming terminal placed in service.
45 Any license fee for a video gaming terminal shall be prorated, but no
46 license fee shall be refunded if the video gaming terminal is taken out
47 of service. A license issued under this section shall be good for a
48 period of three years upon payment of the appropriate renewal fee
49 prior to the beginning of the second year, and is
50 nontransferable. Nothing in this subsection shall be construed to

51 relieve the licensee of the affirmative duty to notify the commission of
52 any change relating to the status of the license or to any other
53 information contained in the application materials on file with the
54 commission.

55 8. (1) A license issued by the commission is a grant of the
56 privilege to conduct a business in this state.

57 (2) Except as permitted by the commission, no license granted or
58 renewed under this section may be sold, transferred, or assigned to
59 another person.

60 (3) No licensee may pledge or otherwise grant a security interest
61 in or lien on a license issued under this section.

62 9. (1) A manufacturer shall not be licensed as a terminal
63 operator or own, manage, or control an establishment licensee or
64 terminal operator licensee, but may also be licensed as a supplier.

65 (2) A supplier shall not be licensed as a terminal operator or
66 own, manage, or control an establishment licensee or terminal operator
67 licensee.

68 (3) A terminal operator shall not be licensed as a manufacturer
69 or supplier, or own, manage, or control an establishment licensee or
70 own, manage, or control premises used by an establishment licensee.

71 (4) An establishment licensee shall not be licensed as a
72 manufacturer, supplier, or terminal operator.

313.462. 1. No video gaming terminal, redemption terminal, or
2 associated equipment shall be made available for use in this state prior
3 to being tested and certified by the commission.

4 2. Video gaming terminals shall be tested and certified to meet
5 the following specifications:

6 (1) The video gaming terminal shall have the ability to be linked
7 to the central control computer;

8 (2) The video gaming terminal shall not have the ability to
9 dispense cash, tokens, or anything of value except redemption tickets,
10 which shall only be exchangeable for cash at a redemption terminal or
11 reinserted into another video gaming terminal located in the same
12 video gaming area as the video gaming terminal;

13 (3) The cost of a credit shall be one cent, five cents, ten cents, or
14 twenty-five cents;

15 (4) The maximum wager per individual game shall not exceed

16 **five dollars;**

17 **(5) The maximum prize per individual game shall not exceed one**
18 **thousand dollars;**

19 **(6) The video gaming terminal shall be designed and**
20 **manufactured with total accountability to record gross proceeds, net**
21 **profits, winning percentages, and any other information required by**
22 **the commission;**

23 **(7) The video gaming terminal shall pay out a theoretical**
24 **minimum of eighty-five percent of the amount wagered; and**

25 **(8) Any other specifications required by the commission.**

26 **3. Redemption terminals shall be tested and certified to meet the**
27 **following specifications:**

28 **(1) The redemption terminal shall only accept redemption tickets**
29 **from video gaming terminals located in the same video gaming area;**
30 **and**

31 **(2) The redemption terminal shall be designed and manufactured**
32 **with total accountability to record any information required by the**
33 **commission.**

34 **4. The commission shall ensure that all video gaming terminals**
35 **certified and approved for use in this state are compatible and comply**
36 **with the central control computer and protocol specifications approved**
37 **by the commission.**

313.465. 1. An establishment licensee may offer video gaming
2 **terminals for play within its premises, subject to the following:**

3 **(1) No more than fifteen video gaming terminals shall be placed**
4 **on the premises of the establishment licensee;**

5 **(2) Redemption tickets shall only be exchanged for cash through**
6 **a redemption terminal or reinserted into another video gaming**
7 **terminal in the same video gaming area, or as otherwise authorized by**
8 **the commission in the event of a failure or malfunction in a redemption**
9 **terminal, and at least one redemption terminal shall be located in the**
10 **video gaming area;**

11 **(3) Video gaming terminals located on the premises of the**
12 **establishment licensee shall be placed and operated by a terminal**
13 **operator licensee pursuant to a terminal placement agreement;**

14 **(4) No video gaming area may be located in an area that is not**
15 **properly segregated from minors;**

