

SENATE BILL NO. 256

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROWDEN.

1108S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

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

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

Section A. Section 313.800, RSMo, is repealed and fourteen
2 new sections enacted in lieu thereof, to be known as sections
3 313.800, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006,
4 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018,
5 313.1021, and 313.1022, 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] **such player's** reason, foresight, dexterity,
84 sagacity, design, 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 **such player's** reason, foresight, dexterity, sagacity,
88 design, information or strategy to favorably increase the
89 player's expected return; including, but not limited to, the
90 gambling games known as "poker", "blackjack" (twenty-one),
91 "craps", "Caribbean stud", "pai gow poker", "Texas hold'em",
92 "double down stud", "**sports wagering**", and any video
93 representation of 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. **(1)** In addition to the games of skill defined in
113 this section, the commission may approve other games of
114 skill upon receiving a petition requesting approval of a
115 gambling game from any applicant or licensee. The
116 commission may set the matter for hearing by serving the
117 applicant or licensee with written notice of the time and
118 place of the hearing not less than five days prior to the
119 date of the hearing and posting a public notice at each
120 commission office. The commission shall require the
121 applicant or licensee to pay the cost of placing a notice in
122 a newspaper of general circulation in the applicant's or
123 licensee's home dock city or county. The burden of proof
124 that the gambling game is a game of skill is at all times on
125 the petitioner. The petitioner shall have the affirmative
126 responsibility of establishing [his or her] **such**

127 **petitioner's** case by a preponderance of evidence including:

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

130 [(2)] **(b)** Is the gambling game a game of chance or a
131 game of skill?

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

144 commission order shall be served on the petitioner by
145 certified or overnight express mail, postage prepaid, or by
146 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 the total of:

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

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

12 c. Voided or cancelled wagers;

13 d. Free play or promotional credits; and

14 e. Uncollectible sports wagering receivables, not to
15 exceed the lesser of:

16 (i) A reasonable provision for uncollectible patron
17 checks, ACHs, debit cards, and credit cards received from
18 sports wagering operations; or

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

26 (b) If the amount of adjusted gross receipts on a
27 gaming day is a negative figure, the certificate holder
28 shall remit no sports wagering tax for that gaming day. Any
29 negative adjusted gross receipts shall be carried over and

30 calculated as a deduction on the subsequent gaming days
31 until the negative figure has been brought to a zero balance;

32 (2) "Certificate holder", a licensed applicant issued
33 a certificate of authority by the commission;

34 (3) "Certificate of authority", a certificate issued
35 by the commission authorizing a licensed applicant to
36 conduct sports wagering under sections 313.1000 to 313.1022;

37 (4) "Commission", the Missouri gaming commission;

38 (5) "Department", the department of revenue;

39 (6) "Excursion gambling boat", the same meaning as
40 defined under section 313.800;

41 (7) "Gross receipts", the total amount of cash and
42 cash equivalents paid by sports wagering patrons to a sports
43 wagering operator to participate in sports wagering;

44 (8) "Interactive sports wagering platform" or
45 "platform", a person that offers sports wagering over the
46 internet, including on internet websites and mobile devices
47 on behalf of a certificate holder;

48 (9) "Licensed applicant", a person holding a license
49 issued under section 313.807 to operate an excursion
50 gambling boat;

51 (10) "Licensed facility", an excursion gambling boat
52 licensed under this chapter;

53 (11) "Licensed supplier", a person holding a
54 supplier's license issued by the commission;

55 (12) "Occupational license", a license issued by the
56 commission;

57 (13) "Person", an individual, sole proprietorship,
58 partnership, association, fiduciary, corporation, limited
59 liability company, or any other business entity;

60 (14) "Sports wagering", wagering conducted under
61 sections 313.1000 to 313.1022 on athletic and sporting

62 events involving human competitors or on other events as
63 approved by the commission. "Sports wagering" shall not
64 include moneys spent to participate in paid fantasy sports
65 under sections 313.900 to 313.955;

66 (15) "Sports wagering device", a mechanical,
67 electrical, or computerized contrivance, terminal, device,
68 apparatus, piece of equipment, or supply approved by the
69 commission for conducting sports wagering under sections
70 313.1000 to 313.1022. "Sports wagering device" shall not
71 include a device used by a sports wagering patron to access
72 an interactive sports wagering platform;

73 (16) "Sports wagering operator" or "operator", a
74 certificate holder or an interactive sports wagering
75 platform offering sports wagering on behalf of a certificate
76 holder;

77 (17) "Supplier's license", a license issued by the
78 commission under section 313.807.

