

# SENATE BILL NO. 217

## 101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

0437S.01H

ADRIANE D. CROUSE, Secretary

### AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof twelve 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Section A. Section 313.800, RSMo, is repealed and twelve  
2 new sections enacted in lieu thereof, to be known as sections  
3 313.800, 313.1000, 313.1002, 313.1004, 313.1006, 313.1008,  
4 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, and 313.1022,  
5 to read as follows:

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

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

9 (2) "Applicant", any person applying for a license  
10 authorized under the provisions of sections 313.800 to  
11 313.850;

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

15 (4) "Capital, cultural, and special law enforcement  
16 purpose expenditures" shall include any disbursement,

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

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

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

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

40 (7) "Credit instrument", a written check, negotiable  
41 instrument, automatic bank draft or other authorization from  
42 a qualified person to an excursion gambling boat licensee or  
43 any of its affiliated companies licensed by the commission  
44 authorizing the licensee to withdraw the amount of credit  
45 extended by the licensee to such person from the qualified  
46 person's banking account in an amount determined under  
47 section 313.817 on or after a date certain of not more than  
48 thirty days from the date the credit was extended, and

49 includes any such writing taken in consolidation, redemption  
50 or payment of a previous credit instrument, but does not  
51 include any interest-bearing installment loan or other  
52 extension of credit secured by collateral;

53 (8) "Dock", the location in a city or county  
54 authorized under subsection 10 of section 313.812 which  
55 contains any natural or artificial space, inlet, hollow, or  
56 basin, in or adjacent to a bank of the Mississippi or  
57 Missouri Rivers, next to a wharf or landing devoted to the  
58 embarking of passengers on and disembarking of passengers  
59 from a gambling excursion but shall not include any  
60 artificial space created after May 20, 1994, and is located  
61 more than one thousand feet from the closest edge of the  
62 main channel of the river as established by the United  
63 States Army Corps of Engineers;

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

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

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

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

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

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

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

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

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

100           (18) "Licensee", any person licensed under sections  
101 313.800 to 313.850;

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

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

112           2. In addition to the games of skill defined in this  
113 section, the commission may approve other games of skill  
114 upon receiving a petition requesting approval of a gambling  
115 game from any applicant or licensee. The commission may set  
116 the matter for hearing by serving the applicant or licensee  
117 with written notice of the time and place of the hearing not  
118 less than five days prior to the date of the hearing and  
119 posting a public notice at each commission office. The  
120 commission shall require the applicant or licensee to pay  
121 the cost of placing a notice in a newspaper of general  
122 circulation in the applicant's or licensee's home dock city  
123 or county. The burden of proof that the gambling game is a  
124 game of skill is at all times on the petitioner. The  
125 petitioner shall have the affirmative responsibility of  
126 establishing his or her case by a preponderance of evidence  
127 including:

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

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

132 All testimony shall be given under oath or affirmation. Any  
133 citizen of this state shall have the opportunity to testify  
134 on the merits of the petition. The commission may subpoena  
135 witnesses to offer expert testimony. Upon conclusion of the  
136 hearing, the commission shall evaluate the record of the  
137 hearing and issue written findings of fact that shall be  
138 based exclusively on the evidence and on matters officially  
139 noticed. The commission shall then render a written  
140 decision on the merits which shall contain findings of fact,  
141 conclusions of law and a final commission order. The final  
142 commission order shall be within thirty days of the

143 hearing. Copies of the final commission order shall be  
144 served on the petitioner by certified or overnight express  
145 mail, postage prepaid, or by personal delivery.

313.1000. As used in sections 313.1000 to 313.1022,  
2 the following terms shall mean:

3 (1) "Adjusted gross receipts":

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

7 (b) The total of:

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

10 b. Uncollectible sports wagering receivables, not to  
11 exceed the lesser of:

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

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

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

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

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

28 (5) "Collegiate athletic or sporting event", an  
29 athletic or sporting event offered or sponsored by, or

30 played in connection with, a public or private institution  
31 that offers educational services beyond the 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  
35 defined under section 313.800;

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

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

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

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

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

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

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

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

61 sports wagering operators, which authorizes the use of such  
62 data for determining the outcome of tier two sports wagers;

63 (17) "Person", an individual, sole proprietorship,  
64 partnership, association, fiduciary, corporation, limited  
65 liability company, or any other business entity;

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

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

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

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

89 (22) "Sports wagering operator" or "operator", a  
90 certificate holder or an interactive sports wagering  
91 platform offering sports wagering on behalf of a certificate  
92 holder;

93           (23) "Supplier's license", a license issued by the  
94 commission under section 313.807;

95           (24) "Tier one sports wager", a sports wager that is  
96 determined solely by the final score or final outcome of the  
97 sporting event and is placed before the sporting event has  
98 begun;

99           (25) "Tier two sports wager", a sports wager that is  
100 not a tier one sports wager.

