

SECOND REGULAR SESSION

# SENATE BILL NO. 566

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3805S.02I

## AN ACT

To amend chapter 313, RSMo, by adding thereto nine new sections relating to video lottery, with penalty provisions.

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

Section A. Chapter 313, RSMo, is amended by adding thereto nine new sections, to be known as sections 313.360, 313.425, 313.427, 313.429, 313.431, 313.433, 313.434, 313.435, and 313.437, to read as follows:

**313.360. Notwithstanding any other provision of law to the contrary, the commission may incur fees when accepting debit cards or other electronic payment methods for the sale of lottery game plays.**

**313.425. Sections 313.425 to 313.437 shall be known and may be cited as the "Missouri Video Lottery Control Act" and shall establish the regulatory framework for the use of player-activated video terminals for the conduct of lottery games.**

**313.427. As used in sections 313.425 to 313.437, the following words and phrases shall mean:**

**(1) "Centralized computer system", a computerized system developed or procured by the commission that video lottery game terminals are connected to using standard industry protocols that can activate or deactivate a particular video lottery game terminal from a remote location, and that is capable of monitoring and auditing video lottery game plays;**

**(2) "Commission" or "lottery commission", the five-member body appointed by the governor to manage and oversee the lottery under section 313.215;**

**(3) "Fraternal organization", any organization within this state operating under the lodge system which exists for the common benefit,**

14 brotherhood or other interest of its members, except college  
15 fraternities and sororities, of which no part of the net earnings inures  
16 to the benefit of any private shareholder or any individual member of  
17 such organization, which has been exempted from the payment of  
18 federal income tax, and which derives its charter from a national  
19 fraternal organization which regularly meets;

20 (4) "Truck stop", a location that provides parking and is equipped  
21 for fueling commercial vehicles, that has sold on average ten thousand  
22 gallons of diesel or biodiesel fuel each month for the previous twelve  
23 months or is projected to sell an average of ten thousand gallons of  
24 diesel or biodiesel fuel each month for the next twelve months, that is  
25 situated on two acres or more of land that operates a convenience store  
26 and that obtains and maintains a lottery game retailer license issued  
27 by the commission to offer lottery games played on video lottery game  
28 terminals;

29 (5) "Veterans' organization", a post or organization of veterans,  
30 or an auxiliary unit or society of, or a trust or foundation for, any such  
31 post or organization organized in the United States or any of its  
32 possessions in which at least seventy-five percent of the members are  
33 veterans of the United States armed forces and substantially all of the  
34 other members are individuals who are veterans or are cadets, or are  
35 spouses, widows or widowers of war veterans of such individuals, in  
36 which no part of the net earnings inures to the benefit of any private  
37 shareholder or individual, and which has been exempted from payment  
38 of federal income taxes;

39 (6) "Video lottery game", any lottery game approved by the  
40 commission for play on a video lottery game terminal using video  
41 lottery game terminal credits that have been purchased with cash, cash  
42 equivalents, or with a winning video lottery game terminal ticket;

43 (7) "Video lottery game adjusted gross receipts", the total of cash  
44 or cash equivalents used for the play of a video lottery game on a video  
45 lottery game terminal minus cash or cash equivalent paid to players as  
46 a result of playing video lottery games on a video lottery game  
47 terminal;

48 (8) "Video lottery game handler", a person employed by a licensed  
49 video lottery game operator and who is licensed by the commission to  
50 handle, place, operate, and service video lottery game terminals and

51 associated equipment;

52 (9) "Video lottery game manufacturer" or "distributor", any  
53 person licensed by the commission that manufactures video lottery  
54 game terminals or major parts and components for video lottery game  
55 terminals as approved by the lottery commission for sale to licensed  
56 video lottery game operators, or a person licensed by the commission  
57 to distribute or service video lottery game terminals or major parts and  
58 components of video lottery game terminals including buying, selling,  
59 leasing, renting, or financing new, used, or refurbished video lottery  
60 game terminals to and from licensed video lottery game manufacturers  
61 and licensed video lottery game operators;

62 (10) "Video lottery game operator", a person licensed by the  
63 commission that owns, rents, or leases and services or maintains video  
64 lottery game terminals for placement in licensed video lottery retailer  
65 establishments;

