

SENATE BILL NO. 643

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

3535S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 313.230, 313.800, and 572.015, RSMo, and to enact in lieu thereof seventeen new sections relating to gaming, with penalty provisions.

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

Section A. Sections 313.230, 313.800, and 572.015, RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 313.230, 313.800, 313.1000, 313.1002, 313.1003, 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, 313.1022, 313.1024, and 572.015, to read as follows:

313.230. The commission shall:

(1) Issue rules and regulations concerning the operation of the Missouri state lottery. The rules and regulations shall include, but shall not be limited to, the following:

(a) The type of lottery to be conducted, [except no lottery may use any coin- or token-operated amusement device and no lottery game shall be based in any form on the outcome of sporting events. However, it shall be legal to] **including the use of clerk- or player-activated terminals, which are coin- or currency-operated, lottery games based on the outcome of a sporting event, and to dispense lottery tickets. Lottery games based on the outcome of a sporting event shall be limited to "parlay games", which term shall**

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

15 **mean a game in which two or more teams are involved in**
16 **determining the winning outcome of the game;**

17 (b) The price, or prices, of tickets or shares in the
18 lottery;

19 (c) The numbers and sizes of the prizes on the winning
20 tickets or shares;

21 (d) The manner of selecting the winning tickets or
22 shares;

23 (e) The manner of payment of prizes to the holders of
24 winning tickets or shares;

25 (f) The frequency of the drawings or selections of
26 winning tickets or shares, without limitation;

27 (g) The types or numbers of locations at which tickets
28 or shares may be sold and the method to be used in selling
29 tickets or shares;

30 (h) The method to be used in selling tickets or shares;

31 (i) The licensing of lottery game retailers to sell
32 tickets or shares;

33 (j) The manner and amount of compensation, including
34 commissions, ticket discounts, incentives and any other
35 remuneration, to be paid to or retained by lottery game
36 retailers;

37 (k) The apportionment of the total revenues accruing
38 from the sale of lottery tickets or shares and from all
39 other sources among:

40 a. The payment of prizes to the holders of winning
41 tickets or shares;

42 b. The payment of costs incurred in the operation and
43 administration of the lottery, including the expenses of the
44 commission and the costs resulting from any contract or
45 contracts entered into for promotional, advertising or

46 operational services or for the purchase or lease of lottery
47 equipment and materials;

48 c. For the repayment to the general revenue fund of
49 any amount appropriated for initial start-up of the lottery;
50 and

51 d. For timely transfer to the state lottery fund as
52 provided by law;

53 (1) Such other matters necessary or desirable for the
54 efficient and economical operation and administration of the
55 lottery and for the convenience of the purchasers of tickets
56 or shares and the holders of winning tickets or shares. The
57 commission may disburse money for payment of lottery prizes;

58 (2) Amend, repeal, or supplement any such rules and
59 regulations from time to time as it deems necessary or
60 desirable;

61 (3) Advise and make recommendations to the director
62 regarding the operation and administration of the lottery;

63 (4) Report quarterly to the governor and the general
64 assembly the total lottery revenues, prize disbursements and
65 other expenses for the preceding quarter, and to make an
66 annual report, which shall include a full and complete
67 statement of lottery revenues, prize disbursements and other
68 expenses, to the governor and the general assembly, and
69 including such recommendations for changes in sections
70 313.200 to 313.350 as it deems necessary or desirable;

71 (5) Report to the governor and general assembly any
72 matters which shall require immediate changes in the laws of
73 this state in order to prevent abuses and evasions of
74 sections 313.200 to 313.350 or rules and regulations
75 promulgated thereunder or to rectify undesirable conditions
76 in connection with the administration or operation of the
77 lottery;

78 (6) Carry on a continuous study and investigation of
79 the lottery throughout the state and to make a continuous
80 study and investigation of the operation and the
81 administration of similar laws which may be in effect in
82 other states or countries, any literature on the subject
83 which from time to time may be published or available, any
84 federal laws which may affect the operation of the lottery,
85 and the reaction of Missouri citizens to existing and
86 potential features of the lottery with a view to
87 recommending or effecting changes that will tend to serve
88 the purposes of sections 313.200 to 313.350;

89 (7) Ensure that all employees of the state lottery
90 commission hired after July 12, 1990, shall not be related
91 to any member of the state lottery commission or any
92 employee of the state lottery commission within the third
93 degree of consanguinity or affinity.

