

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY - WEDNESDAY, APRIL 5, 2023

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Senator Williams offered the following prayer:

Eternal God of all the generations, we welcome this festival of freedom with joyful hearts. We have assembled together seeking Your presence. As You redeemed our ancestors from the slavery of Egypt and led them to the land of their inheritance, so have You been our Redeemer and Protector throughout the centuries.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from Nexstar Media Group were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Gannon	Hoskins	Hough	Koenig	Luetkemeyer	May
McCreery	Moon	Mosley	O'Laughlin	Razer	Rizzo	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Carter offered Senate Resolution No. 326, regarding Carl Junction R-I School District, which was adopted.

Senator Bernskoetter and Senator Eslinger offered Senate Resolution No. 327, regarding the Association of Missouri Electric Cooperatives, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 557**, entitled:

An Act to repeal sections 193.015, 193.145, 193.175, 194.010, 194.020, 194.060, 194.070, 194.080, 194.090, 194.100, 194.105, 194.110, and 194.119, RSMo, and to enact in lieu thereof six new sections relating to deceased persons.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 443**, entitled:

An Act to repeal sections 307.173, 307.179, and 307.380, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle safety, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1102**, entitled:

An Act to repeal sections 195.100 and 334.735, RSMo, and to enact in lieu thereof two new sections relating to the labeling of prescriptions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1263**, entitled:

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to protecting Missouri's economy during a shutdown order.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 779**, entitled:

An Act to repeal sections 256.700, 259.080, 260.262, 260.273, 260.380, 260.392, 260.475, 444.768, 444.772, 640.100, 643.079, and 644.057, RSMo, and to enact in lieu thereof thirteen new sections relating to the department of natural resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1152**, entitled:

An Act to repeal sections 204.300, 204.610, 393.320, and 393.1506, RSMo, and to enact in lieu thereof four new sections relating to water systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 178, 179** and **401**, entitled:

An Act to repeal sections 542.525 and 577.800, RSMo, and to enact in lieu thereof six new sections relating to surveillance, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 13**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 13

Relating to the America 250 Missouri Commission.

WHEREAS, the 250th anniversary of the Declaration of Independence and 250th anniversary of the United States of America are approaching in the coming years; and

WHEREAS, such anniversaries are worthy of celebration at both the federal and state levels; and

WHEREAS, in order to effect such a celebration in Missouri, there needs to be a coordinated effort at the state level:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the One Hundred Second General Assembly, First Regular Session, the Senate concurring therein, hereby create the America 250 Missouri Commission; and

BE IT FURTHER RESOLVED that the principal purpose of the Commission shall be to plan, promote, and implement where appropriate public celebrations and commemorations of the 250th anniversary of the Declaration of Independence on July 4, 2026, and the 250th anniversary of the United States of America; and

BE IT FURTHER RESOLVED that the Commission is authorized to cooperate with the United States Semiquincentennial Commission created by Public Law 114-196, other national and state organizations engaged in commemoration and celebration of the United States Semiquincentennial, and other national, regional, state, and local public and private organizations having compatible purposes. It shall encourage various state agencies and organizations to work cooperatively to promote the Semiquincentennial; and

BE IT FURTHER RESOLVED that the Commission shall consider promoting and encouraging as part of its celebratory and commemorative events, electronic media, printed products, symposia, and educational outreach all of the following:

(1) Awareness and understanding of the principles of the Declaration of Independence, of the winning of American independence in the American Revolutionary War, and of the establishment of America's system of constitutional self-government;

(2) Teaching students and increasing public knowledge and appreciation of the breadth of American history and the centuries-long quest for "liberty and justice for all". This includes sharing the stories and contributions of the various people who have populated the land, from indigenous peoples, explorers, British colonists, seekers of religious freedom, enslaved African Americans, and many others who are part of America's stories. This should also include the commemoration of events that occurred in Missouri during the American Revolutionary War period, such as the Battle of Fort San Carlos in what is now the city of St. Louis in 1780;