66 (11) "Video lottery game retailer", a retail establishment meeting  
67 the requirements of a lottery game retailer under section 313.260, that  
68 secures and maintains a license to conduct video lottery games played  
69 on a video lottery game terminal or terminals and that is a fraternal  
70 organization, veterans organization, or truck stop; or any entity that  
71 secures and maintains a license to conduct video lottery games played  
72 on a video lottery game terminal or terminals and is licensed pursuant  
73 to chapter 311 to sell liquor by the drink for on-premise consumption;

74 (12) "Video lottery game terminal", a player-activated terminal  
75 that exchanges coins, currency, tickets, ticket vouchers or electronic  
76 payment methods approved by the commission for credit on a video  
77 lottery game terminal used to play video lottery games approved by the  
78 commission. Such video lottery game terminals shall use a video  
79 display and microprocessor capable of randomly generating the  
80 outcome of video lottery games and be capable of printing and issuing  
81 a ticket at the conclusion of any video lottery game play that may be  
82 redeemed at a video lottery game ticket redemption terminal or may be  
83 reinserted into a video lottery game terminal for video lottery game  
84 credit and game plays. All video lottery games approved by the  
85 commission for play on a video lottery game terminal shall have a  
86 minimum theoretical payout of eighty-five percent;

87 (13) "Video lottery game terminal credit", one cent, five cents, ten

88 cents, or twenty-five cents either won or purchased by a player on a  
89 video lottery game terminal that may be used to play video lottery  
90 games and that may be converted into a video lottery game ticket;

91 (14) "Video lottery game ticket" or "ticket", a document printed  
92 at the conclusion of any video lottery game play or group of plays on  
93 a video lottery game terminal that is redeemable for cash utilizing a  
94 video lottery game ticket redemption terminal or that may be  
95 reinserted into a video lottery game terminal in the establishment from  
96 which such ticket is issued for video lottery game terminal credit;

97 (15) "Video lottery game ticket redemption terminal", the  
98 collective hardware, software, communications technology, and other  
99 ancillary equipment used to facilitate the payment of tickets cashed out  
100 by players as a result of playing a video lottery game terminal.

313.429. 1. The commission shall implement a system of video  
2 lottery game terminals utilizing a licensing structure for processing  
3 license applications and issuing licenses to video lottery game  
4 manufacturers, video lottery game distributors, video lottery game  
5 operators, video lottery game handlers, and video lottery game retailers  
6 for the conduct of lottery games utilizing video lottery game terminals  
7 within the state; except that, a person licensed as a:

8 (1) Video lottery game manufacturer or a video lottery game  
9 distributor shall not be issued a license as a video lottery game  
10 operator or a video lottery game retailer;

11 (2) Video lottery game operator shall not be issued a license as  
12 a video lottery game manufacturer, a video lottery game distributor, or  
13 video lottery game retailer; and

14 (3) Video lottery game retailer shall not be issued a license as a  
15 video lottery game manufacturer, a video lottery game distributor, or  
16 video lottery game operator.

17 Nothing in this subsection shall prevent a video lottery game  
18 manufacturer from obtaining a video lottery game manufacturer's  
19 license and a video lottery game distributor's license and providing and  
20 operating the centralized computer system for monitoring video lottery  
21 game terminals.

22 2. Under no circumstances shall the commission:

23 (1) Authorize or allow a single vendor or licensee to implement  
24 the system of video lottery game terminals created under this section;

25 or

26 (2) Allow a single licensed video lottery game operator to control  
27 or operate more than twenty-five percent of video lottery game  
28 terminals in the state after December 31, 2025.