 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,

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, other
65 floating facility, or any nonfloating facility licensed by
66 the commission on which gambling games are allowed;

67 (10) "Fiscal year", the fiscal year of a home dock
68 city or county;

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

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

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

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

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

93 (16) "Gross receipts", the total sums wagered by
94 patrons of licensed gambling games. **"Gross receipts" shall**
95 **not include gross receipts from sports wagering, as defined**
96 **in section 313.1000;**

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

101 (18) "Licensee", any person licensed under sections
102 313.800 to 313.850;

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

111 (20) "Nonfloating facility", any structure within one
112 thousand feet of the Missouri or Mississippi River that
113 contains at least two thousand gallons of water beneath or
114 inside the facility either by an enclosed space containing
115 such water or in rigid or semirigid storage containers or
116 structures;

117 (21) "Supplier", a person who sells or leases gambling
118 equipment and gambling supplies to any licensee.

119 2. (1) In addition to the games of skill defined in
120 this section, the commission may approve other games of
121 skill upon receiving a petition requesting approval of a
122 gambling game from any applicant or licensee. The
123 commission may set the matter for hearing by serving the
124 applicant or licensee with written notice of the time and
125 place of the hearing not less than five days prior to the
126 date of the hearing and posting a public notice at each
127 commission office. The commission shall require the
128 applicant or licensee to pay the cost of placing a notice in
129 a newspaper of general circulation in the applicant's or
130 licensee's home dock city or county. The burden of proof
131 that the gambling game is a game of skill is at all times on
132 the petitioner. The petitioner shall have the affirmative
133 responsibility of establishing the petitioner's case by a
134 preponderance of evidence including:

135 (a) Is it in the best interest of gaming to allow the
136 game; and

137 (b) Is the gambling game a game of chance or a game of
138 skill?

139 (2) All testimony shall be given under oath or
140 affirmation. Any citizen of this state shall have the
141 opportunity to testify on the merits of the petition. The
142 commission may subpoena witnesses to offer expert

143 testimony. Upon conclusion of the hearing, the commission
144 shall evaluate the record of the hearing and issue written
145 findings of fact that shall be based exclusively on the
146 evidence and on matters officially noticed. The commission
147 shall then render a written decision on the merits which
148 shall contain findings of fact, conclusions of law and a
149 final commission order. The final commission order shall be
150 within thirty days of the hearing. Copies of the final
151 commission order shall be served on the petitioner by
152 certified or overnight express mail, postage prepaid, or by
153 personal delivery.

313.1000. As used in sections 313.1000 to 313.1024,
2 the following terms shall mean:

3 (1) "Adjusted gross receipts", the total of all cash
4 and cash equivalents received by a sports wagering operator
5 from sports wagering minus the total of:

6 (a) All cash and cash equivalents paid out as winnings
7 to sports wagering patrons;

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

11 (c) Excise tax payments remitted to the federal
12 government;

13 (d) Voided or cancelled wagers;

14 (e) Free play or promotional credits; and

15 (f) Uncollectible sports wagering receivables, not to
16 exceed the lesser of:

17 a. A reasonable provision for uncollectible patron
18 checks, ACH transactions, debit card transactions, and
19 credit card transactions received from sports wagering
20 operations; or

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

28 If the amount of adjusted gross receipts on a gaming day is
29 a negative figure, the certificate holder shall remit no
30 sports wagering tax for such gaming day. Any negative
31 adjusted gross receipts shall be carried over and calculated
32 as a deduction on the subsequent gaming days until the
33 negative figure has been brought to a zero balance;

34 (2) "Amateur athletic or sporting event", an athletic
35 event involving at least two competitors who do not receive
36 compensation in excess of their expenses for participating
37 in such event. "Amateur athletic or sporting event" shall
38 include domestic, international, and Olympic sports events,
39 but shall not include a collegiate athletic or sporting
40 event;

41 (3) "Approved limited mobile gaming system", a limited
42 mobile gaming system approved by the commission;

43 (4) "Certificate holder", a licensed applicant issued
44 a certificate of authority by the commission;

45 (5) "Certificate of authority", a certificate issued
46 by the commission authorizing a licensed applicant to
47 conduct sports wagering under sections 313.1000 to 313.1024;

48 (6) "Collegiate athletic or sporting event", an
49 athletic or sporting event offered or sponsored by, or
50 played in connection with, a public or private institution
51 that offers educational services beyond the secondary level;