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

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, as amended, shall be legal shipments
9 of gambling devices into this state.

313.1003. 1. Sports wagering shall not be offered in
2 this state except by a licensed facility.

3 2. A licensed facility may offer sports wagering:

4 (1) In person at the licensed facility; and

5 (2) Over the internet via an interactive sports
6 wagering platform to persons physically located in this
7 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 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 make commercially reasonable efforts
35 to do the following:

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

39 (2) Ensure the security and integrity of sports wagers
40 accepted through an interactive sports wagering platform;

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

44 (4) Allow the commission to be present through the
45 commission's gaming agents when sports wagering is conducted
46 in all areas of the certificate holder's licensed facility
47 in which sports wagering is conducted to 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; and

53 (c) Receive complaints from the public;

54 (5) Ensure that individuals who are under twenty-one
55 years of age do not make sports wagers;

56 (6) Establish house rules specifying the amounts to be
57 paid on winning wagers, the effect of schedule changes, and
58 the source of the information used to determine the outcome
59 of wagers. The house rules shall be displayed in the
60 certificate holder's sports wagering area, posted on the

61 certificate holder's or platform's internet site or mobile
62 application for interactive sports wagering, and included in
63 the terms and conditions of the certificate holder's or
64 platform's interactive sports wagering system.

65 4. The commission may enter into agreements with other
66 jurisdictions to facilitate, administer, and regulate multi-
67 jurisdictional sports betting by sports betting operators to
68 the extent that entering into the agreement is consistent
69 with state and federal laws and if the sports betting
70 agreement is conducted only in the United States.

313.1006. 1. A licensed applicant who wishes to offer
2 sports wagering under sections 313.1000 to 313.1022 shall:

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

7 (2) Pay an initial application fee of fifty thousand
8 dollars, which shall be deposited in the gaming commission
9 fund and distributed according to section 313.835.

10 2. Upon receipt of the application and fee required
11 under subsection 1 of this section, the commission shall
12 issue a certificate of authority to a licensed applicant
13 authorizing the licensed applicant to conduct sports
14 wagering under sections 313.1000 to 313.1022 in a licensed
15 facility 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.

10 (2) A certificate holder may administer or contract
11 with up to three individually branded interactive sports
12 wagering platforms to administer interactive sports wagering
13 on the certificate holder's behalf.

14 3. (1) Sports wagering may be conducted with chips,
15 tokens, electronic cards, cash, cash equivalents, debit or
16 credit cards, other negotiable currency, online payment
17 services, automated clearing houses, promotional funds, or
18 any other means approved by the commission.

19 (2) A certificate holder shall determine the minimum
20 and maximum wagers in sports wagering conducted in the
21 certificate holder's licensed facility.

22 4. A certificate holder shall not permit any sports
23 wagering on the premises of the licensed facility except as
24 provided under subsection 2 of this section.

25 5. A sports wagering device shall be approved by the
26 commission and acquired by a certificate holder from a
27 licensed supplier.

28 6. The commission shall determine the occupations
29 related to sports wagering that require an occupational
30 license.

31 7. A certificate holder may lay off one or more sports
32 wagers. The commission may promulgate rules permitting
33 certificate holders or platforms to employ systems that
34 offset loss or manage risk in the operation of sports
35 wagering under sections 313.1000 to 313.1022 through the use
36 of liquidity pools in other jurisdictions in which the
37 certificate holder, platform, an affiliate of the
38 certificate holder or platform, or a third party also holds

39 licenses to conduct sports wagering; provided that, at all
40 times adequate protections are maintained to ensure
41 sufficient funds are available to pay winnings to patrons.

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

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 fifty thousand
12 dollars.

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

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

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

26 (2) All documents, reports, and data submitted by an
27 interactive sports wagering platform provider to the
28 commission containing proprietary information, trade
29 secrets, financial information, or personally identifiable
30 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. The commission shall adopt rules and regulations
5 for a sports wagering self-exclusion program consistent with
6 those adopted under sections 313.800 to 313.850. Any rule
7 or portion of a rule, as that term is defined in section
8 536.010, that is created under the authority delegated in
9 this section shall become effective only if it complies with
10 and is subject to all of the provisions of chapter 536 and,
11 if applicable, section 536.028. This section and chapter
12 536 are nonseverable, and if any of the powers vested with
13 the general assembly pursuant to chapter 536 to review, to
14 delay the effective date, or to disapprove and annul a rule
15 are subsequently held unconstitutional, then the grant of
16 rulemaking authority and any rule proposed or adopted after
17 August 28, 2021, shall be invalid and void.