29 3. (1) The video lottery game system authorized by this section  
30 shall allow for multiple video lottery game manufacturers, video lottery  
31 game distributors, and video lottery game operators to encourage  
32 private sector investment and job opportunities for Missouri  
33 citizens. Video lottery game terminals shall be connected to a  
34 centralized computer system developed or procured by the  
35 commission. The commission shall provide licensed video lottery game  
36 operators with the necessary protocols to connect the operators' video  
37 lottery game terminal or terminals to the centralized computer system  
38 after such terminal or terminals have been approved by the  
39 commission. No video lottery game terminal shall be placed in  
40 operation without first connecting to the centralized computer system  
41 after such terminal or terminals have been approved by the  
42 commission. A vendor that provides the centralized computer system  
43 authorized under this subsection shall not be eligible to be licensed as  
44 a video lottery game operator or video lottery game retailer. The  
45 commission may impose an initial nonrefundable license application fee  
46 to cover the cost of investigating the background of the licensee,  
47 including a criminal background check, as follows:

48 (a) For video lottery game manufacturers, video lottery game  
49 distributors, and video lottery game operators, no more than fifteen  
50 thousand dollars;

51 (b) For video lottery game retailer establishments, no more than  
52 five hundred dollars; or

53 (c) For video lottery game handlers, no more than one hundred  
54 dollars.

55 (2) The initial license shall be for a period of one  
56 year. Thereafter, license renewal periods shall be four years with the  
57 applicable annual renewal fee paid for each year of such license  
58 renewal in advance. Annual license renewal fees for anyone licensed  
59 pursuant to this subsection, and subsequent to the initial one-year  
60 period shall be as follows:

61 (a) Five thousand dollars for video lottery game manufacturers,

62 video lottery game distributors, and video lottery game operators;

63 (b) Fifty dollars for video lottery game handlers; and

64 (c) Five hundred dollars for each video lottery game retailer's  
65 establishment.

66 (3) In addition to the license fees required in subdivisions (1)  
67 and (2) of this subsection, video lottery game operators shall pay the  
68 commission an annual license fee of two hundred dollars for each video  
69 lottery game terminal placed in service. Such video lottery game  
70 terminal license shall be renewed each year and cost two hundred  
71 dollars. A license issued under this subsection is nontransferable.

72 (4) Nothing in this subsection shall be construed to relieve the  
73 licensee of the affirmative duty to notify the commission of any change  
74 relating to the status of the license or to any other information  
75 contained in the application materials on file with the commission.

76 4. No license shall be issued to any person, and no person shall  
77 be allowed to serve as a sales agent, who has been convicted of a felony  
78 or a crime involving illegal gambling. Sales agents shall register with  
79 the commission and may not solicit or enter into any agreement with  
80 a retailer or retail establishment prior to such registration with the  
81 commission.

82 5. No license requirement, sticker fee, or tax shall be imposed by  
83 any local jurisdiction upon a video lottery game manufacturer, video  
84 lottery game distributor, video lottery game operator, video lottery  
85 game retailer, video lottery game handler, or video lottery game  
86 terminal or an establishment relating to the operation of video lottery  
87 games, video lottery game terminals, or associated equipment.

88 6. (1) Video lottery game terminals shall meet independent  
89 testing standards approved by the commission, as tested by one or more  
90 approved independent test labs, and be capable of randomly generating  
91 the outcome of video lottery games approved by the commission. Video  
92 lottery game terminals shall be capable of printing a ticket redeemable  
93 for winning video lottery game plays. Such video lottery game  
94 terminals shall be inspected and approved by the commission prior to  
95 being sold, leased, or transferred.

96 (2) Licensed video lottery game manufacturers may buy, sell, or  
97 lease new or refurbished video lottery game terminals to and from  
98 licensed video lottery game distributors.

99           **(3) Licensed video lottery game distributors may buy, sell, or**  
100 **lease new or refurbished video lottery game terminals to or from**  
101 **licensed video lottery game manufacturers or licensed video lottery**  
102 **game operators.**

103           **7. (1) Licensed video lottery game operators:**

104           **(a) May buy, lease, or rent video lottery game terminals from**  
105 **licensed video lottery game manufacturers, operators, or distributors;**

106           **(b) May handle, place, and service video lottery game terminals;**

107           **(c) Shall connect such video lottery game terminals to the**  
108 **centralized computer system approved by the commission; and**

109           **(d) Shall, notwithstanding the provisions of section 313.321 to the**  
110 **contrary, pay all video lottery game winnings using a video lottery**  
111 **game ticket redemption terminal. Such video lottery ticket redemption**  
112 **terminal shall be located within the video lottery game retailer's**  
113 **establishment in direct proximity of where such video lottery games**  
114 **are offered. Video lottery game operators shall pay the commission**  
115 **thirty-two percent of any unclaimed cash prize associated with a**  
116 **winning ticket that has not been redeemed within one hundred eighty**  
117 **days of issue.**