- 52 (7) "Commission", the Missouri gaming commission;
- 53 (8) "Department", the department of revenue;
- 54 (9) "Designated entertainment district", any
- 55 establishment registered to do business in this state that
- 56 is or becomes licensed pursuant to chapter 311 to sell
- 57 liquor at retail, and that is an area owned and operated by
- 58 an entity or affiliated entities that are licensed pursuant
- 59 to chapter 311 as an entertainment district as defined in
- 60 section 313.086, and such entity or affiliate entities have
- 61 made a verifiable financial investment of more than two
- 62 hundred million dollars to develop such district;
- 63 (10) "Designated sports and entertainment district":
- 64 (a) Any area within this state that is a designated
- 65 entertainment district as of the effective date of sections
- 66 313.1000 to 313.1024 and continues to be qualified as a
- 67 designated entertainment district thereafter; provided,
- 68 however, that for the purposes of sections 313.1000 to
- 69 313.1024 the boundaries of such designated entertainment
- 70 district shall not be enlarged or otherwise modified after
- 71 the effective date of sections 313.1000 to 313.1024; or
- 72 (b) The premises of a facility located in this state
- 73 with a seating capacity of seventeen thousand five hundred
- 74 people or more, at which one or more professional sports
- 75 teams plays its home games, and the surrounding area within
- 76 four hundred yards of such premises;
- 77 (11) "Designated sports and entertainment district
- 78 entity":
- 79 (a) An establishment that is a designated
- 80 entertainment district as of the effective date of sections
- 81 313.1000 to 313.1024; or
- 82 (b) A person or entity registered to do business in
- 83 this state that owns or operates a professional sports team

84 that plays its home games within a designated sports and
85 entertainment district;

86 (12) "Esports", athletic and sporting events involving
87 electronic sports and competitive video games;

88 (13) "Excursion gambling boat", the same meaning as
89 defined under section 313.800;

90 (14) "Gross receipts", the total amount of cash and
91 cash equivalents paid by sports wagering patrons to a sports
92 wagering operator to participate in sports wagering;

93 (15) "Interactive sports wagering platform" or
94 "platform", a person that offers sports wagering over the
95 internet, including on internet websites and mobile devices
96 on behalf of a certificate holder;

97 (16) "Licensed applicant", a person holding a license
98 issued under section 313.807 to operate an excursion
99 gambling boat;

100 (17) "Licensed facility", an excursion gambling boat
101 licensed under this chapter;

102 (18) "Licensed supplier", a person holding a
103 supplier's license issued by the commission;

104 (19) "Official league data", statistics, results,
105 outcomes, and other data relating to an athletic or sporting
106 event obtained pursuant to an agreement with the relevant
107 sports governing body, or an entity contracted with the
108 sports governing body to provide such information to sports
109 wagering operators, which authorizes the use of such data
110 for determining the outcome of tier two sports wagers;

111 (20) "Occupational license", a license issued by the
112 commission;

113 (21) "Person", an individual, sole proprietorship,
114 partnership, association, fiduciary, corporation, limited
115 liability company, or any other business entity;

116 (22) "Personal biometric data", an athlete's
117 information derived from DNA, heart rate, blood pressure,
118 perspiration rate, internal or external body temperature,
119 hormone levels, glucose levels, hydration levels, vitamin
120 levels, bone density, muscle density, and sleep patterns;

121 (23) "Professional athletic or sporting event", an
122 athletic or sporting event at which two or more competitors
123 participate and one or more competitors receive compensation;

124 (24) "Promotional play wagers", wagers placed by
125 patrons from coupons, downloadable credits, electronic
126 promotions, or any other cash equivalent provided to the
127 patron by the certificate holder for sports wagering
128 conducted pursuant to sections 313.1000 to 313.1024;

129 (25) "Sports event", "sporting event", or "athletic
130 event", a professional athletic or sporting event, an
131 amateur athletic or sporting event, a collegiate athletic or
132 sporting event, or any athletic event, motor race event,
133 electronic sports event, or competitive video game event
134 where the majority of participants are eighteen years of age
135 or older;

136 (26) "Sports governing body", the organization
137 headquartered in the United States that prescribes final
138 rules and enforces codes of conduct with respect to a
139 professional sporting event and participants therein;

140 (27) "Sports wagering", wagering conducted under
141 sections 313.1000 to 313.1024 on athletic and sporting
142 events involving human competitors, including esports, or on
143 other events as approved by the commission. Sports wagering
144 shall not include money spent to participate in paid fantasy
145 sports under sections 313.900 to 313.955;

146 (28) "Sports wagering commercial activity", any
147 operation, promotion, signage, advertising, or other

148 business activity relating to sports wagering, including the
149 operating or advertising of a business or location at which
150 sports wagering is offered or a business or location at
151 which sports wagering through one or more interactive sports
152 wagering platforms is promoted or advertised;

153 (29) "Sports wagering device", a mechanical,
154 electrical, or computerized contrivance, terminal, device,
155 apparatus, piece of equipment, or supply approved by the
156 commission for conducting sports wagering under sections
157 313.1000 to 313.1024. Sports wagering device shall not
158 include a device used by a sports wagering patron to access
159 an interactive sports wagering platform;

160 (30) "Sports wagering operator" or "operator", a
161 certificate holder or an interactive sports wagering
162 platform offering sports wagering on behalf of a certificate
163 holder;

164 (31) "Supplier's license", a license issued by the
165 commission under section 313.807;

166 (32) "Tier one sports wager", a sports wager that is
167 determined solely by the final score or final outcome of the
168 sporting event and is placed before the sporting event has
169 begun;

170 (33) "Tier two sports wager", a sports wager that is
171 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 313.1024 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.