16 **(5) The entrance to the video gaming area shall be secure and**
17 **easily seen and observed by at least one employee of the establishment**
18 **licensee;**

19 **(6) The video gaming area shall at all times be monitored by an**
20 **employee of the establishment licensee either directly or through live**
21 **monitoring of video surveillance. Such employee shall be at least**
22 **twenty-one years of age;**

23 **(7) No establishment licensee shall provide any incentive;**

24 **(8) No minor shall be permitted to play a video gaming terminal**
25 **or enter the video gaming area;**

26 **(9) No visibly intoxicated person shall be permitted to play a**
27 **video gaming terminal;**

28 **(10) No establishment licensee may extend credit or accept a**
29 **credit card or debit card for play of a video gaming terminal;**

30 **(11) No establishment licensee may make structural alterations**
31 **or significant renovations to a video gaming area unless the**
32 **establishment licensee has notified the terminal operator licensee and**
33 **obtained prior approval from the commission; and**

34 **(12) No establishment licensee may move a video gaming**
35 **terminal or redemption terminal after installation by a terminal**
36 **operator licensee.**

37 **2. A terminal operator licensee may place and operate video**
38 **gaming terminals on the premises of an establishment licensee, subject**
39 **to the following:**

40 **(1) No terminal operator licensee shall provide any incentive;**

41 **(2) No terminal operator licensee shall extend credit or accept**
42 **a credit card or debit card for play of a video gaming terminal;**

43 **(3) No terminal operator licensee shall give or offer to give,**
44 **directly or indirectly, any type of inducement to a truck stop**
45 **establishment to secure or maintain a terminal placement agreement;**

46 **(4) No terminal operator licensee shall give an establishment**
47 **licensee a percentage of gross terminal revenue other than thirty-three**
48 **percent of the gross terminal revenue of the video gaming terminals**
49 **operating in the establishment licensee's premises;**

50 **(5) A terminal operator licensee shall only operate, install, or**
51 **otherwise make available for public use a video gaming terminal or**
52 **redemption terminal that has been obtained from a manufacturer**

53 licensee or supplier licensee; and

54 (6) No terminal operator licensee shall move a video gaming
55 terminal or redemption terminal after installation unless prior
56 approval is obtained from the commission.

313.468. 1. No terminal operator licensee may place and operate
2 video gaming terminals on the premises of an establishment licensee
3 unless pursuant to a terminal placement agreement approved by the
4 commission. Approval shall be presented upon connection of one or
5 more video gaming terminals at the establishment licensee to the
6 central control computer.

7 2. The commission shall establish through rule minimum
8 standards for terminal placement agreements.

313.471. A person issued a license under section 313.459 shall:

2 (1) Provide assistance or information as required by the
3 commission and to cooperate in inquiries, investigations, and hearings;

4 (2) Consent to inspections, searches, and seizures;

5 (3) Inform the commission of actions that the person believes
6 would constitute a violation of sections 313.450 to 313.480; and

7 (4) Inform the commission if the licensee is arrested for any
8 violations of the laws of this state.

313.474. The commission shall have the following powers and
2 duties to:

3 (1) Enforce the provisions of sections 313.450 to 313.480;

4 (2) Investigate and review applicants and applications for a
5 license or permit. The commission shall be prohibited from disclosing
6 any portion of a background investigation report prior to the
7 submission of the commission's final background investigation report
8 relating to the applicant's suitability for licensure;

9 (3) Investigate licensees, registrants, and other persons
10 regulated by the commission under sections 313.450 to 313.480 for
11 noncriminal violations of the provisions of sections 313.450 to 313.480,
12 including potential violations referred to the commission;

13 (4) Monitor video gaming operations to ensure compliance with
14 sections 313.450 to 313.480;

15 (5) Inspect and examine licensed entities as necessary to ensure
16 compliance with sections 313.450 to 313.480. Inspections may include
17 the review of accounting, administrative, and financial records,

18 management control systems, procedures, and other records utilized by
19 a licensed entity; and

20 (6) Cooperate in the investigation and prosecution of criminal
21 violations related to sections 313.450 to 313.480.