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

3           2. All shipments of gambling devices used to conduct  
4 sports wagering under sections 313.1000 to 313.1022 to  
5 licensed applicants or certificate holders, the registering,  
6 recording, and labeling of which have been completed by the  
7 manufacturer or dealer thereof in accordance with 15 U.S.C.  
8 Sections 1171 to 1178, shall be legal shipments of gambling  
9 devices into this state.

          313.1004. 1. The commission shall adopt rules to  
2 implement the provisions of sections 313.1000 to 313.1022.  
3 Any rule or portion of a rule, as that term is defined in  
4 section 536.010, that is created under the authority  
5 delegated in this section shall become effective only if it  
6 complies with and is subject to all of the provisions of  
7 chapter 536 and, if applicable, section 536.028. This  
8 section and chapter 536 are nonseverable and if any of the  
9 powers vested with the general assembly pursuant to chapter  
10 536 to review, to delay the effective date, or to disapprove  
11 and annul a rule are subsequently held unconstitutional,  
12 then the grant of rulemaking authority and any rule proposed  
13 or adopted after August 28, 2021, shall be invalid and void.

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

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

18           (a) Wagers are received;

19           (b) Payouts are paid; and

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

21           (2) Standards governing how a certificate holder  
22 offers sports wagering over the internet through an  
23 interactive sports wagering platform to patrons physically  
24 located in Missouri;

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

31           (4) Standards concerning the detection and prevention  
32 of compulsive gambling.

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

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

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

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

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

- 48           (a) Ensure maximum security of the counting and  
49 storage of the sports wagering revenue received by the  
50 certificate holder;
- 51           (b) Certify the sports wagering revenue received by  
52 the certificate holder;
- 53           (c) Receive complaints from the public;
- 54           (5) Ensure that individuals who are less than twenty-  
55 one years of age do not make sports wagers;
- 56           (6) Provide written information to sports wagering  
57 patrons about sports wagering, payouts, winning wagers, and  
58 other information considered relevant by the commission;
- 59           (7) Post a sign in the designated sports wagering area  
60 indicating the minimum and maximum amounts that may be  
61 wagered.

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

4           2. A licensed applicant who wishes to offer sports  
5 wagering under sections 313.1000 to 313.1022 shall:

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

10           (2) Pay an initial application fee of ten thousand  
11 dollars, which shall be deposited in the sports wagering  
12 fund created pursuant to section 313.1022.

13           3. Upon receipt of the application and fee required  
14 under subsection 2 of this section, the commission shall  
15 issue a certificate of authority to a licensed applicant  
16 authorizing the licensed applicant to conduct sports  
17 wagering under sections 313.1000 to 313.1022 in a licensed  
18 facility, in a location authorized under sections 313.1000

19 to 313.1022 through an approved limited mobile gaming  
20 system, or through an interactive sports wagering platform.

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

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

13 (2) A certificate holder may administer or contract  
14 with an interactive sports wagering platform to administer  
15 interactive sports wagering on the certificate holder's  
16 behalf.

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

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

27 4. (1) Sports wagering may be conducted with chips,  
28 tokens, electronic cards, or money or other negotiable  
29 currency.

30           (2) A certificate holder shall determine the minimum  
31 and maximum wagers in sports wagering conducted in the  
32 certificate holder's licensed facility.

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

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

39           7. The commission shall determine the occupations  
40 related to sports wagering that require an occupational  
41 license.

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

44           9. Subject to the approval of the commission, a  
45 certificate holder may contract with a third party to  
46 conduct sports wagering at the certificate holder's licensed  
47 facility.

48           10. (1) A certificate holder may request approval  
49 from the commission to use a limited mobile gaming system in  
50 the certificate holder's sports wagering operations.

51           (2) A certificate holder may approve the use of a  
52 limited mobile gaming system to allow a patron to wager on  
53 sports while in the following locations:

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

56           (b) A gaming or other betting area of the certificate  
57 holder's licensed facility that is outside of the area  
58 designated under subsection 2 of this section; or

59           (c) A hotel, restaurant, or other amenity that is  
60 operated by the certificate holder and subject to the  
61 supervision of the commission.

62 A patron shall not transmit a sports wager using a mobile  
63 gaming device while present in any other location.

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

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

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

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

13 3. Each year on or before the anniversary date of the  
14 payment of the initial application fee under subsection 2 of  
15 this section, an interactive sports wagering platform  
16 provider holding a license issued under this section shall  
17 pay to the commission an annual license renewal fee of five  
18 thousand dollars. Such license renewal fees and the initial  
19 application fee provided for under subdivision (2) of  
20 subsection 2 of this section shall be deposited in the  
21 sports wagering fund created pursuant to section 313.1022.