313.1003. 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.

8 An interactive sports wagering account may be created in
9 person, at a licensed facility, or over the internet,
10 without appearing in person.

11 3. Notwithstanding any other provision of law to the
12 contrary, sports wagering commercial activity shall be
13 prohibited from being conducted within any designated sports
14 and entertainment district by or on behalf of any person or
15 entity that directly or indirectly offers sports wagering in
16 person or over the internet via an interactive sports
17 wagering platform, except to the extent such prohibition is
18 waived in writing by each designated sports and
19 entertainment district entity located in such designated
20 sports and entertainment district and such written waiver is
21 delivered to the commission. Nothing in this subsection
22 shall prohibit:

23 (1) Any certificate holder from offering sports
24 wagering over the internet via an interactive sports
25 wagering platform that is accessible to persons physically
26 located within such designated sports and entertainment
27 district in accordance with the provisions of sections
28 313.1000 to 313.1024; or

29 (2) Any restaurant, bar, or other business physically
30 located within a designated sports and entertainment
31 district from advertising sports wagering or conducting any
32 sports wagering commercial activity within its premises if
33 such advertising or commercial activity is not conducted by
34 or on behalf of, by contract or otherwise, any person or
35 entity that, directly or indirectly, offers sports wagering
36 in person or over the internet via an interactive sports
37 wagering platform.

 313.1004. 1. The commission shall adopt rules to
2 implement the provisions of sections 313.1000 to 313.1024.
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, 2022, 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; and

33 (5) Standards prohibiting sports wagering commercial
34 activity within any designated sports and entertainment
35 district and standards for applying and enforcing any waiver
36 of such prohibition by a designated sports and entertainment
37 district entity pursuant to subsection 3 of section 313.1003.

38 3. Rules adopted under this section shall require a
39 certificate holder to make commercially reasonable efforts
40 to do the following:

41 (1) Designate an area within the licensed facility
42 operated by the certificate holder for sports wagering
43 conducted under sections 313.1000 to 313.1024;

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

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

49 (4) Allow the commission to be present through the
50 commission's gaming agents during the time sports wagering
51 is conducted in all areas of the certificate holder's
52 licensed facility in which sports wagering is conducted, to
53 do the following:

- 54 (a) Ensure maximum security of the counting and
55 storage of the sports wagering revenue received by the
56 certificate holder;
- 57 (b) Certify the sports wagering revenue received by
58 the certificate holder;
- 59 (c) Receive complaints from the public;
- 60 (5) Ensure that individuals who are less than twenty-
61 one years of age do not make sports wagers;
- 62 (6) Establish house rules specifying the amounts to be
63 paid on winning wagers, the source of the information used
64 to determine the outcome of wagers, the effect of schedule
65 changes, the circumstances under which the operator will
66 void a bet, and the treatment of errors, late bets and
67 related contingencies. The house rules shall be displayed
68 in the certificate holder's sports wagering area, posted on
69 the certificate holder's or interactive sports wagering
70 platform's internet site or mobile application for
71 interactive sports wagering, and included in the terms and
72 conditions of certificate holder's or interactive sports
73 wagering platform's interactive sports wagering system.

74 4. The commission may enter into agreements with other
75 jurisdictions to facilitate, administer, and regulate multi-
76 jurisdictional sports betting by sports betting operators to
77 the extent that entering into the agreement is consistent
78 with state and federal laws and the sports betting agreement
79 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 313.1024 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;

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 313.1024 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. In addition to such
10 designated area, sports wagering may be conducted at any
11 location authorized under subsection 9 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 up to three individually branded interactive sports
15 wagering platforms to administer interactive sports wagering
16 on the certificate holder's behalf. The certificate holder
17 or its interactive sports wagering platform provider shall
18 have the authority to establish sports wagering accounts
19 electronically through approved mobile applications and
20 interactive sports wagering platforms.

21 3. (1) Sports wagering may be conducted with chips,
22 tokens, electronic cards, or money or other negotiable
23 currency.

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

27 (3) Interactive sports wagering accounts may be funded
28 through:

29 (a) Cash;

30 (b) Checks and electronic checks;

31 (c) Electronic bank transfer of funds, including
32 transfers through third parties;

33 (d) Debit cards;

34 (e) Credit cards;

35 (f) Online and mobile payment systems that support
36 online money transfers; and

37 (g) Any other method approved by the commission.

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

41 5. A sports wagering device shall be approved by the
42 commission and acquired by a certificate holder from a
43 licensed supplier.

44 6. The commission shall determine the occupations
45 related to sports wagering that require an occupational
46 license.