313.477. 1. Terminal operators shall pay the commission
2 thirty-six percent of gross terminal revenue, which shall be deposited
3 in the state lottery fund. The commission shall transfer the amount
4 received from the terminal operator from the lottery fund to the lottery
5 proceeds fund after administrative expenses equal to four percent of
6 gross terminal revenue are deducted for administrative expenses for
7 administering the provisions of sections 313.450 to 313.480. Net
8 proceeds transferred to the lottery proceeds fund shall be appropriated
9 solely for public institutions of elementary, secondary, and higher
10 education.

11 2. All revenues received by the commission from license fees and
12 any reimbursements associated with the administration of the
13 provisions of sections 313.450 to 313.480, and all interest earned
14 thereon, shall be considered administrative expenses and shall be
15 deposited in the state lottery fund. Moneys deposited into the state
16 lottery fund from license fees and any reimbursements of commission
17 administrative expenses to administer sections 313.450 to 313.480 shall
18 be considered administrative expenses and shall not be considered net
19 proceeds pursuant to Article III, Section 39(b) of the Missouri
20 Constitution.

313.480. Notwithstanding any other provision of law to the
2 contrary, participation by a person, firm, corporation, or organization
3 in any aspect of the provisions of shall not be construed to be a lottery
4 or gift enterprise in violation of section 39 of article III of the
5 Constitution of Missouri.

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

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

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

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

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

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

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

30 (7) "Credit instrument", a written check, negotiable instrument, automatic
31 bank draft or other authorization from a qualified person to an excursion
32 gambling boat licensee or any of its affiliated companies licensed by the
33 commission authorizing the licensee to withdraw the amount of credit extended
34 by the licensee to such person from the qualified person's banking account in an
35 amount determined under section 313.817 on or after a date certain of not more
36 than thirty days from the date the credit was extended, and includes any such
37 writing taken in consolidation, redemption or payment of a previous credit
38 instrument, but does not include any interest-bearing installment loan or other
39 extension of credit secured by collateral;

40 (8) "Dock", the location in a city or county authorized under subsection 10
41 of section 313.812 which contains any natural or artificial space, inlet, hollow, or
42 basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a
43 wharf or landing devoted to the embarking of passengers on and disembarking
44 of passengers from a gambling excursion but shall not include any artificial space

45 created after May 20, 1994, and is located more than one thousand feet from the
46 closest edge of the main channel of the river as established by the United States
47 Army Corps of Engineers;

48 (9) "Excursion gambling boat", a boat, ferry or other floating facility
49 licensed by the commission on which gambling games are allowed;

50 (10) "Fiscal year" shall for the purposes of [subsections 3 and 4 of] section
51 313.820 mean the fiscal year of a home dock city or county;

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

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

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

60 (14) "Games of chance", any gambling game in which the player's expected
61 return is not favorably increased by his or her reason, foresight, dexterity,
62 sagacity, design, information or strategy;

63 (15) "Games of skill", any gambling game in which there is an opportunity
64 for the player to use his or her reason, foresight, dexterity, sagacity, design,
65 information or strategy to favorably increase the player's expected return;
66 including, but not limited to, the gambling games known as "poker", "blackjack"
67 (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double
68 down stud", **sports wagering**, and any video representation of such games;

69 (16) "Gross receipts", the total sums wagered by patrons of licensed
70 gambling games;

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

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

75 (19) "Mississippi River" and "Missouri River", the water, bed and banks
76 of those rivers, including any space filled by the water of those rivers for docking
77 purposes in a manner approved by the commission but shall not include any
78 artificial space created after May 20, 1994, and is located more than one thousand
79 feet from the closest edge of the main channel of the river as established by the
80 United States Army Corps of Engineers;

81 (20) "Supplier", a person who sells or leases gambling equipment and
82 gambling supplies to any licensee.