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

27 (1) An interactive sports wagering platform license  
28 application; and

29 (2) All documents, reports, and data submitted by an  
30 interactive sports wagering platform provider to the

31 commission containing proprietary information, trade  
32 secrets, financial information, or personally identifiable  
33 information about any person.

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

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

8 3. The commission shall adopt rules and regulations  
9 for a sports wagering self-exclusion program. Any rule or  
10 portion of a rule, as that term is defined in section  
11 536.010, that is created under the authority delegated in  
12 this section shall become effective only if it complies with  
13 and is subject to all of the provisions of chapter 536 and,  
14 if applicable, section 536.028. This section and chapter  
15 536 are nonseverable and if any of the powers vested with  
16 the general assembly pursuant to chapter 536 to review, to  
17 delay the effective date, or to disapprove and annul a rule  
18 are subsequently held unconstitutional, then the grant of  
19 rulemaking authority and any rule proposed or adopted after  
20 August 28, 2021, shall be invalid and void.

21 4. Rules promulgated under subsection 3 of this  
22 section shall:

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

25 (2) Enable the certificate holder to take reasonable  
26 steps to prevent a person from placing wagers prohibited  
27 under sections 313.1000 to 313.1022, including sharing, upon  
28 request of the person, the person's request for self-  
29 exclusion with the commission, for the sole purpose of

30 disseminating the request to other sports wagering  
31 certificate holders.

32 5. The commission shall adopt rules to ensure that  
33 advertisements for sports wagering:

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

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

39 (3) Provide information about or links to resources  
40 relating to gambling addiction; and

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

313.1014. 1. The commission shall conduct background  
2 checks on individuals seeking licenses under sections  
3 313.1000 to 313.1022. A background check conducted under  
4 this section shall be consistent with the provisions of  
5 section 313.810, and shall include a search for criminal  
6 history, and any charges or convictions involving corruption  
7 or manipulation of sporting events.

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

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

15 (b) Using publicly available information and any lists  
16 of employees and affiliates provided to the certificate  
17 holder or the commission by a sports governing body,  
18 prohibit wagering by any athlete, coach, referee, team

19 owner, employee of a sports governing body or one of its  
20 member teams, or player or referee union personnel;

21 (c) Prohibit any individual with access to nonpublic  
22 confidential information held by the certificate holder from  
23 placing sports wagers with the certificate holder;

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

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

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

34 3. A sports governing body may notify the commission  
35 that it desires to restrict, limit, or exclude tier two  
36 sports wagers on its sporting events by providing notice in  
37 the form and manner as the commission may require,  
38 including, without limitation, restrictions on the sources  
39 of data and associated video upon which an operator may rely  
40 in offering and paying wagers and the bet types that may be  
41 offered. Upon receiving such notice, the commission shall  
42 only deny a request if it deems such request arbitrary and  
43 capricious. If the commission denies a request, the sports  
44 governing body shall be afforded notice and the right to be  
45 heard and offer proof in opposition to such determination in  
46 accordance with the regulations of the commission. Offering  
47 or taking wagers contrary to restrictions promulgated by the  
48 commission is a violation of this section. In the event  
49 that a request is submitted in relation to an emergency  
50 situation, the executive director of the commission may

51 temporarily grant the request of the sports governing body  
52 until the commission makes a final determination as to  
53 whether such request is arbitrary and capricious. The  
54 provisions of this subsection shall not apply to tier one  
55 sports wagers.

56 4. The commission and certificate holders shall  
57 cooperate with investigations conducted by sports governing  
58 bodies, law enforcement agencies, and universities located  
59 within the state, including by providing or facilitating the  
60 provision of betting information and audio or video files  
61 relating to persons placing sports wagers.

62 5. A certificate holder shall immediately report to  
63 the commission any information relating to:

64 (1) Criminal or disciplinary proceedings commenced  
65 against the certificate holder in connection with its  
66 operations;

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

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

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

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

77 (6) Suspicious or illegal wagering activities.

78 6. A certificate holder shall also immediately report  
79 information relating to conduct described in subdivisions  
80 (3), (4), and (5) of subsection 5 of this section to the  
81 relevant sports governing body and to universities located  
82 within this state.

83           7. A certificate holder shall maintain the  
84 confidentiality of information provided by a sports  
85 governing body to the certificate holder unless disclosure  
86 is required by court order, the commission, or any other  
87 provision of law.