118 **Rents or leases for video lottery game terminals shall be written at a**  
119 **flat rate and shall not include revenue splitting as a method used in the**  
120 **calculation of the lease or rent.**

121           **(2) Licensed video lottery game operators and licensed video**  
122 **lottery game retailers shall enter into a written agreement for the**  
123 **placement of video lottery game terminals. The agreement shall be on**  
124 **a form approved by the commission and shall specify an equal division**  
125 **of adjusted gross receipts between the video lottery game operator and**  
126 **the video lottery game retailer after adjustments for taxes and**  
127 **administrative fees are made. A video lottery game operator shall be**  
128 **responsible for remitting to the commission and the video lottery game**  
129 **retailer its share of adjusted gross receipts. Nothing in this subdivision**  
130 **shall prohibit a licensed video lottery game operator from entering into**  
131 **an agreement with a sales agent for retailer agreements provided such**  
132 **agreement is in writing and approved by the commission prior to**  
133 **beginning sales activities and prior to the start date established**  
134 **pursuant to section 313.431. Video lottery game operators and their**  
135 **sales agents and affiliates and video lottery game retailers are**

136 specifically prohibited from offering anything of value, other than the  
137 percentage of adjusted gross receipts provided under this subsection,  
138 or entering into an agreement with a retailer prior to the start date for  
139 the initial or continued placement of video lottery game  
140 terminals. Contract agreements entered into prior to the start date  
141 established pursuant section 313.431 between a prospective video  
142 lottery game terminal operator or sales agent with a prospective video  
143 lottery game retailer shall be invalid. Persons violating this  
144 subdivision shall forfeit their right to a license to operate video lottery  
145 game terminals for a period of one year.

146 (3) To combat problem gambling, video lottery game operators  
147 shall allow players to be self-excluded from video lottery game  
148 play. Operators shall provide the commission with a list of players that  
149 have elected to be excluded from video lottery game play within thirty  
150 days of such election and shall update such list periodically as required  
151 by the commission. Such self-excluded list shall be considered  
152 confidential information and shall not be released to the public. The  
153 commission shall issue such self-exclusion procedures by rule.

154 (4) Nothing in this section shall be construed to prevent a video  
155 lottery game operator or a video lottery retailer from using a player  
156 rewards system as approved by the commission. No player shall be  
157 required to enroll in a rewards program offered by a video lottery game  
158 operator or video lottery game retailer as a condition to play video  
159 lottery games.

160 8. No licensed video lottery game operator shall:

161 (1) Offer video lottery gaming terminals that directly dispense  
162 anything of value except for tickets for winning plays. Tickets shall be  
163 dispensed by pressing the ticket dispensing button on the video lottery  
164 gaming terminal at the end of any video lottery game play. The ticket  
165 shall indicate the total amount of video lottery game terminal credits  
166 and the cash award, the time of day in a 24-hour format showing hours  
167 and minutes, the date, the terminal serial number, the sequential  
168 number of the ticket, and an encrypted validation number from which  
169 the validity of the prize may be determined. The cost of the video  
170 lottery game terminal credits shall be one cent, five cents, ten cents, or  
171 twenty-five cents, and the maximum wager played per video lottery  
172 game shall not exceed five dollars, with the payoff for a winning



173 maximum wager for a single game play being no more than one  
174 thousand dollars;

175 (2) Operate more than ten video lottery game terminals per  
176 location on the premises of a fraternal organization, veterans  
177 organization, or truck-stop that has secured and maintains a video  
178 lottery game retailer's license;

179 (3) Operate more than five video lottery game terminals per  
180 location on the premises of any business entity licensed as a video  
181 lottery game retailer establishment with a license issued pursuant to  
182 chapter 311 to sell liquor by the drink for on-premise consumption;

183 (4) Advertise video lottery games outside of a licensed video  
184 lottery game retailer's establishment through any media outlets or  
185 direct mail or telephone solicitations. The advertising prohibition  
186 contained in this subdivision shall apply to all licensees including, but  
187 not limited to, video lottery game manufacturers, video lottery game  
188 distributors, video lottery game operators, video lottery game retailers,  
189 and video lottery game handlers, except that a video lottery retailer  
190 may participate in an advertising program that is promoted through  
191 and sponsored by the state lottery and may advertise in or on the  
192 outside of the establishment's building and parking lot;

193 (5) Allow video lottery games to be played at any time when the  
194 video lottery game retailer's establishment is closed for business.