18 3. The commission shall adopt rules to ensure that
19 advertisements for sports wagering:

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

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

25 (3) Provide information about or links to resources
26 relating to gambling addiction; and

27 (4) Are not otherwise false, misleading, or deceptive
28 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 include a search for criminal history and
5 any charges or convictions involving corruption or
6 manipulation of sporting events.

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

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

 (b) Prohibit any individual with access to nonpublic
15 confidential information held by the certificate holder from
16 placing sports wagers with the certificate holder;

 (c) Prevent the sharing of confidential information
18 that could affect sports wagering offered by the certificate
19 holder or by third parties until the information is made
20 publicly available; and

 (d) Prohibit persons from placing sports wagers as
22 agents or proxies for other persons.

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

 3. (1) The following individuals are prohibited from
28 engaging in sports wagering under sections 313.1000 to
29 313.1022:

- 30 (a) Any individual whose participation may undermine
31 the integrity of the betting or sports event; or
- 32 (b) Any person who is prohibited for other good cause,
33 including but not limited to:
- 34 a. Any individual placing a wager as an agent or proxy;
- 35 b. Any person who is an athlete, coach, referee,
36 player or a referee personnel member, in or on any sports
37 event overseen by that person's sports governing body based
38 on publicly available information;
- 39 c. A person who holds a position of authority or
40 influence sufficient to exert influence over the
41 participants in a sporting contest, including but not
42 limited to coaches, managers, handlers or athletic trainers;
- 43 d. A person under the age of twenty-one;
- 44 e. A person with access to certain types of exclusive
45 information on any sports event overseen by that person's
46 sports governing body based on publicly available
47 information; or
- 48 f. A person identified by any lists provided by the
49 commission.
- 50 (2) The direct or indirect legal or beneficial owner
51 of five percent or more of a sports governing body or any of
52 its member teams shall not place or accept any wager on a
53 sports event in which any member team of that sports
54 governing body participates. Any violation of this
55 subdivision shall constitute disorderly conduct. Disorderly
56 conduct under this subdivision shall be a class C
57 misdemeanor.
- 58 (3) Subdivision (1) of this subsection shall not apply
59 to any person who is a direct or indirect owner of a
60 specific sports governing body member team and:

61 (a) Has less than five percent direct or indirect
62 ownership interest in a casino; or

63 (b) The value of the ownership of such team represents
64 less than one percent of the person's total enterprise value
65 and such shares of such person are registered under section
66 12 of the Securities Exchange Act of 1934 (15 U.S.C. Section
67 781), as amended.

68 (4) (a) An operator shall adopt procedures to prevent
69 persons from wagering on sports events who are prohibited
70 from placing sports wagers.

71 (b) An operator shall not accept wagers from any
72 person whose identity is known to the operator and:

73 a. Whose name appears on the exclusion list maintained
74 by the commission;

75 b. Who is the operator, director, officer, owner, or
76 employee of the operator or any relative thereof living in
77 the same household as the operator;

78 c. Who has access to nonpublic confidential
79 information held by the operator; or

80 d. Who is an agent or proxy for any other person.

81 (5) An operator shall adopt procedures to obtain
82 personally identifiable information from any individual who
83 places any single wager of ten thousand dollars or more on a
84 sports event while physically present at a casino.

85 4. The commission and certificate holders shall
86 cooperate with investigations conducted by law enforcement
87 agencies, including by providing or facilitating the
88 provision of relevant betting information and audio or video
89 files relating to persons placing sports wagers.

90 5. A certificate holder shall immediately report to
91 the commission any information relating to:

92 (1) Criminal or disciplinary proceedings commenced
93 against the certificate holder in connection with its
94 operations;

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

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

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

102 (5) Suspicious or illegal wagering activities.

103 6. A certificate holder shall maintain the
104 confidentiality of information provided by a sports
105 governing body to the certificate holder unless disclosure
106 is required by court order, the commission, or any other
107 provision of law.