88           8. Except as provided in subsection 9 of this section,  
89 certificate holders may use any data source to determine the  
90 results of sports wagers, provided the data is not obtained  
91 directly or indirectly from live event attendees who collect  
92 the data in violation of the terms of admittance to an event  
93 or through automated computer programs that compile data  
94 from the internet in violation of the terms of service of  
95 the relevant website or other internet platform.

96           9. A sports governing body may notify the commission  
97 that it desires to supply official league data to  
98 certificate holders for determining the results of tier two  
99 sports wagers. Such notification shall be made in the form  
100 and manner as the commission may require. Within thirty  
101 days of such notification by a sports governing body,  
102 certificate holders shall use only official league data to  
103 determine the results of tier two wagers, unless the  
104 certificate holder can demonstrate to the commission that  
105 the sports governing body or its designee cannot provide a  
106 feed of official league data to the certificate holder on  
107 commercially reasonable terms.

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

- 6           (1) Personally identifiable information of the bettor;
- 7           (2) The amount and type of bet placed;

- 8 (3) The time and date the bet was placed;
- 9 (4) The location, including the internet protocol  
10 address if applicable, where the bet was placed;
- 11 (5) The outcome of the bet;
- 12 (6) Records of abnormal betting activity; and
- 13 (7) Video camera recordings in the case of in-person  
14 wagers.

15 2. If a sports governing body has notified the  
16 commission that real-time information sharing for wagers  
17 placed on its sporting events is necessary and desirable,  
18 sports wagering operators shall share in real time, at the  
19 account level, and in pseudonymous form, the information  
20 required to be retained under subsection 1 of this section,  
21 other than video files, with the sports governing body or  
22 its designee with respect to wagers on its sporting events.  
23 Such information may be used by a sports governing body  
24 solely for integrity purposes.

313.1018. 1. The performance of any act required, or  
2 the forbearance of any act prohibited, by sections 313.1000  
3 to 313.1022, by an interactive sports wagering platform  
4 provider is imputed to the certificate holder on behalf of  
5 which the platform is operating, and vice versa.

6 2. A certificate holder is not liable under the laws  
7 of this state to any party, including patrons, for  
8 disclosing information as required under sections 313.1000  
9 to 313.1022, and is not liable for refusing to disclose  
10 information unless required under sections 313.1000 to  
11 313.1022.

313.1022. 1. A wagering tax of six and one-quarter  
2 percent is imposed on the adjusted gross receipts received  
3 from sports wagering conducted by a certificate holder under  
4 sections 313.1000 to 313.1022. If a third party is

5 contracted with to conduct sports wagering at a certificate  
6 holder's licensed facility, the third party contractor shall  
7 fulfill the certificate holder's duties under this section.

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

16 3. The payment of the tax under this section shall be  
17 by an electronic funds transfer by an automated  
18 clearinghouse.

19 4. Revenues received from the tax imposed under  
20 subsection 1 of this section shall be deposited in the state  
21 treasury to the credit of the gaming proceeds for education  
22 fund and shall be distributed as provided under section  
23 313.822.

24 5. (1) A certificate holder shall pay to the  
25 commission an annual administrative fee of five thousand  
26 dollars. The fee imposed shall be due one year after the  
27 date on which the certificate holder commences sports  
28 wagering operations under sections 313.1000 to 313.1022, and  
29 on each annual anniversary date thereafter. The commission  
30 shall deposit the administrative fees received under this  
31 subsection in the sports wagering fund established under  
32 subsection 6 of this section.

33 (2) In addition to the annual administrative fee  
34 required under this subsection, a certificate holder shall  
35 pay to the commission a fee of ten thousand dollars to cover  
36 the costs of a full reinvestigation of the certificate

37 holder in the fifth year after the date on which the  
38 certificate holder commences sports wagering operations  
39 under sections 313.1000 to 313.1022 and on each fifth year  
40 thereafter. The commission shall deposit the fees received  
41 under this subdivision in the sports wagering fund  
42 established under subsection 6 of this section.

43 6. There is hereby established the "Sports Wagering  
44 Fund", to be administered by the commission. The fund shall  
45 consist of the fees deposited under subsection 2 of section  
46 313.1006, subsections 2 and 3 of section 313.1010, and  
47 subsection 5 of this section. The state treasurer shall  
48 invest the moneys in the fund not currently needed to meet  
49 the obligations of the fund in the same manner as other  
50 funds are invested. Any interest and moneys earned on such  
51 investments shall be credited to the fund. Notwithstanding  
52 the provisions of section 33.080 to the contrary, any moneys  
53 remaining in the fund at the end of the biennium shall not  
54 revert to the credit of the general revenue fund. Money in  
55 the fund shall be used by the commission to pay the costs  
56 incurred to administer sections 313.1000 to 313.1022.

✓