195 9. (1) A person under twenty-one years of age shall not play  
196 video lottery games, and such video lottery game terminals shall be  
197 under the supervision of a person that is at least twenty-one years of  
198 age to prevent persons under twenty-one years of age from playing  
199 video lottery games. Video lottery game terminals shall be placed in a  
200 fully enclosed room that is continually monitored by video surveillance  
201 and where access to persons under twenty-one years of age is denied  
202 by a procedure approved by the commission. A warning sign shall be  
203 posted in a conspicuous location where such video lottery game  
204 terminals are located, containing in red lettering at least one-half inch  
205 high on a white background the following:

206 "YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY  
207 VIDEO LOTTERY GAMES"

208 In addition to the placement and supervision requirements of this  
209 subsection, a video lottery game operator shall provide video

210 surveillance in the immediate area of the video lottery game retailer's  
211 establishment where video lottery game terminals are  
212 located. Recorded video from such surveillance system shall be made  
213 available to the commission upon request and shall be reviewed by  
214 video lottery game operators as required by the commission for any  
215 violation of law, rules or regulations governing the conduct of video  
216 lottery games. A video lottery game operator that fails to review such  
217 surveillance video and report any known violation of law, rules or  
218 regulations governing the conduct of video lottery games in  
219 conformance with established commission procedures may be subject  
220 to an administrative fine not to exceed five thousand dollars. Any  
221 video lottery game retailer that fails to report any known violation of  
222 law, rules or regulations governing the conduct of video lottery games  
223 in conformance with established commission procedures may be subject  
224 to an administrative fine not to exceed five thousand dollars. In the  
225 event a video lottery game operator or retailer is found to have  
226 knowingly committed a violation governing the conduct of video lottery  
227 games the commission may impose an administrative fine not to exceed  
228 five thousand dollars, suspend such operator's or retailer's license for  
229 up to thirty days, or in the case of repeated violations revoke such  
230 operator's or retailer's license for a period of one year. Any video  
231 lottery game operator or retailer aggrieved by the commission's  
232 decision in any disciplinary action that results in the suspension or  
233 revocation of such operator's or retailer's video lottery game license  
234 may appeal such decision by filing an action in circuit court. The  
235 commission shall refer a violation of the criminal code, with any  
236 evidence thereof, to the appropriate law enforcement officials. Video  
237 lottery game retailers shall provide an intrusion detection system  
238 capable of detecting unauthorized entrance of the video lottery game  
239 retailer's establishment during nonbusiness hours and shall report to  
240 the commission any unauthorized entrance of the video lottery game  
241 retailer's establishment. Such surveillance and intrusion detection  
242 system shall meet specifications as defined by the commission.

243 (2) A video lottery game operator shall post a sign in a  
244 conspicuous location where such video lottery game terminals are  
245 located, containing in red lettering at least one-half inch high on a  
246 white background a telephone contact number (1-888-BETSOFF) for the

247 **problem gambling helpline.**

248 **10. (1) Video lottery game operators shall pay the commission**  
249 **thirty-six percent of the video lottery game adjusted gross receipts,**  
250 **which shall be deposited in the state lottery fund. The commission**  
251 **shall transfer, subject to appropriation, the amount received from the**  
252 **operator from the lottery fund to the lottery proceeds fund after**  
253 **administrative expenses equal to four percent of the video lottery game**  
254 **adjusted gross receipts are paid to the municipality where a licensed**  
255 **video lottery game retailer maintains an establishment licensed for the**  
256 **operation of video lottery game terminals, or if such licensed**  
257 **establishment is not located within the corporate boundaries of a**  
258 **municipality, then the county where such licensed establishment is**  
259 **located to reimburse such municipality or county for administrative**  
260 **expenses, and any administrative expenses for the commission that are**  
261 **not covered by reimbursements from operators are deducted. Net**  
262 **proceeds transferred to the lottery proceeds fund shall be appropriated**  
263 **equally to public elementary and secondary education and public**  
264 **institutions of higher education with an emphasis on funding**  
265 **elementary and secondary education student transportation costs**  
266 **pursuant to section 163.161, and public institutions of higher education**  
267 **workforce development programs.**