83 2. In addition to the games of skill defined in this section, the commission
84 may approve other games of skill upon receiving a petition requesting approval
85 of a gambling game from any applicant or licensee. The commission may set the
86 matter for hearing by serving the applicant or licensee with written notice of the
87 time and place of the hearing not less than five days prior to the date of the
88 hearing and posting a public notice at each commission office. The commission
89 shall require the applicant or licensee to pay the cost of placing a notice in a
90 newspaper of general circulation in the applicant's or licensee's home dock city
91 or county. The burden of proof that the gambling game is a game of skill is at all
92 times on the petitioner. The petitioner shall have the affirmative responsibility
93 of establishing his or her case by a preponderance of evidence including:

94 (1) Is it in the best interest of gaming to allow the game; and

95 (2) Is the gambling game a game of chance or a game of skill?

96 All testimony shall be given under oath or affirmation. Any citizen of this state
97 shall have the opportunity to testify on the merits of the petition. The
98 commission may subpoena witnesses to offer expert testimony. Upon conclusion
99 of the hearing, the commission shall evaluate the record of the hearing and issue
100 written findings of fact that shall be based exclusively on the evidence and on
101 matters officially noticed. The commission shall then render a written decision
102 on the merits which shall contain findings of fact, conclusions of law and a final
103 commission order. The final commission order shall be within thirty days of the
104 hearing. Copies of the final commission order shall be served on the petitioner
105 by certified or overnight express mail, postage prepaid, or by personal delivery.

313.1000. As used in sections 313.1000 to 313.1020, the following
2 **terms shall mean:**

3 **(1) "Adjusted gross receipts":**

4 **(a) The total of all cash and cash equivalents received by a sports**
5 **wagering operator from sports wagering minus:**

6 **(b) The total of:**

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

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

12 c. Uncollectible sports wagering receivables, not to exceed the
13 lesser of:

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

16 (ii) Two percent of the total of all sums, including checks,
17 whether collected or not, less the amount paid out as winnings to sports
18 wagering patrons. For purposes of this section, a counter or personal
19 check that is invalid or unenforceable under this section is considered
20 cash received by the sports wagering operator from sports wagering
21 operations;

22 (2) "Approved limited mobile gaming system", a limited mobile
23 gaming system approved by the commission;

24 (3) "Certificate holder", a licensed applicant issued a certificate
25 of authority by the commission;

26 (4) "Certificate of authority", a certificate issued by the
27 commission authorizing a licensed applicant to conduct sports
28 wagering under sections 313.1000 to 313.1020;

29 (5) "Commission", the Missouri gaming commission;

30 (6) "Department", the department of revenue;

31 (7) "Excursion gambling boat", the same meaning as defined
32 under 313.800;

33 (8) "Gross receipts", the total amount of cash and cash
34 equivalents paid by sports wagering patrons to a sports wagering
35 operator to participate in sports wagering;

36 (9) "Interactive sports wagering platform" or "platform", a person
37 that offers sports wagering over the internet, including on internet
38 websites and mobile devices on behalf of a
39 certificate holder;

40 (10) "Licensed applicant", a person holding a license issued under
41 section 313.807 to operate an excursion gambling boat;

42 (11) "Licensed facility", an excursion gambling boat licensed
43 under this chapter;

44 (12) "Licensed supplier", a person holding a supplier's license
45 issued by the commission;

46 (13) "Limited mobile gaming system", a system that enables a
47 certificate holder to accept sports wagers through the use of mobile
48 gaming devices;

49 (14) "Occupational license", a license issued by the commission;

50 (15) "Person", an individual, sole proprietorship, partnership,
51 association, fiduciary, corporation, limited liability company, or any
52 other business entity;

53 (16) "Sports wagering", wagering conducted under sections
54 313.1000 to 313.1020 on athletic and sporting events involving human
55 competitors. Sports wagering shall not include money spent to
56 participate in paid fantasy sports under section 313.900 to 313.955;

57 (17) "Sports wagering device", a mechanical, electrical, or
58 computerized contrivance, terminal, device, apparatus, piece of
59 equipment, or supply approved by the commission for conducting
60 sports wagering under sections 313.1000 to 313.1020. Sports wagering
61 device shall not include a device used by a sports wagering patron to
62 access an interactive sports wagering platform;

63 (18) "Sports wagering operator" or "operator", certificate holder
64 or an interactive sports wagering platform offering sports wagering on
65 behalf of a certificate holder;

66 (19) "Supplier's license", a license issued by the commission
67 under section 313.807.