47 7. A certificate holder may lay off one or more sports
48 wagers. The commission may promulgate rules permitting
49 certificate holders or platforms to employ systems that
50 offset loss or manage risk in the operation of sports
51 wagering under sections 313.1000 to 313.1024 through the use
52 of liquidity pools in other jurisdictions in which the
53 certificate holder, platform, an affiliate of the
54 certificate holder or platform, or a third party also holds
55 licenses to conduct sports wagering; provided that at all

56 times adequate protections are maintained to ensure
57 sufficient funds are available to pay winnings to patrons.

58 8. A certificate holder may contract with a third
59 party to conduct sports wagering at an individually branded
60 sports book at the certificate holder's licensed facility.

61 9. (1) A certificate holder may request approval from
62 the commission to use a limited mobile gaming system in the
63 certificate holder's sports wagering operations.

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

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

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

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

75 A patron shall not transmit a sports wager using a limited
76 mobile gaming system 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 fifty 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
18 twenty thousand dollars. Such license renewal fees and the
19 initial application fee provided for under subdivision (2)
20 of subsection 2 of this section shall be deposited in the
21 gaming commission fund and distributed according to section
22 313.835.

23 4. Notwithstanding any other provision of law to the
24 contrary, the following information shall be confidential
25 and shall not be disclosed to the public unless required by
26 court order or by any other provision of sections 313.1000
27 to 313.1024:

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

30 (2) All documents, reports, and data submitted by an
31 interactive sports wagering platform provider to the
32 commission containing proprietary information, trade
33 secrets, financial information, or personally identifiable
34 information about any person.

35 5. An interactive sports wagering platform provider
36 may submit a request to the commission for the issuance of a
37 temporary interactive sports wagering platform license and
38 the immediate commencement of sports wagering operations.
39 Such a request shall include the initial application fee
40 identified in subdivision (2) of subsection 2 of this
41 section. Upon receiving a request for a temporary
42 interactive sports wagering platform license, the commission

43 shall review the request. If the commission determines that
44 the entity requesting the temporary interactive sports
45 wagering platform license offers sports wagering through an
46 interactive sports wagering platform in any jurisdiction in
47 the United States under a state regulatory structure
48 specifically determined by the commission to have similar
49 regulatory requirements, and the entity has paid the initial
50 application fee, the commission shall authorize the
51 interactive sports wagering platform provider to conduct
52 sports wagering on behalf of a certificate holder under a
53 temporary interactive sports wagering platform license until
54 a final determination on the interactive sports wagering
55 platform provider's license application is made.

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 313.1024.

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, 2022, shall be invalid and void.

18 3. The commission shall adopt rules that require
19 sports wagering operators to make commercially reasonable
20 efforts to ensure that advertisements for sports wagering:

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

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

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

28 (4) Are not otherwise false, misleading, or deceptive
29 to a reasonable consumer; and

30 (5) Are not undertaken within any designated sports
31 and entertainment district without a waiver from each
32 applicable designated sports and entertainment district
33 entity pursuant to subsection 3 of section 313.1003.

313.1014. 1. The commission shall conduct background
2 checks on individuals seeking licenses under sections
3 313.1000 to 313.1024. The commission shall not grant a
4 license, except for a temporary license pursuant to
5 subsection 5 of section 313.1010, until the commission
6 determines that each person that has control of the
7 applicant meets all qualifications for licensure. A
8 background check conducted under this section shall be
9 consistent with the provisions of section 313.810, and shall
10 include a search for criminal history and any charges or
11 convictions involving corruption or manipulation of sporting
12 events. The following persons are considered to have
13 control of an applicant:

14 (1) Each corporate holding company, parent company,
15 subsidiary company, and person that owns ten percent or more
16 of a corporate applicant and that has the ability to control

17 the activities of the corporate applicant or elect a
18 majority of the board of directors of such corporate
19 applicant, except for a bank or other licensed lending
20 institution that holds a mortgage or other lien acquired in
21 the ordinary course of business;

22 (2) Each person associated with a noncorporate
23 applicant that directly or indirectly holds a beneficial or
24 proprietary interest in the noncorporate applicant's
25 business operation or that the commission otherwise
26 determines has the ability to control the noncorporate
27 applicant; and

28 (3) Key personnel of an applicant, including any
29 executive, employee, or agent having the power to exercise
30 ultimate decision-making authority over the applicant's
31 sports wagering operation in the state of Missouri.

