

SECOND REGULAR SESSION

SENATE BILL NO. 754

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

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

ADRIANE D. CROUSE, Secretary.

3404S.02I

AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof fourteen new sections relating to sports wagering.

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

Section A. Section 313.800, RSMo, is repealed and fourteen new sections

2 enacted in lieu thereof, to be known as sections 313.800, 313.1000, 313.1002,
3 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018,
4 313.1019, 313.1020, and 313.1022, to read as follows:

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

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

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

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

7 (b) The total of:

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

10 b. The amounts paid to registered sports governing bodies under
11 section 313.1018 and to public universities under section 313.1019; 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
operations;

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

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

25 (4) "Certificate of authority", a certificate issued by the
26 commission authorizing a licensed applicant to conduct sports
27 wagering under sections 313.1000 to 313.1022;

28 (5) "Collegiate athletic or sporting event", an athletic or sporting
29 event offered or sponsored by, or played in connection with, a public
30 or private institution that offers educational services beyond the
31 secondary level;

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

33 (7) "Department", the department of revenue;

34 (8) "Excursion gambling boat", the same meaning as defined
35 under section 313.800;

36 (9) "Gross receipts", the total amount of cash and cash
37 equivalents paid by sports wagering patrons to a sports wagering
38 operator to participate in sports wagering;

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

42 (11) "Licensed applicant", a person holding a license issued under
43 section 313.807 to operate an excursion gambling boat;

44 (12) "Licensed facility", an excursion gambling boat licensed
45 under this chapter;

46 (13) "Licensed supplier", a person holding a supplier's license
47 issued by the commission;

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

51 (15) "Occupational license", a license issued by the commission
52 within excursion gambling boat operations which the commission has
53 identified as requiring a license;

54 (16) "Official league data", statistics, results, outcomes, and other
55 data relating to an athletic or sporting event obtained pursuant to an
56 agreement with the relevant sports governing body, or an entity
57 expressly authorized by the sports governing body to provide such

58 information to sports wagering operators, which authorizes the use of
59 such data for determining the outcome of tier two sports wagers;

60 (17) "Person", an individual, sole proprietorship, partnership,
61 association, fiduciary, corporation, limited liability company, or any
62 other business entity;

63 (18) "Proposition wager", a wager on any aspect of an athletic or
64 sporting event unrelated to the event's outcome;

65 (19) "Registered sports governing body", a sports governing body
66 that is headquartered in the United States and who has registered with
67 the commission under sections 313.1000 to 313.1022. The term shall not
68 include the National Collegiate Athletic Association;

69 (20) "Sports governing body", the organization that prescribes
70 final rules and enforces codes of conduct with respect to a sporting
71 event and participants therein;

72 (21) "Sports wagering", wagering conducted under sections
73 313.1000 to 313.1022 on athletic and sporting events, on portions of
74 athletic and sporting events, or on the individual statistics of athletes
75 in a sporting event or combination of sporting events, involving human
76 competitors. The term includes, but is not limited to, single-game
77 wagers, teaser wagers, parlays, over-under, moneyline, pools, exchange
78 wagering, in-game wagers, in-play wagers, proposition wagers, and
79 straight wagers. Sports wagering shall not include money spent to
80 participate in paid fantasy sports under section 313.900 to 313.955;

81 (22) "Sports wagering device", a mechanical, electrical, or
82 computerized contrivance, terminal, device, apparatus, piece of
83 equipment, or supply approved by the commission for conducting
84 sports wagering under sections 313.1000 to 313.1022. Sports wagering
85 device shall not include a device used by a sports wagering patron to
86 access an interactive sports wagering platform;

87 (23) "Sports wagering operator" or "operator", a certificate holder
88 or an interactive sports wagering platform offering sports wagering on
89 behalf of a certificate holder;

90 (24) "Supplier's license", a license issued by the commission
91 under section 313.807;

92 (25) "Tier one sports wager", a sports wager that is determined
93 solely by the final score or final outcome of the sporting event and is
94 placed before the sporting event has begun;

95 (26) "Tier two sports wager", a sports wager that is not a tier one
96 sports wager.

 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 313.1022 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 313.1022. 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, 2020, 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 and procedures to govern the conduct of sports
15 wagering, including the manner in which:

16 (a) Wagers are received;

17 (b) Payouts are paid; and

18 (c) Point spreads, lines, and odds are disclosed;

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

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

28 (4) Standards concerning the detection and prevention of
29 compulsive gambling.

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

32 (1) Designate an area within the licensed facility operated by the
33 certificate holder for sports wagering conducted under sections
34 313.1000 to 313.1022;

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

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

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

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

46 (b) Certify the sports wagering revenue received by the
47 certificate holder;

48 (c) Receive complaints from the public;

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

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

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

313.1006. 1. Sports wagering shall not be conducted except by 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 313.1022 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, which
9 shall be deposited in the sports wagering fund created pursuant to

10 section 313.1022.