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

3 2. All shipments of gambling devices used to conduct sports
4 wagering under sections 313.1000 to 313.1020 to licensed applicants or
5 certificate holders, the registering, recording, and labeling of which
6 have been completed by the manufacturer or dealer thereof in
7 accordance with 15 U.S.C. Sections 1171 to 1178, shall be legal
8 shipments of gambling devices into this state.

313.1004. 1. The commission shall adopt rules to implement the
2 provisions of sections 313.1000 to 313.1020. Any rule or portion of a
3 rule, as that term is defined in section 536.010, that is created under
4 the authority delegated in this section shall become effective only if it
5 complies with and is subject to all of the provisions of chapter 536, and,
6 if applicable, section 536.028. This section and chapter 536 are
7 nonseverable and if any of the powers vested with the general assembly
8 pursuant to chapter 536 to review, to delay the effective date, or to
9 disapprove and annul a rule are subsequently held unconstitutional,
10 then the grant of rulemaking authority and any rule proposed or

11 adopted after August 28, 2019, shall be invalid and void.

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

14 (1) Standards for the conduct of sports wagering;

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

17 (a) Wagers are received;

18 (b) Payouts are paid; and

19 (c) Point spreads, lines, and odds are disclosed.

20 (3) Standards governing how a certificate holder offers sports
21 wagering over the internet through an interactive sports wagering
22 platform to patrons physically located in Missouri or in a state which
23 Missouri has entered into a reciprocal agreement on sports wagering.

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

29 (5) Standards concerning the detection and prevention of
30 compulsive gambling.

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

33 (1) Designate an area within the licensed facility operated by the
34 certificate holder for sports wagering conducted under sections
35 313.1000 to 313.1020;

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

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

41 (4) Allow the commission to be present through the commission's
42 gaming agents during the time sports wagering is conducted in all
43 areas of the certificate holder's licensed facility in which sports
44 wagering is conducted, to do the following:

45 (a) Ensure maximum security of the counting and storage of the
46 sports wagering revenue received by the certificate holder;

47 (b) Certify the sports wagering revenue received by the

48 certificate holder;

49 (c) Receive complaints from the public;

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

52 (6) Provide written information to sports wagering patrons about
53 sports wagering, payouts, winning wagers, and other information
54 considered relevant by the commission;

55 (7) Post a sign in the designated sports wagering area indicating
56 the minimum and maximum amounts that may be wagered;

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

3 2. A licensed applicant who wishes to offer sports wagering
4 under sections 313.1000 to 313.1020 shall:

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

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

9 3. Upon receipt of the application and fee required under
10 subsection 2 of this section, the commission shall issue a certificate of
11 authority to a licensed applicant authorizing the licensed applicant to
12 conduct sports wagering under sections 313.1000 to 313.1020 in a
13 licensed facility, in a location authorized under sections 313.1000 to
14 313.1020 through an approved limited mobile gaming system, or
15 through an interactive sports wagering platform.

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

7 2. (1) A certificate holder shall designate an area within the
8 certificate holder's licensed facility for conducting sports wagering. In
9 addition to such designated area, sports wagering may be conducted at
10 any location authorized under subsection 10 of this section through the
11 use of an approved limited mobile gaming system;

12 (2) A certificate holder may contract with an interactive sports
13 wagering platform to administer interactive sports wagering on the

14 certificate holder's behalf.

15 3. (1) Except as provided in subdivision (2) of this subsection, a
16 person who is less than twenty-one years of age shall not be present in
17 the area designated under subsection 2 of this section where sports
18 wagering is being conducted.

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

24 4. (1) Sports wagering may be conducted with chips, tokens,
25 electronic cards, or money or other negotiable currency.

26 (2) A certificate holder shall determine the minimum and
27 maximum wagers in sports wagering conducted in the certificate
28 holder's licensed facility.

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

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

34 7. The commission shall determine the occupations related to
35 sports wagering that require an occupational license.