32 2. (1) A certificate holder shall employ commercially
33 reasonable methods to:

34 (a) Prohibit the certificate holder, directors,
35 officers, and employees of the certificate holder, and any
36 relative living in the same household of a person described
37 in this paragraph from placing sports wagers with the
38 certificate holder;

39 (b) Using any lists of employees and affiliates
40 provided by the commission to the certificate holder,
41 prohibit wagering by any athlete, coach, referee, team
42 owner, employee of a sports governing body or one of its
43 member teams, or player or referee union personnel;

44 (c) Prohibit any individual with access to nonpublic
45 confidential information held by the certificate holder from
46 placing sports wagers with the certificate holder;

47 (d) Prevent the sharing of confidential information
48 that could affect sports wagering offered by the certificate

49 holder or by third parties until the information is made
50 publicly available; and

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

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

57 3. (1) The following individuals are prohibited from
58 engaging in sports wagering under sections 313.1000 to
59 313.1024:

60 (a) Any individual whose participation may undermine
61 the integrity of the betting or sports event; or

62 (b) Any person who is prohibited for other good cause
63 including, but not limited to:

64 a. Any person placing a wager as an agent or proxy;

65 b. Any person who is an athlete, coach, referee,
66 player, or referee personnel member, in or on any sports
67 event overseen by such person's sports governing body based
68 on publicly available information;

69 c. Any person who holds a position of authority or
70 influence sufficient to exert influence over the
71 participants in a sporting contest including, but not
72 limited to, coaches, managers, handlers, or athletic
73 trainers;

74 d. Any person under the age of twenty-one;

75 e. Any person with access to certain types of
76 exclusive information on any sports event overseen by such
77 person's sports governing body based on publicly available
78 information; or

79 f. Any person identified by any lists provided by the
80 commission.

81 (2) The direct or indirect legal or beneficial owner
82 of five percent or more of a sports governing body or any of
83 its member teams shall not place or accept any wager on a
84 sports event in which any member team of such sports
85 governing body participates. Any violation of this
86 subdivision shall constitute disorderly conduct and shall be
87 a class C misdemeanor.

88 (3) Subdivision (1) of this subsection shall not apply
89 to any person who is a direct or indirect owner of a
90 specific sports governing body member team and:

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

93 (b) The value of the ownership of such team represents
94 less than one percent of the person's total enterprise value
95 and such shares of such person are registered under section
96 12 of the Securities Exchange Act of 1934, 15 U.S.C. Section
97 781, as amended.

98 (4) (a) An operator shall adopt procedures to prevent
99 persons from wagering on sports events who are prohibited
100 from placing sports wagers.

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

103 a. Whose name appears on the exclusion list maintained
104 by the commission;

105 b. Who is the operator, director, officer, owner, or
106 employee of the operator or any relative thereof living in
107 the same household as such operator;

108 c. Who has access to nonpublic confidential
109 information held by such operator; or

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

111 (5) An operator shall adopt procedures to obtain
112 personally identifiable information from any individual who

113 places any single wager of ten thousand dollars or more on a
114 sports event while physically present at a casino.

115 4. (1) A sports governing body may submit to the
116 commission in writing a request to restrict, limit, or
117 exclude a certain type, form, or category of sports wagering
118 with respect to sporting events sponsored by such sports
119 governing body if the sports governing body believes that
120 such type, form, or category of sports wagering may
121 undermine the integrity or perceived integrity of the
122 sporting events sponsored by such sports governing body.
123 The commission shall request comment from sports wagering
124 operators on all such requests. After giving due
125 consideration to all comments received, the commission
126 shall, upon a demonstration of good cause from the sports
127 governing body making the request that such type, form, or
128 category of sports wagering is likely to undermine the
129 integrity or perceived integrity of such sports governing
130 body or its sporting events, grant the request. The
131 commission shall respond to a request concerning a
132 particular event before the start of such event, or if it is
133 not feasible to respond before the start of such event, no
134 later than seven days after the request is made. If the
135 commission determines that the sports governing body making
136 the request is more likely than not to prevail in
137 successfully demonstrating good cause for its request, the
138 commission may provisionally grant the request of the sports
139 governing body until the commission makes a final
140 determination as to whether the sports governing body making
141 the request has demonstrated good cause. Absent such a
142 provisional grant by the commission, sports wagering
143 operators may continue to offer sports wagering on sporting
144 events that are the subject of such a request during the

145 pendency of the commission's consideration of the applicable
146 request.

147 (2) (a) No sports wager shall be placed on the
148 performance or nonperformance of any individual athlete
149 participating in a single game or match of a collegiate
150 sporting event in which a collegiate team from this state is
151 a participant.

152 (b) A certificate holder shall not offer any sports
153 wagers on any high school athletic or sporting event in
154 which a high school team from this state is a participant,
155 or on the individual performance statistics of an athlete in
156 a high school athletic or sporting event in which a high
157 school team from this state is a participant.

158 5. The commission and certificate holders shall
159 cooperate with investigations conducted by law enforcement
160 agencies, including by providing or facilitating the
161 provision of betting information and audio or video files
162 relating to persons placing sports wagers.