268 **(2) Video lottery game operators shall retain the remainder of**  
269 **the video lottery game adjusted gross receipts, a portion of which shall**  
270 **be utilized to pay for administrative expenses which shall include the**  
271 **cost of the centralized computer system, which cost shall be paid by**  
272 **video lottery game operators in proportion to the number of video**  
273 **lottery game terminals operated. Fifty percent of the costs of the**  
274 **centralized computer system shall be apportioned by the video lottery**  
275 **game operator among video lottery game retailers to which it provides**  
276 **operations based on the number of video lottery game terminals located**  
277 **at the video lottery game retailer's establishment. The remainder of**  
278 **adjusted gross receipts retained by the video lottery game operator,**  
279 **after the cost of the centralized computer system and administrative**  
280 **costs are paid and apportioned, shall be divided equally between the**  
281 **video lottery game operator and video lottery game retailer as agreed**  
282 **under subdivision (2) of subsection 6 of this section.**

283 **11. All revenues received by the commission from license fees**

284 and any reimbursements associated with the administration of the  
285 provisions of sections 313.425 to 313.437, and all interest earned  
286 thereon, shall be considered administrative expenses and shall be  
287 deposited in the state lottery fund. Moneys deposited into the state  
288 lottery fund from license fees and any reimbursements of commission  
289 administrative expenses to administer sections 313.425 to 313.437 shall  
290 be considered administrative expenses and shall not be considered net  
291 proceeds pursuant to Article III, Section 39(b) of the Missouri  
292 Constitution. Subject to appropriation, up to one percent of such  
293 license fees shall be deposited to the credit of the compulsive gamblers  
294 fund created under section 313.842. The remainder of the money  
295 deposited in the state lottery fund from video lottery game license fees  
296 and any reimbursements of commission administrative expenses to  
297 enforce sections 313.425 to 313.437 shall, subject to appropriation, be  
298 used for administrative expenses associated with supervising and  
299 enforcing the provisions of sections 313.425 to 313.437.

300       12. The commission shall contract with a state law enforcement  
301 entity to assist in conducting investigations into applicants for any  
302 video lottery game license and to investigate violations by any retail  
303 lottery game licensee of any of the provisions of sections 313.425 to  
304 313.437 or state law regulating illegal gambling activities referred by  
305 the commission. A video lottery game licensee suspected of a violation  
306 shall be afforded an administrative hearing by the director on the  
307 record and any action taken to impose a fine on such licensee, or to  
308 suspend or revoke the ability of a licensee to offer lottery game  
309 products for sale, shall be appealed to the commission. Any such  
310 administrative suspension or revocation upheld by the commission may  
311 be appealed by the video lottery game licensee in a state court of  
312 competent jurisdiction.

313       13. The possession or use of any video gaming terminal, machine,  
314 or device capable of simulating lottery games, games of chance, or  
315 gambling games, whether or not there is an element of skill involved,  
316 that uses a video display and microprocessor capable of randomly  
317 generating the outcome of such games in the possession of any video  
318 lottery game licensee that is not authorized by the commission, shall be  
319 a violation of sections 313.425 to 313.437. The commission shall have  
320 the power to investigate suspected violations by any lottery license

321 holder and to refer any violations or suspected violations to the  
322 appropriate law enforcement authority. Any lottery vendor or licensee  
323 that violates the provisions of this subsection shall be deemed guilty of  
324 a class D felony and fined up to ten thousand dollars per occurrence,  
325 and such fines shall be deposited in the compulsive gamblers fund  
326 created under section 313.842. The commission shall suspend or revoke  
327 the license of any lottery vendor or licensee that allows the use of any  
328 video terminal, gambling machine, or device other than a video lottery  
329 game terminal authorized pursuant to sections 313.425 to 313.437.