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

37 9. Subject to the approval of the commission, a certificate holder
38 may contract with a third party to conduct sports wagering at the
39 certificate holder's licensed facility.

40 10. (1) A certificate holder may request approval from the
41 commission to use a limited mobile gaming system in the certificate
42 holder's sports wagering operations.

43 (2) The commission may approve the use of a limited mobile
44 gaming system to allow a patron to wager on sports while in the
45 following locations:

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

47 (b) A gaming or other betting area of the certificate holder's
48 licensed facility that is outside of the area designated under subsection
49 2 of this section.

50 (3) A hotel, restaurant, or other amenity that is operated by the

51 certificate holder and subject to the supervision of the commission.
52 A patron may not transmit a sports wager using a mobile gaming device
53 while present in any other location.

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

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

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

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

11 3. Each year on or before the anniversary date of the payment of
12 the initial application fee under subsection 2 of this section, an
13 interactive sports wagering platform provider holding a license issued
14 under this section shall pay to the commission an annual license
15 renewal fee of five thousand dollars.

16 4. Notwithstanding any other provision of law to the contrary,
17 the following information shall be confidential and shall not be
18 disclosed to the public unless required by court order or by any other
19 provision of section 313.1000 to 313.1020:

20 (1) An interactive sports wagering platform license application;
21 and

22 (2) All documents, reports, and data submitted by an interactive
23 sports wagering platform provider to the commission containing
24 proprietary information, trade secrets, financial information, or
25 personally identifiable information about any person.

313.1012. 1. A certificate holder shall verify that a person
2 placing a wager is of the legal minimum age for placing a wager under
3 sections 313.1000 to 313.1020.

4 2. The commission shall adopt rules and regulations for a sports
5 wagering self-exclusion program. Any rule or portion of a rule, as that
6 term is defined in section 536.010, that is created under the authority
7 delegated in this section shall become effective only if it complies with
8 and is subject to all of the provisions of chapter 536, and, if applicable,
9 section 536.028. This section and chapter 536 are nonseverable and if

10 any of the powers vested with the general assembly pursuant to chapter
11 536 to review, to delay the effective date, or to disapprove and annul a
12 rule are subsequently held unconstitutional, then the grant of
13 rulemaking authority and any rule proposed or adopted after August
14 28, 2019, shall be invalid and void.

15 3. Rules promulgated under subsection 2 of this section shall:

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

18 (2) Enable the certificate holder to take reasonable steps to
19 prevent a person from placing wagers prohibited under sections
20 313.1000 to 313.1020, including sharing, upon request of the person, the
21 person's request for self-exclusion with the commission, for the sole
22 purpose of disseminating the request to other sports wagering
23 certificate holders.

24 4. The commission shall adopt rules to ensure that
25 advertisements for sports wagering:

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

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

29 (3) Provide information about or links to resources relating to
30 gambling addiction; and

31 (4) Are not otherwise false, misleading, or deceptive to a
32 reasonable consumer.

313.1014. 1. The commission shall conduct background checks on
2 individuals seeking licenses under sections 313.1000 to 313.1020. A
3 background check conducted under this section shall include a search
4 for criminal history, and any charges or convictions involving
5 corruption or manipulation of sporting events.

6 2. (1) A certificate holder shall employ commercially reasonable
7 methods to:

8 (a) Prohibit the certificate holder, directors, officers, and
9 employees of the certificate holder, and any relative living in the same
10 household of a person described in this paragraph from placing sports
11 wagers with the certificate holder.

12 (b) Using publicly available information and any lists of
13 employees and affiliates provided to the certificate holder or the
14 commission by a sports governing body, prohibit wagering by any

15 athlete, coach, referee, team owner, employee of a sports governing
16 body or one of its member teams, or player or referee union personnel.

17 (c) Prohibit any individual with access to nonpublic confidential
18 information held by the certificate holder from placing sports wagers
19 with the certificate holder.

20 (d) Prevent the sharing of confidential information that could
21 affect sports wagering offered by the certificate holder or by third
22 parties until the information is made publicly available.