163 6. A certificate holder shall, within a commercially
164 reasonable time frame or as soon as possible, report to the
165 commission any information relating to:

166 (1) Criminal or disciplinary proceedings commenced
167 against the certificate holder in connection with its
168 operations;

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

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

173 (4) Any potential breach of the relevant sports
174 governing body's internal rules and codes of conduct
175 pertaining to sports wagering that are known to the
176 certificate holder;

177 (5) Any other conduct that corrupts the wagering
178 outcome of a sporting event or events for purposes of
179 financial gain, including match fixing; and

180 (6) Suspicious or illegal wagering activities,
181 including using funds derived from illegal activity,
182 wagering to conceal or launder funds derived from illegal
183 activity, using agents to place wagers, and using false
184 identification.

185 7. A certificate holder shall immediately report
186 information relating to conduct described in subdivisions
187 (3) to (5) of subsection 3 of this section to the relevant
188 sports governing body.

189 8. A certificate holder shall maintain the
190 confidentiality of information provided by a sports
191 governing body to the certificate holder unless disclosure
192 is required by court order, the commission, or any other
193 provision of law.

194 9. (1) Certificate holders may use any data source to
195 determine the results of tier one sports wagers.

196 (2) Certificate holders shall use official league data
197 to determine the results of tier two wagers, unless the
198 certificate holder can demonstrate to the commission that
199 the sports governing body or its designee cannot provide a
200 feed of official league data to the certificate holder on
201 commercially reasonable terms.

202 (3) Certificate holders shall not purchase or utilize
203 any personal biometric data of an athlete unless the
204 certificate holder has received written permission from the
205 athlete's exclusive bargaining representative.

313.1016. 1. A certificate holder, for bets and
2 wagers that exceed ten thousand dollars in a twenty-four-
3 hour period and that were placed in person by a patron,

4 shall maintain the following records for a period of at
5 least 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.

32 4. Sports wagering operators shall use commercially
33 reasonable efforts to maintain in real time and at the
34 account level, anonymized information regarding a bettor,
35 amount and type of bet, the time the bet was placed, the

36 location of the bet, including the IP address if applicable,
37 the outcome of the bet, and records of abnormal betting
38 activity. The commission may request such information in
39 the form and manner as required by rule of the commission.
40 Nothing in this subsection shall require a sports wagering
41 operator to provide any information that is prohibited by
42 federal, state, or local laws or regulations, including,
43 without limitation, laws and regulations relating to privacy
44 and personally identifiable information.

45 5. If a sports governing body has notified the
46 commission that access to the information required by this
47 section for wagers placed on sporting events of such sports
48 governing body is necessary to monitor the integrity of such
49 sports governing body's sporting events, and represents to
50 the commission that it specifically uses such data for the
51 purpose of monitoring the integrity of sporting events of
52 such sports governing body, then sports wagering operators
53 shall share, in a commercially reasonable frequency, form,
54 and manner, with the sports governing body or its designee
55 the same information the sports wagering operator is
56 required to maintain under this section with respect to
57 sports wagers on sporting events of such sports governing
58 body. Sports governing bodies and their designees shall
59 only use information received under this section for
60 integrity-monitoring purposes and shall not use information
61 received under this section for any commercial or other
62 purpose. Nothing in this section shall require a sports
63 wagering operator to provide any information that is
64 prohibited by federal, state, or local laws or regulations,
65 including, without limitation, laws and regulations relating
66 to privacy and personally identifiable information.

313.1018. 1. The performance of any act required, or
2 the forbearance of any act prohibited, by sections 313.1000
3 to 313.1024, 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 313.1024, and is not liable for refusing to disclose
10 information unless required under sections 313.1000 to
11 313.1024.

12 3. Any person, firm, corporation, association, agent,
13 or employee who knowingly violates any procedure implemented
14 under sections 313.1000 to 313.1024 shall be liable for a
15 civil penalty of not more than five thousand dollars for
16 each violation, not to exceed fifty thousand dollars for
17 violations arising out of the same transaction or
18 occurrence, which shall accrue to the state and may be
19 recovered in a civil action brought by the commission. Any
20 licensee who violates any provision under sections 313.1000
21 to 313.1024 shall be subject to the actions and penalties
22 provided under subdivision (6) of section 313.805, excluding
23 any financial penalties in excess of those provided under
24 this subsection.

25 4. (1) Any person, firm, corporation, association,
26 agent, or employee shall be guilty of a class E felony for:

27 (a) Placing, or causing to be placed, a bet or wager
28 on the basis of material nonpublic information relating to
29 that bet or wager; or

30 (b) Knowingly engaging in, facilitating, or concealing
31 conduct that intends to improperly influence a betting

32 outcome of a sporting event for purposes of financial gain,
33 in connection with betting or wagering on a sporting event.