(3) Advancing the cause of liberty and American self-government and of the meaning of "E Pluribus Unum" ("From many, one"), through promoting civic knowledge and practice, including America's "Charters of Freedom" (the Declaration of Independence, the Constitution, and the Bill of Rights), and the constitutional features of self-government which emphasize the roles of active and engaged good citizens;

(4) Emphasizing the service and sacrifices of veterans of all generations who have secured and preserved American independence and freedom and encouraging Missourians to honor them;

(5) Celebratory and commemorative events and activities throughout the State of Missouri; and

BE IT FURTHER RESOLVED that the membership of the Commission shall consist of fifteen voting members as follows:

(1) The Governor of Missouri or his designee, who shall serve as chair of the Commission;

(2) Two members appointed by the Lieutenant Governor;

(3) Two members appointed by the President Pro Tempore of the Senate, one of whom shall be from each party, and two members appointed by the Speaker of the House of Representatives, one of whom shall be from each party;

(4) Two members who are Missourians serving on the United States Semiquincentennial Commission as certified by the executive officer of that Commission; and

(5) One member who is a representative of the Missouri Society of the Sons of the American Revolution appointed by the Governor;

(6) One member who is a representative of the Missouri State Society Daughters of the American Revolution appointed by the Governor;

(7) Two citizens at large appointed by the Governor;

(8) Two members of the Missouri Historical Society appointed by the Governor; and

BE IT FURTHER RESOLVED members shall serve for the life of the Commission, provided any public official's expiration of his or her term shall create a vacancy, and all vacancies shall be filled in the same manner as originally appointed; and

BE IT FURTHER RESOLVED that the appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state; and

BE IT FURTHER RESOLVED that the Commission shall elect its chair, vice chair and any other officers it deems necessary. A majority of the members shall constitute a quorum to conduct business; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide administrative support for the Commission; and

BE IT FURTHER RESOLVED that the Commission, its members, and any staff assigned to the Commission shall receive reimbursement for their actual and necessary expenses in attending meetings of the Commission, with such reimbursement for the legislative members only coming from the Joint Contingent Fund; and

BE IT FURTHER RESOLVED that the Commission shall terminate by either a majority of the members voting for termination, or by December 31, 2027, whichever occurs first; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 142**, entitled:

An Act to repeal section 301.469, RSMo, and to enact in lieu thereof one new section relating to Missouri conservation heritage foundation license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Luetkemeyer moved that **SB 30** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Luetkemeyer offered **SS** for **SB 30**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 30

An Act to repeal sections 313.800, 313.813, and 313.842, RSMo, and to enact in lieu thereof seventeen new sections relating to sports wagering, with penalty provisions.

Senator Luetkemeyer moved that **SS** for **SB 30** be adopted.

President Kehoe assumed the Chair.

Senator Hough assumed the Chair.

Senator Rowden assumed the Chair.

Senator Bean assumed the Chair.

Senator Fitzwater assumed the Chair.

Senator May offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 30, Page 15, Section 313.1003, Line 6, by striking “and”; and further amend line 9 by inserting immediately after “state” the following: “; **and**”

(3) In any establishment licensed pursuant to chapter 311 to sell liquor by the drink where admission is limited to persons aged twenty-one years or older, provided sports wagering in such establishment is conducted using a sports wagering kiosk”.

Senator May moved that the above amendment be adopted.

Senator May offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 30, Page 1, Line 8, by inserting immediately after “kiosk” the following: “. **Sports wagering conducted pursuant to this subdivision shall be considered a game of skill”.**

Senator May moved that the above amendment be adopted, which motion prevailed.

Senator Rowden assumed the Chair.

Senator May moved that **SA 1**, as amended, be adopted, which motion failed on a standing division vote.

Senator Roberts offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 30, Page 1, In the Title, Line 4, by striking “sports wagering” and inserting in lieu thereof the following: “gaming”; and

Further amend said bill, page 6, Section 313.813, line 12, by inserting after all of said line the following:

“313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of [two] **four** dollars for each person embarking on an excursion gambling boat with a ticket of admission, **with such amount adjusted annually for inflation**. [One dollar] **One-half** of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and [one dollar] **one-half** of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission

tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057 to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.”; and

Further amend the title and enacting clause accordingly.