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

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

28 3. The commission and certificate holders shall cooperate with
29 investigations conducted by sports governing bodies or law
30 enforcement agencies, including by providing or facilitating the
31 provision of betting information and audio or video files relating to
32 persons placing sports wagers.

33 4. A certificate holder shall immediately report to the
34 commission any information relating to:

35 (1) Criminal or disciplinary proceedings commenced against the
36 certificate holder in connection with its operations;

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

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

40 (4) Any other conduct that corrupts the wagering outcome of a
41 sporting event or events for purposes of financial gain; and

42 (5) Suspicious or illegal wagering activities.

43 5. A certificate holder shall maintain the confidentiality of
44 information provided by a sports governing body to the certificate
45 holder unless disclosure is required by court order, the commission, or
46 any other provision of law.

313.1016. A certificate holder shall maintain records of all bets
2 and wagers placed, including personally identifiable information of the
3 bettor, the amount and type of bet, the time the bet was placed, the
4 location of the bet, including IP address if applicable, the outcome of
5 the bet, records of abnormal betting activity, and video camera

6 recordings in the case of in-person wagers, for at least three years after
7 the sporting event occurs, and make the data available for inspection
8 upon request of the commission or as required by court order.

313.1018. 1. The performance of any act required, or the
2 forbearance of any act prohibited, by sections 313.1000 to 313.1020, by
3 an interactive sports wagering platform provider is imputed to the
4 certificate holder on behalf of which the platform is operating, and vice
5 versa.

6 2. A certificate holder is not liable under the laws of this state
7 to any party, including patrons, for disclosing information as required
8 under sections 313.1000 to 313.1020, and is not liable for refusing to
9 disclose information unless required under sections 313.1000 to
10 313.1020.

313.1020. 1. A wagering tax of six and one-quarter percent is
2 imposed on the adjusted gross receipts received from sports wagering
3 conducted by a certificate holder under sections 313.1000 to 313.1020.
4 If a third party is contracted with to conduct sports wagering at a
5 certificate holder's licensed facility, the third party contractor shall
6 fulfill the certificate holder's duties under this section.

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

14 3. The payment of the tax under this section shall be by an
15 electronic funds transfer by an automated clearinghouse.

16 4. Revenues received from the tax imposed under subsection 1
17 of this section shall be deposited in the state treasury to the credit of
18 the "Gaming Proceeds for Education Fund" and shall be distributed as
19 provided under section 313.822.

20 5. (1) A certificate holder shall pay to the commission an annual
21 administrative fee of five thousand dollars. The fee imposed shall be
22 due one year after the date on which the certificate holder commences
23 sports wagering operations under sections 313.1000 to 313.1020, and on
24 each annual anniversary date thereafter. The commission shall deposit

25 the administrative fees received under this subsection in the sports
26 wagering fund established under subsection 6 of this section.

27 (2) In addition to the annual administrative fee required under
28 this subsection, a certificate holder shall pay to the commission a fee
29 of ten thousand dollars to cover the costs of a full reinvestigation of the
30 certificate holder in the fifth year after the date on which the
31 certificate holder commences sports wagering operations under
32 sections 313.1000 to 313.1020 and on each fifth year thereafter. The
33 commission shall deposit the fees received under this subdivision in the
34 sports wagering fund established under subsection 6 of this section.

35 6. There is hereby established the "Sports Wagering Fund", to be
36 administered by the commission. The fund shall consist of the fees
37 deposited under subsection 5 of this section. The state treasurer shall
38 invest the moneys in the fund not currently needed to meet the
39 obligations of the fund in the same manner as other funds are
40 invested. Any interest and moneys earned on such investments shall be
41 credited to the fund. Notwithstanding the provisions of section 33.080
42 to the contrary, any moneys remaining in the fund at the end of the
43 biennium shall not revert to the credit of the general revenue
44 fund. Money in the fund shall be used by the commission to pay the
45 costs incurred to administer sections 313.1000 to 313.1020.

Section 1. Notwithstanding the provisions of section 1.140 to the
2 contrary, the provisions of this act shall be nonseverable, and if any
3 provision is for any reason held to be invalid, such decision shall
4 invalidate all of the remaining provisions of this act.

Copy ✓