11 3. Upon receipt of the application and fee required under
12 subsection 2 of this section, the commission shall issue a certificate of
13 authority to a licensed applicant authorizing the licensed applicant to
14 conduct sports wagering under sections 313.1000 to 313.1022 in a
15 licensed facility, in a location authorized under sections 313.1000 to
16 313.1022 through an approved limited mobile gaming system, or
17 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 or areas within
8 the certificate holder's licensed facility for conducting sports wagering.
9 In addition to such designated area, sports wagering may be conducted
10 at any location authorized under subsection 10 of this section through
11 the use of an approved limited mobile gaming system.

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

50 (c) 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 shall not transmit a sports wager using a mobile gaming
53 device 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. Such license renewal fees and the
16 initial application fee provided for under subdivision (2) of subsection
17 2 of this section shall be deposited in the sports wagering fund created
18 pursuant to section 313.1022.

19 4. Notwithstanding any other provision of law to the contrary,
20 the following information shall be confidential and shall not be
21 disclosed to the public unless required by court order or by any other
22 provision of sections 313.1000 to 313.1022:

23 (1) An interactive sports wagering platform license application;
24 and

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

313.1012. 1. A certificate holder shall verify that a person
placing a wager is of the legal minimum age for placing a wager under
sections 313.1000 to 313.1022.

2. A certificate holder shall not offer proposition wagers on any
2 collegiate athletic or sporting event or on the individual performance
3 statistics of an athlete in a collegiate athletic or sporting event.

4 3. 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, 2020, shall be invalid and void.

15 4. Rules promulgated under subsection 3 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 313.1022, 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 5. 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 313.1022. A
3 background check conducted under this section shall be consistent with
4 the provisions of section 313.810, and shall include a search for
5 criminal history, and any charges or convictions involving corruption
6 or manipulation of sporting events.

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

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

13 (b) Using publicly available information and any lists of
14 employees and affiliates provided to the certificate holder or the
15 commission by a sports governing body, prohibit wagering by any
16 athlete, coach, referee, team owner, employee of a sports governing
17 body or one of its member teams, or player or referee union personnel;

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

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

24 (e) Prohibit persons from placing sports wagers as agents or

25 proxies for other persons.

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

29 3. A sports governing body may notify the commission that it
30 desires to restrict, limit, or exclude tier two sports wagers on its
31 sporting events by providing notice in the form and manner as the
32 commission may require, including, without limitation, restrictions on
33 the sources of data and associated video upon which an operator may
34 rely in offering and paying wagers and the bet types that may be
35 offered. Upon receiving such notice, the commission shall only deny a
36 request if it deems such request arbitrary and capricious. If the
37 commission denies a request, the sports governing body shall be
38 afforded notice and the right to be heard and offer proof in opposition
39 to such determination in accordance with the regulations of the
40 commission. Offering or taking wagers contrary to restrictions
41 promulgated by the commission is a violation of this section. In the
42 event that a request is submitted in relation to an emergency situation,
43 the executive director of the commission may temporarily grant the
44 request of the sports governing body until the commission makes a
45 final determination as to whether such request is arbitrary and
46 capricious. The provisions of this subsection shall not apply to tier one
47 sports wagers.

48 4. The commission and certificate holders shall cooperate with
49 investigations conducted by sports governing bodies, law enforcement
50 agencies, and universities located within the state, including by
51 providing or facilitating the provision of betting information and audio
52 or video files relating to persons placing sports wagers.

53 5. A certificate holder shall immediately report to the
54 commission any information relating to:

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

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

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

60 (4) Any potential breach of the relevant sports governing body's
61 internal rules and codes of conduct pertaining to sports wagering;

62 (5) Any other conduct that corrupts the wagering outcome of a
63 sporting event or events for purposes of financial gain; and

64 (6) Suspicious or illegal wagering activities.

65 6. A certificate holder shall also immediately report information
66 relating to conduct described in subdivisions (3), (4), and (5) of
67 subsection 5 of this section to the relevant sports governing body and
68 to universities located within this state.

69 7. A certificate holder shall maintain the confidentiality of
70 information provided by a sports governing body to the certificate
71 holder unless disclosure is required by court order, the commission, or
72 any other provision of law.

73 8. Except as provided in subsection 9 of this section, certificate
74 holders may use any data source to determine the results of sports
75 wagers, provided the data is not obtained directly or indirectly from
76 live event attendees who collect the data in violation of the terms of
77 admittance to an event or through automated computer programs that
78 compile data from the internet in violation of the terms of service of
79 the relevant website or other internet platform.