34 (2) For the purposes of this subsection, a bet or
35 wager shall be "on the basis of material nonpublic
36 information" if the person placing the bet or wager, or
37 causing it to be placed, was aware of the material nonpublic
38 information when such person placed the bet or wager or
39 caused it to be placed. The term "material nonpublic
40 information" shall include personal biometric data.

313.1021. 1. A wagering tax equal to the rate imposed
2 pursuant to section 313.822 is imposed on the adjusted gross
3 receipts received from sports wagering conducted by a
4 certificate holder under sections 313.1000 to 313.1024. If
5 a third party is contracted 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 fifty 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 313.1024, and
30 on each annual anniversary date thereafter. The commission
31 shall deposit the administrative fees received under this
32 subsection in the gaming commission fund and shall
33 distribute such fees according to section 313.835.

34 (2) In addition to the annual administrative fee
35 required under this subsection, a certificate holder shall
36 pay to the commission a fee of ten thousand dollars to cover
37 the costs of a full reinvestigation of the certificate
38 holder in the fifth year after the date on which the
39 certificate holder commences sports wagering operations
40 under sections 313.1000 to 313.1024 and on each fifth year
41 thereafter. The commission shall deposit the fees received
42 under this subdivision in the gaming commission fund and
43 shall distribute such fees according to section 313.835.

313.1022. All sports wagers authorized under sections
2 313.1000 to 313.1024 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 313.1024 shall
10 not determine the location or locations in which such wager
11 is initiated, received, or otherwise made.

313.1024. 1. (1) The commission shall establish a
2 hotline or other method of communication that allows any
3 person to confidentially report information about any
4 conduct that the person believes constitutes a violation of
5 the provisions of sections 313.1000 to 313.1024.

6 (2) The commission shall investigate all reasonable
7 allegations and shall refer any allegations that it deems
8 credible to the appropriate law enforcement entity.

9 (3) The identity of any reporting person shall remain
10 confidential unless such person authorizes disclosure of his
11 or her identity or until such time as the allegation of
12 conduct in violation of sections 313.1000 to 313.1024 is
13 referred to law enforcement.

14 (4) If the commission receives a complaint involving
15 an athlete, referee, owner, or any other person affiliated
16 in any way with a sports governing body, the commission
17 shall notify the appropriate sports governing body.

18 (5) The commission shall promulgate rules to implement
19 the provisions of this subsection. Any rule or portion of a
20 rule, as that term is defined in section 536.010, that is
21 created under the authority delegated in this section shall
22 become effective only if it complies with and is subject to
23 all of the provisions of chapter 536 and, if applicable,
24 section 536.028. This section and chapter 536 are
25 nonseverable and if any of the powers vested with the
26 general assembly pursuant to chapter 536 to review, to delay
27 the effective date, or to disapprove and annul a rule are
28 subsequently held unconstitutional, then the grant of
29 rulemaking authority and any rule proposed or adopted after
30 August 28, 2022, shall be invalid and void.

31 2. A sports wagering operator, sports governing body,
32 professional sports franchise, or higher education

33 institution shall not discharge, demote, suspend, threaten,
34 harass, or in any other manner discriminate against an
35 employee because of any lawful act performed by the employee
36 to provide information, cause information to be provided, or
37 otherwise assist in an investigation regarding any conduct
38 which the employee reasonably believes constitutes a
39 violation of the provisions of sections 313.1000 to 313.1024.

40 3. A person who alleges action or conduct by any
41 person in violation of subsection 2 of this section may seek
42 relief by bringing an action at law or equity in a court of
43 competent jurisdiction.

44 4. In any action brought pursuant to subsection 3 of
45 this section, a court may find that a violation of
46 subsection 2 of this section has occurred and award judgment
47 for the employee only if:

48 (1) The employee demonstrates by a preponderance of
49 the evidence that the actions of the employee to provide
50 information or assist in an investigation were a
51 contributing factor to the discharge or other
52 discrimination; and

53 (2) The employer does not demonstrate, by clear and
54 convincing evidence, that the employer would have taken the
55 same unfavorable personnel action in the absence of behavior.

56 5. An action brought pursuant to subsection 3 of this
57 section shall be commenced not later than one hundred eighty
58 days after the later of:

59 (1) The date on which the violation occurs; or

60 (2) The date on which the employee became aware of the
61 violation.

572.015. Nothing in this chapter prohibits
2 constitutionally authorized activities under Article III,
3 Sections 39(a) to 39(f) of the Missouri Constitution,

4 including a raffle using tickets, a device, or a machine,
5 where a person or persons buy one or more chances from a
6 finite number of draws for a prize. To qualify as a raffle,
7 a machine or device shall be certified as a raffle by an ISO-
8 17025-accredited independent testing laboratory authorized
9 to test similar devices for compliance in at least five
10 jurisdictions.

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