330 14. The commission shall adopt rules for the implementation of  
331 the video lottery game system authorized under sections 313.425 to  
332 313.437, including, but not limited to, the placement of video lottery  
333 terminals within a retail establishment and for the active oversight of  
334 the conduct of video lottery games. Any rule or portion of a rule, as  
335 that term is defined in section 536.010, that is created under the  
336 authority delegated in this section shall become effective only if it  
337 complies with and is subject to all of the provisions of chapter 536 and,  
338 if applicable, section 536.028. This section and chapter 536 are  
339 nonseverable and if any of the powers vested with the general assembly  
340 pursuant to chapter 536 to review, to delay the effective date, or to  
341 disapprove and annul a rule are subsequently held unconstitutional,  
342 then the grant of rulemaking authority and any rule proposed or  
343 adopted after August 28, 2020, shall be invalid and void.

313.431. In order to expedite the orderly implementation of the  
2 video lottery game system authorized under sections 313.425 to 313.437,  
3 the commission shall:

4 (1) Contract for the supply and operation of a centralized  
5 computer system for video lottery games within one hundred twenty  
6 days of the effective date of this act;

7 (2) Make license applications for video lottery game  
8 manufacturers, video lottery game distributors, video lottery game  
9 operators, video lottery game retailers, and video lottery game handlers  
10 available to applicants and promulgate any emergency or regular rules  
11 and regulations needed for the implementation of the video lottery  
12 system authorized under sections 313.425 to 313.437 within one hundred  
13 twenty days of the effective date of this act;

14 (3) Issue an approved form for persons applying for a video

15 lottery game terminal operator's license available for use in contracting  
16 with a video lottery game retailer within one hundred twenty days of  
17 the effective date of this act; and

18 (4) Establish a start date, once applications and the approved  
19 form contract are made available, whereby any person seeking a license  
20 as a video lottery game operator that has applied for a license to be a  
21 video lottery game terminal operator, has paid the initial license fee,  
22 and satisfactorily completed an initial criminal background check may  
23 begin soliciting contracts with prospective video lottery game retailers  
24 for the placement of video lottery terminals. Such date shall be set no  
25 more than sixty days after applications are made available.

313.433. 1. Notwithstanding any other provision of law to the  
2 contrary, participation by a person, firm, corporation, or organization  
3 in any aspect of the state lottery under sections 313.425 to 313.437 shall  
4 not be construed to be a lottery or gift enterprise in violation of section  
5 39 of article III of the Constitution of Missouri.

6 2. The sale of lottery tickets, shares, or lottery game plays using  
7 a video lottery game terminal under sections 313.425 to 313.437 shall  
8 not constitute a valid reason to refuse to issue or renew or to revoke or  
9 suspend any license or permit issued under the provisions of chapter  
10 311.

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

3 2. All shipments of gaming devices used to conduct video lottery  
4 games authorized under sections 313.425 to 313.437 to licensees, the  
5 registering, recording, and labeling of which have been completed by  
6 the manufacturer or distributor thereof in accordance with 15 U.S.C.  
7 Sections 1171 to 1178, shall be legal shipments of gambling devices into  
8 this state.

313.435. A municipality may adopt an ordinance prohibiting  
2 video lottery game terminals within the corporate limits of such  
3 municipality within one hundred eighty days from the effective date of  
4 this act. A county commission may, for the unincorporated area of the  
5 county, adopt an ordinance prohibiting video lottery game terminals  
6 within the unincorporated area of the county within one hundred  
7 eighty days from the effective date of this act. The commission shall  
8 not license video lottery game retailers within such area covered by

9 such ordinance. Any such municipality or county that has opted to  
10 prohibit the use of video lottery game terminals to play video lottery  
11 games may repeal such ordinance and upon such repeal the commission  
12 may license video lottery game retailers within such municipality or  
13 county to conduct video lottery games.

313.437. If any provision of sections 313.425 to 313.437 or the  
2 application thereof to anyone or to any circumstance is held invalid,  
3 the remainder of those sections and the application of such provisions  
4 to others or other circumstances shall not be affected thereby.

Unofficial ✓

Bill

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