80 9. A sports governing body may notify the commission that it
81 desires to supply official league data to certificate holders for
82 determining the results of tier two sports wagers. Such notification
83 shall be made in the form and manner as the commission may
84 require. Within thirty days of such notification by a sports governing
85 body, certificate holders shall use only official league data to determine
86 the results of tier two wagers, unless the certificate holder can
87 demonstrate to the commission that the sports governing body or its
88 designee cannot provide a feed of official league data to the certificate
89 holder on commercially reasonable terms.

 313.1016. 1. A certificate holder shall maintain the following
2 records of all bets and wagers placed for a period of at least three years
3 after the sporting event occurs and make the data available for
4 inspection upon request of the commission, or upon court order:

5 (1) Personally identifiable information of the bettor;

6 (2) The amount and type of bet placed;

7 (3) The time and date the bet was placed;

8 (4) The location, including the internet protocol address if
9 applicable, where the bet was placed;

- 10 (5) The outcome of the bet;
- 11 (6) Records of abnormal betting activity; and
- 12 (7) Video camera recordings in the case of in-person wagers.
- 13 2. If a sports governing body has notified the commission that
- 14 real-time information sharing for wagers placed on its sporting events
- 15 is necessary and desirable, sports wagering operators shall share in
- 16 real time, at the account level, and in pseudonymous form, the
- 17 information required to be retained under subsection 1 of this section,
- 18 other than video files, with the sports governing body or its designee
- 19 with respect to wagers on its sporting events. Such information may
- 20 be used by a sports governing body solely for integrity purposes.

313.1018. 1. The performance of any act required, or the

2 forbearance of any act prohibited, by sections 313.1000 to 313.1022, 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 313.1022, and is not liable for refusing to

9 disclose information unless required under sections 313.1000 to

10 313.1022.

313.1019. 1. A sports governing body may register with the

2 commission if the sports governing body is headquartered in the United

3 States and it completes such registration form as the commission may

4 require. Upon submission of a completed registration form to the

5 commission, the eligible sports governing body shall be deemed

6 registered and shall be entitled to receive the royalty fee provided for

7 under this section.

8 2. Within thirty days of the end of each calendar quarter, a

9 certificate holder shall remit to the commission a royalty fee of three-

10 quarters of one percent of the amount wagered on sporting events

11 conducted by registered sports governing bodies during the previous

12 calendar quarter.

13 3. The royalty fee shall be remitted on a form as the commission

14 may require, on which the certificate holder shall identify the

15 percentage of wagering during the reporting period attributable to

16 each registered sports governing body's sporting events.

17 4. No later than April thirtieth of each year, a registered sports
18 governing body may submit a request for disbursement of funds
19 remitted by certificate holders in the previous calendar year. The
20 commission shall disburse the funds to the registered sports governing
21 body in pro rata proportion of the total amount wagered on its sporting
22 events. No registered sports governing body shall be required to obtain
23 a license from the commission in order to lawfully accept the funds
24 provided for in this subsection.

25 5. The commission shall annually publish a report stating the
26 amount received from certificate holders in royalty fees and the
27 amount paid to registered sports governing bodies.

28 6. Any unclaimed royalty fees shall be distributed to the
29 certificate holders that timely remitted the royalties required under
30 this section to the commission. Such royalties shall be distributed to
31 the eligible certificate holders on a pro rata basis.

32 7. The commission shall cooperate with a registered sports
33 governing body and certificate holders to ensure the timely, efficient,
34 and accurate sharing of information and the remittance of the royalty
35 fee to the registered sports governing body or its designee.

 313.1020. 1. Within thirty days of the end of each calendar
2 quarter, a certificate holder shall remit to the commission a royalty fee
3 of three-quarters of one percent of the amounts wagered on:

4 (1) Sporting events involving at least one National Collegiate
5 Athletic Association Football Bowl Subdivision football team; and

6 (2) Sporting events involving at least one National Collegiate
7 Athletic Association Division I basketball team.

8 2. No later than April thirtieth of each year, the commission shall
9 disburse the royalty fees collected from certificate holders under this
10 section as follows:

11 (1) The royalty fees collected under subdivision (1) of subsection
12 1 of this section shall be distributed evenly among the public
13 universities in this state that sponsor National Collegiate Athletic
14 Association Football Bowl Subdivision football teams; and

15 (2) The royalty fees collected under subdivision (2) of subsection
16 1 of this section shall be distributed evenly among the public
17 universities in this state that sponsor National Collegiate Athletic
18 Association Division I basketball teams.

19 3. The royalty fees received by public universities under this
20 section shall be used solely for athletics compliance.

 313.1022. 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 313.1022.
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 313.1022, 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 313.1022 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 313.1022.

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