Senator Roberts moved that the above amendment be adopted, which motion prevailed.

Senator Arthur offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 30, Page 33, Section 313.1021, Line 1, by striking “twelve” and inserting in lieu thereof the following: “**fifteen**”.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator Roberts offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 30, Page 35, Section 313.1022, Line 18, by inserting after all of said line the following:

“3. Any person placing a bet or wager through an interactive sports wagering platform from a location other than on an excursion gambling boat shall be considered as embarked on the excursion gambling boat, as described in section 313.820, when the interactive sports wagering platform accepts the person's first bet or wager. The person may place as many bets or wagers as such person wishes during the ensuing two-hour period. Any bets or wagers placed during any subsequent two-hour period shall be considered as part of a separate admission to the excursion gambling boat, and the fees described in section 313.820 shall be assessed the same as if such person were physically present within the excursion gambling boat during such time period.”.

Senator Roberts moved that the above amendment be adopted.

Senator Hoskins offered SA 1 to SA 4:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Bill No. 30, Page 1, Line 3, by inserting after “3.” the following: “The provisions of this subsection shall be known and may be cited as the “Supporting MO Veterans Homes Act”.”.

Senator Hoskins moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brattin, Eigel, Roberts, and Schroer.

SA 1 to SA 4 was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (26th Dist.)
Carter	Cierpiot	Coleman	Eigel	Eslinger	Fitzwater	Gannon
Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery	Moon
Mosley	O’Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer
Trent	Washington	Williams—31				

NAYS—Senators—None

Absent—Senators

Brown (16th Dist.)	Crawford	Thompson Rehder—3
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Absent with leave—Senators—None

Vacancies—None

Senator Roberts moved that SA 4, as amended, be adopted, which motion prevailed.

Senator Schroer offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 30, Page 1, In the Title, Line 4, by striking “sports wagering” and inserting in lieu thereof the following: “gaming”; and

Further amend said bill, page 7, Section 313.842, line 31, by inserting after all of said line the following:

“313.905. As used in sections 313.900 to 313.955, the following terms shall mean:

- (1) “Authorized internet website”, an internet website or any platform operated by a licensed operator;
- (2) “Commission”, the Missouri gaming commission;
- (3) “Entry fee”, anything of value including, but not limited to, cash or a cash equivalent that a fantasy sports contest operator collects in order to participate in a fantasy sports contest;
- (4) “Fantasy sports contest”, any fantasy or simulated game or contest with an entry fee in which:
 - (a) The value of all prizes and awards offered to the winning participants is established and made known in advance of the contest;

(b) All winning outcomes reflect in part the relative knowledge and skill of the participants and are determined predominantly by the accumulated statistical results of the performance of individuals, including athletes in the case of sports events; and

(c) No winnings outcomes are based on the score, point spread, or any performance of any single actual team or combination of teams or solely on any single performance of an individual athlete or player in any single actual event.

The term “fantasy sports contest” shall also include peer-to-peer fantasy sports contests;

(5) “Fantasy sports contest operator”, any person, entity, or division of a corporate entity that offers a platform for the playing of fantasy contests, administers one or more fantasy contests with an entry fee, and awards a prize of value;

(6) “Highly experienced player”, a person who has either:

(a) Entered more than one thousand contests offered by a single fantasy sports contest operator; or

(b) Won more than three fantasy sports prizes of one thousand dollars or more;

(7) **“In-game outcome”, the result of any play, performance, or other aspect of an athletic or sporting event occurring during the course of such event that is unrelated to the event's outcome;**

(8) “Licensed operator”, a fantasy sports contest operator licensed pursuant to section 313.910 to offer fantasy sports contests for play on an authorized internet website in Missouri;

[(8)] (9) “Location”, the geographical position of a person as determined within a degree of accuracy consistent with generally available internet protocol address locators;

[(9)] (10) “Location percentage”, for all fantasy sports contests, the percentage, rounded to the nearest one-tenth of one percent, of the total entry fees collected from registered players located in the state of Missouri at the time of entry into a fantasy contest, divided by the total entry fees collected from all players, regardless of the players' location, of the fantasy sports contests;