108 7. A sports governing body may notify the commission
109 that it desires to restrict, limit, or exclude sports
110 wagering on its sporting events by providing notice in the
111 form and manner as required by the commission. A sports
112 governing body may request the commission to restrict,
113 limit, or exclude a type of wager based solely upon the
114 actions of a single player. To demonstrate good cause, the
115 sports governing body shall provide written information that
116 indicates a credible threat to the integrity of sports
117 wagering that is beyond the control of the sports governing
118 body to preemptively remedy or mitigate. The commission
119 shall promptly review the information provided and respond
120 as expeditiously as possible to the request. In making its
121 determination, the commission may consult with a sports
122 betting operation, independent monitoring provider, and
123 other jurisdictions. No restrictions, limitations, or

124 exclusions of wagers shall be conducted without the express
125 written approval of the commission. Certificate holders
126 shall be notified of any restrictions, limitations, or
127 exclusions granted by the commission.

313.1016. 1. A certificate holder shall, for bets and
2 wagers that exceed ten thousand dollars in a twenty-four-
3 hour period and that are placed in person by a patron,
4 maintain the following records for a period of at least
5 three years after the sporting event occurs:

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 specific information
10 pertaining to the betting window or the limited mobile
11 gaming system device, where the bet was placed;

12 (5) The outcome of the bet; and

13 (6) Any discernable pattern of abnormal betting
14 activity by the patron.

15 2. A certificate holder, for all bets and wagers
16 placed through an interactive sports wagering platform,
17 shall maintain the following records for a period of at
18 least three years after the sporting event occurs:

19 (1) Personally identifiable information of the bettor;

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

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

22 (4) The location, including specific information
23 pertaining to the internet protocol address, where the bet
24 was placed;

25 (5) The outcome of the bet; and

26 (6) Any discernable pattern of abnormal betting
27 activity by the patron.

28 3. A certificate holder shall make the records and
29 data that it is required to maintain under this section
30 available for inspection upon request of the commission or
31 as required by court order.

 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.

 313.1021. 1. A wagering tax of six and three-fourths
2 of one percent is imposed on the adjusted gross receipts
3 received from sports wagering conducted by a certificate
4 holder under sections 313.1000 to 313.1022. If a third
5 party is contracted with to conduct sports wagering at a
6 certificate holder's licensed facility, the third party
7 contractor shall fulfill the certificate holder's duties
8 under this section.

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

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

20 4. Revenues received from the tax imposed under
21 subsection 1 of this section shall be deposited in the state
22 treasury to the credit of the "Gaming Proceeds for Education
23 Fund" and shall be distributed as provided under section
24 313.822.

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

34 (2) In addition to the annual administrative fee
35 required in this subsection, a certificate holder shall pay
36 to the commission a fee of ten thousand dollars to cover the
37 costs of a full reinvestigation of the certificate holder in
38 the fifth year after the date on which the certificate
39 holder commences sports wagering operations under sections
40 313.1000 to 313.1022 and on each fifth year thereafter. The
41 commission shall deposit the fees received under this
42 subdivision in the sports wagering fund established in this
43 subsection.

44 (3) (a) There is hereby created in the state treasury
45 the "Sports Wagering Fund", which shall consist of moneys
46 collected under this subsection. The state treasurer shall
47 be custodian of the fund. In accordance with sections
48 30.170 and 30.180, the state treasurer may approve

49 disbursements. The fund shall be a dedicated fund and, upon
50 appropriation, moneys in the fund shall be used solely as
51 provided in this subsection.

52 (b) Notwithstanding the provisions of section 33.080
53 to the contrary, any moneys remaining in the fund at the end
54 of the biennium shall not revert to the credit of the
55 general revenue fund.

56 (c) The state treasurer shall invest moneys in the
57 fund in the same manner as other funds are invested. Any
58 interest and moneys earned on such investments shall be
59 credited to the fund.

313.1022. All sports wagers authorized under sections
2 313.1000 to 313.1022 shall be deemed initiated, received,
3 and otherwise made on the property of an excursion gambling
4 boat within this state. Consistent with the intent of the
5 United States Congress as articulated in the Unlawful
6 Internet Gambling Enforcement Act of 2006, 31 U.S.C.
7 Sections 5361 to 5367, as amended, the intermediate routing
8 of electronic data relating to lawful intrastate sports
9 wagers authorized under sections 313.1000 to 313.1022 shall
10 not determine the location or locations in which such wager
11 is initiated, received, or otherwise made.

✓