[(10)] (11) “Minor”, any person less than eighteen years of age;

[(11)] (12) “Net revenue”, for all fantasy sports contests, the amount equal to the total entry fees collected from all participants entering such fantasy sports contests less winnings paid to participants in the contests, multiplied by the location percentage;

(13) **“Peer-to-peer fantasy sports contest”, any fantasy or simulated game or contest with an entry fee in which one registered player places a wager with one or more registered players based on the outcome of the contest. Peer-to-peer fantasy sports contests shall include any contest in which:**

(a) **Winning outcomes reflect in part the relative knowledge and skill of the participants and are determined predominantly by the accumulated statistical results of the performance of individuals, including athletes in the case of sports events, and in which no winning outcomes are based on the score, point spread, or any performance of any single actual team or combination of**

teams or solely on any single performance of an individual athlete or player in any single actual event; or

(b) **Winning outcomes are based on the score, point spread, any performance of any single actual team or combination of teams, any single performance of an individual athlete or player in any single actual event, or any in-game outcome;**

[(12)] (14) “Player”, a person who participates in a fantasy sports contest offered by a fantasy sports contest operator;

[(13)] (15) “Prize”, anything of value including, but not limited to, cash or a cash equivalent, contest credits, merchandise, or admission to another contest in which a prize may be awarded. **Such term shall also include winnings from wagers placed in peer-to-peer fantasy sports contests;**

[(14)] (16) “Registered player”, a person registered pursuant to section 313.920 to participate in a fantasy sports contest;

[(15)] (17) “Script”, a list of commands that a fantasy-sports-related computer program can execute to automate processes on a fantasy sports contest platform.

313.915. 1. In order to ensure the protection of registered players, an authorized internet website shall identify the person or entity that is the licensed operator.

2. A licensed operator shall ensure that fantasy sports contests on its authorized internet website comply with all of the following:

(1) All winning outcomes are determined by accumulated statistical results of fully completed contests or events, and not merely any portion thereof, except that fantasy participants may be credited for statistical results accumulated in a suspended or shortened contest or event which has been called on account of weather or other natural or unforeseen event;

(2) Registered players shall not select athletes through an autodraft that does not involve any input or control by a registered player, or to choose preselected teams of athletes;

(3) A prize shall not be offered to or awarded to the winner of, or athletes in, the underlying competition itself; and

(4) Fantasy sports contests shall not be based on the performances of participants in high school or youth athletics.

3. (1) **In addition to the provisions of subsection 2 of this section, a licensed operator shall ensure that wagers placed by registered players in peer-to-peer fantasy sports contests on the licensed operator’s authorized internet website shall comply with any limits placed on such wagers by the licensed operator.**

(2) **In addition to the entry fee for a peer-to-peer fantasy sports contest, a licensed operator shall ensure that wagers placed on such peer-to-peer fantasy sports contest are remitted in advance of the contest, except that wagers placed on in-game outcomes shall be remitted in advance of the in-game outcome on which the wager is placed. Such wagers shall be kept segregated from player funds and operational funds as provided under subsections 5 and 6 of this section.**

(3) A licensed operator shall deposit any wager won by a registered player into such registered player's account as other prizes are deposited under subdivision (4) of subsection 4 of this section.

4. A licensed operator shall have procedures approved by the commission before operating in Missouri that:

(1) Prevent unauthorized withdrawals from a registered player's account by the licensed operator or others;

(2) Make clear that funds in a registered player's account are not the property of the licensed operator and are not available to the licensed operator's creditors;

(3) Segregate player funds from operational funds as provided under subsections [4] 5 and [5] 6 of this section;

(4) Ensure any prize won by a registered player from participating in a fantasy sports contest is deposited into the registered player's account within forty-eight hours or mailed within five business days of winning the prize except as provided under section 313.917;

(5) Ensure registered players can withdraw the funds maintained in their individual accounts, whether such accounts are open or closed, within five business days of the request being made, unless the licensed operator believes in good faith that the registered player engaged in either fraudulent conduct or other conduct that would put the licensed operator in violation of sections 313.900 to 313.955, in which case the licensed operator may decline to honor the request for withdrawal for a reasonable investigatory period until its investigation is resolved if it provides notice of the nature of the investigation to the registered player. For the purposes of this provision, a request for withdrawal will be considered honored if it is processed by the licensed operator but delayed by a payment processor, credit card issuer or by the custodian of a financial account;

(6) Allow a registered player to permanently close their account at any time for any reason; and

(7) Offer registered players access to their play history and account details.

[4.] 5. A properly constituted special purpose entity shall be approved by the commission as a sufficient means of segregating player funds from operational funds **and wagers placed in peer-to-peer fantasy sports contests**. A properly constituted special purpose entity shall:

(1) Have a governing board that includes one or more corporate directors who are independent of the fantasy sports contest operator and of any corporation controlled by the fantasy sports contest operator;

(2) Hold, at a minimum, the sum of all authorized player funds held in player accounts for use in fantasy sports contests;

(3) Reasonably protect the funds against claims of the operator's creditors other than the authorized players for whose benefit and protection the special purpose entity is established;

(4) Distribute funds only for the following purposes:

(a) For player account balance withdrawals or partial balance withdrawals made upon the specific request of the player;

(b) For income earned on the account, and owed to the fantasy sports operator, calculated as the remainder of all entry fees paid by users for fantasy sports contests minus all user winnings and cash bonuses paid or owed to users, payable to the fantasy sports contest operator;

(c) To the Missouri gaming commission in the event that the fantasy sports operator's license expires, is surrendered, or is otherwise revoked. The Missouri gaming commission may interplead the funds in the Cole County circuit court for distribution to the authorized players for whose protection and benefit the account was established and to other such persons as the court determines are entitled thereto, or shall take such other steps as necessary to effect the proper distribution of the funds, or may do both; or

(d) As authorized in writing in advance by any agreement approved by the Missouri gaming commission;

(5) Require a unanimous vote of all corporate directors to file bankruptcy;

(6) Obtain permission from the Missouri gaming commission prior to filing bankruptcy or entering into receivership;

(7) Have corporate governance requirements which prohibit commingling of funds with that of the fantasy sports contest operator except as necessary to reconcile the accounts of players with sums owed by those players to the fantasy sports contest operator;

(8) Be restricted from incurring debt other than to fantasy sports players under the rules that govern their accounts for contests;

(9) Be restricted from taking on obligations of the fantasy sports contest operator other than obligations to players under the rules that govern their accounts for contests; and

(10) Be prohibited from dissolving, merging, or consolidating with another company without the written approval of the Missouri gaming commission while there are unsatisfied obligations to fantasy sports contest players.

[5.] **6.** The commission, at its discretion, may approve other commercially reasonable approaches to segregation of funds so long as they adequately protect Missouri player accounts.

[6.] **7.** A licensed operator shall establish procedures for a registered player to report complaints to the licensed operator regarding whether his or her account has been misallocated, compromised, or otherwise mishandled, and a procedure for the licensed operator to respond to those complaints.

[7.] **8.** A registered player who believes his or her account has been misallocated, compromised, or otherwise mishandled should notify the commission. Upon notification, the commission may investigate the claim and may take any action the commission deems appropriate under subdivision (4) of section 313.950.

[8.] **9.** A licensed operator shall not issue credit to a registered player.

[9.] **10.** A licensed operator shall not allow a registered player to establish more than one account or user name on its authorized internet website.”; and

Further amend the title and enacting clause accordingly.

Senator Schroer moved that the above amendment be adopted, which motion prevailed.

Senator Washington offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Bill No. 30, Page 12, Section 313.1000, Line 152, by inserting after “(22)” the following: “**“Players association”, a professional sports association recognized by a sports governing body that represents professional athletes;**

(23)”; and further amend by renumbering the remaining subdivisions accordingly; and

Further amend said bill, page 20, Section 313.1004, line 144, by inserting after “body” the following: “**and players association**”; and

Further amend said bill, page 31, section 313.1014, line 126 by inserting after “body” the following: “**and players association**”; and further amend line 132 by inserting after “body” the following: “**or players association**”; and further amend line 135 by inserting after “body” the following: “**or association**”; and further amend line 138 by inserting after “body” the following: “**or players association**”.

Senator Washington moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Moon offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Bill No. 30, Page 35, Section 313.1022, Line 18, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2024, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”; and

Further amend the title and enacting clause accordingly.

Senator Moon moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Fitzwater assumed the Chair.

Senator Brattin offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Bill No. 30, Page 18, Section 313.1004, Lines 85-107, by striking all of said lines; and

Further amend said bill and section, page 19, lines 108-124, by striking all of said lines and inserting in lieu thereof the following:

“4. A sports wagering operator may use any data source for settling tier 2 bets.”.

Senator Brattin moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schroer offered **SA 9**, which was read:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Bill No. 30, Page 12, Section 313.1000, Line 158, by inserting immediately after “Association,” the following: **“the XFL, Major League Rugby,”**.

Senator Schroer moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Eigel offered **SA 10**, which was read:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Bill No. 30, Page 34, Section 313.1021, Line 47, by striking “one” and inserting in lieu thereof the following: **“five”**.

Senator Eigel moved that the above amendment be adopted.

At the request of Senator Eigel, **SA 10** was withdrawn.

Senator Schroer offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Bill No. 30, Page 1, Section A, Line 6, by inserting after all of said line the following:

“313.425. Sections 313.425 to 313.437 shall be known and may be cited as the “Honoring Missouri Veterans and Supporting Missouri Education Act” and shall provide additional funding for Missouri education programs and the Missouri veterans commission by establishing a licensing and regulatory framework under the control of the commission for the use of video lottery terminals to conduct lottery games.

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

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

(2) “Commission” or “lottery commission”, the body appointed by the governor to manage and oversee the lottery under section 313.215;

(3) “Fraternal organization”, any organization within this state operating under the lodge system which exists for the common benefit, brotherhood, or other interest of its members, except college fraternities and sororities, of which no part of the net earnings inures to the benefit of any private shareholder or any individual member of such organization, which has been exempted from the payment of federal income tax, and which derives its charter from a national fraternal organization which regularly meets;

(4) “Truck stop”, a location that provides parking and is equipped for fueling commercial vehicles, that has sold on average ten thousand gallons of diesel or biodiesel fuel each month for the previous twelve months or is projected to sell an average of ten thousand gallons of diesel or biodiesel fuel each month for the next twelve months, and that obtains and maintains a lottery game retailer license issued by the commission;

(5) “Veterans' organization”, a post or organization of veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization organized in the United States or any of its possessions in which at least seventy-five percent of the members are veterans of the United States Armed Forces and substantially all of the other members are individuals who are veterans or are cadets, or are spouses, widows, or widowers of war veterans of such individuals, in which no part of the net earnings inures to the benefit of any private shareholder or individual, and which has been exempted from payment of federal income taxes;

(6) “Video lottery game”, any lottery game approved by the commission for play on an approved video lottery game terminal using video lottery game terminal credits that have been purchased with cash, cash equivalents, or with a winning video lottery game terminal ticket;

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

(8) “Video lottery game handler”, a person employed by a licensed video lottery game operator and who is licensed by the commission to handle, place, operate, and service video lottery game terminals and associated equipment;

(9) “Video lottery game manufacturer” or “distributor”, any person licensed by the commission that manufactures video lottery game terminals or major parts and components for video lottery game terminals as approved by the commission for sale to licensed video lottery game operators, or a person licensed by the commission to distribute or service video lottery game terminals or major parts and components of video lottery game terminals including buying, selling, leasing, renting, or financing new, used, or refurbished video lottery game terminals to and from licensed video lottery game manufacturers and licensed video lottery game operators;

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

(11) “Video lottery game retailer”, a retail establishment meeting the requirements of a lottery game retailer under section 313.260, that secures and maintains a license issued by the commission to conduct video lottery games played on a video lottery game terminal or terminals and that is a

fraternal organization, veterans organization, truck stop, or business entity licensed under chapter 311 to sell liquor by the drink;

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

(13) “Video lottery game terminal credit”, credits either purchased or won on a video lottery game terminal by a player that may be used to play video lottery games and that may be converted into a video lottery game ticket;

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

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

313.429. 1. (1) Except as provided in subdivision (2) of this subsection, the commission shall implement a system of video lottery game terminals utilizing a licensing structure for processing license applications and issuing licenses to video lottery game manufacturers, video lottery game distributors, video lottery game operators, video lottery game handlers, and video lottery game retailers for the conduct of lottery games utilizing video lottery game terminals within the state.

(2) No person licensed as a:

(a) Video lottery game manufacturer or a video lottery game distributor shall be issued a license as a video lottery game operator or a video lottery game retailer;

(b) Video lottery game operator shall be issued a license as a video lottery game manufacturer, a video lottery game distributor, or a video lottery game retailer; and

(c) Video lottery game retailer shall be issued a license as a video lottery game manufacturer, a video lottery game distributor, or a video lottery game operator.

(3) Nothing in this subsection shall prevent a video lottery game manufacturer from obtaining a video lottery game manufacturer's license and a video lottery game distributor's license and providing and operating the centralized computer system for monitoring video lottery game terminals.

2. Under no circumstances shall the commission:

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

(2) Allow a single licensed video lottery game operator to control or operate more than twenty-five percent of video lottery game terminals in the state after December 31, 2027.

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

(a) For video lottery game manufacturers, video lottery game distributors, and video lottery game operators, no more than twenty-five thousand dollars;

(b) For video lottery game retailer establishments, no more than one thousand dollars; or

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

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

(a) Five thousand dollars for video lottery game manufacturers, video lottery game distributors, and video lottery game operators;

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

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

(3) In addition to the license fees required in subdivisions (1) and (2) of this subsection, an annual administrative fee of three hundred dollars shall be paid for each video lottery game terminal placed in service. Such administrative fee shall be equally divided and paid by the video lottery game operator and the video lottery game retailer to the commission once a year and deposited in the state lottery fund and distributed to the veterans' commission capital improvement trust fund created in section 42.300.

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

4. No license shall be issued to any person, and no person shall be allowed to serve as a sales agent, who has been convicted of a felony or a crime involving illegal gambling. Sales agents shall be registered with the commission by a licensed video lottery game operator, and shall not solicit or enter into any contract with a video lottery game retailer prior to such retailer being licensed to conduct video lottery games on video lottery game terminals.

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

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

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

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

7. (1) Licensed video lottery game operators:

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

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

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

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

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

(3) Licensed video lottery game operators and licensed video lottery game retailers shall enter into a written agreement for the placement of video lottery game terminals. The agreement shall be on a form approved by the commission and shall specify an equal division of adjusted gross receipts after adjustments for taxes and administrative fees are made, shall have a minimum term of five years and a maximum term of ten years, and shall be renewable for a term of a minimum of five additional years. A video lottery game operator shall be responsible for remitting to the commission and the video lottery game retailer its share of adjusted gross receipts. Nothing in this subdivision shall prohibit a licensed video lottery game operator from entering into an agreement with a sales agent for retailer agreements, provided such agreement is in writing and approved by the commission prior to beginning sales activities and prior to the start date established pursuant to section 313.431. Video lottery game operators and their sales agents and affiliates and video lottery game retailers are specifically prohibited from offering anything of value, other than the percentage of adjusted gross receipts provided under this subsection, or entering into an agreement with a retailer prior to the start date for the initial or continued placement of video lottery game terminals, except that a video lottery game operator may pay for construction of a video lottery game terminal area inside the premises of a video lottery game retailer. Contract agreements entered into prior to the start date established pursuant to section 313.431 between a prospective video lottery game terminal operator or sales agent with a prospective video lottery game retailer shall be invalid.

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

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

8. No licensed video lottery game operator shall:

(1) Offer video lottery gaming terminals that directly dispense anything of value except for tickets for winning plays. Tickets shall be dispensed by pressing the ticket dispensing button on the video lottery gaming terminal at the end of any video lottery game play. The ticket shall indicate the total amount of video lottery game terminal credits and the cash award, the time of day in a twenty-four-hour format showing hours and minutes, the date, the terminal serial number, the sequential number of the ticket, and an encrypted validation number from which the validity of the prize may be determined. The price of video lottery game terminal credits shall be determined by the commission. The maximum wager played per video lottery game shall not exceed five dollars. The maximum prize payoff for a winning maximum wager for a single game play shall be no more than one thousand one-hundred dollars, or the maximum amount allowable by federal law before tax withholding is required for a single game-winning play;

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

(3) Operate more than three video lottery game terminals per location on the premises of any business entity licensed as a video lottery game retailer that is not a fraternal organization, veterans organization, or truck stop;

(4) Advertise video lottery games outside of a licensed video lottery game retailer's establishment through any media outlets or direct mail or telephone solicitations. The advertising prohibition contained in this subdivision shall apply to all licensees including, but not limited to, video lottery game manufacturers, video lottery game distributors, video lottery game operators, video lottery game retailers, and video lottery game handlers; except that, a video lottery game retailer or operator may participate in an advertising program that is promoted through and sponsored by the state lottery and may advertise in or on the outside of the establishment's building and parking lot. A video lottery game operator may pay no more than two thousand dollars annually for the cost of such advertising at a retailer establishment; or

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

9. (1) No person under twenty-one years of age shall play video lottery games, and such video lottery game terminals shall be under the supervision of a person that is at least twenty-one years of age to prevent persons under twenty-one years of age from playing video lottery games. Video lottery game terminals shall be placed in a fully enclosed room that is continually monitored by video surveillance and where access to persons under twenty-one years of age is denied by a procedure approved by the commission. A warning sign shall be posted in a conspicuous location where such video lottery game terminals are located, containing in red lettering at least one-half inch high on a white background the following:

“YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY VIDEO LOTTERY GAMES”.

(2) In addition to the placement and supervision requirements of this subsection, video surveillance footage in the immediate area of the video lottery game retailer's establishment where video lottery game terminals are located shall be reviewed by video lottery game operators as required by the commission for any violation of law, rules, or regulations governing the conduct of video lottery games and shall be made available to the commission upon request. A video lottery game operator that fails to report any known violation of law, rules, or regulations governing the conduct of video lottery games in conformance with established commission procedures may be subject to an administrative fine not to exceed five thousand dollars. Any video lottery game retailer that fails to report any known violation of law, rules, or regulations governing the conduct of video lottery games in conformance with established commission procedures may be subject to an administrative fine not to exceed five thousand dollars. In the event a video lottery game operator or retailer is found to have knowingly committed a violation governing the conduct of video lottery games, the commission may impose an administrative fine not to exceed five thousand dollars, suspend such operator's or retailer's license for up to thirty days, or, in the case of repeated violations, revoke such operator's or retailer's license for a period of one year. Any video lottery

game operator or retailer aggrieved by the commission's decision in any disciplinary action that results in the suspension or revocation of such operator's or retailer's video lottery game license may appeal such decision by filing an action in circuit court.

(3) Video lottery game retailers shall provide an intrusion detection system capable of detecting unauthorized entrance of the video lottery game retailer's establishment during nonbusiness hours and shall report to the commission any unauthorized entrance of the video lottery game retailer's establishment. Such surveillance and intrusion detection system shall meet specifications as defined by the commission.

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

10. (1) Video lottery game operators shall pay the commission thirty-six percent of the video lottery game adjusted gross receipts, which shall be deposited in the state lottery fund. The commission shall transfer, subject to appropriation, the amount received from the operator from the lottery fund to the lottery proceeds fund after administrative expenses equal to four percent of the video lottery game adjusted gross receipts are paid to the municipality where a licensed video lottery game retailer maintains an establishment licensed for the operation of video lottery game terminals, or if such licensed establishment is not located within the corporate boundaries of a municipality, then to the county where such licensed establishment is located to reimburse such municipality or county for administrative expenses, and any administrative expenses for the commission that are not covered by reimbursements from operators are deducted. Net proceeds transferred to the lottery proceeds fund shall be appropriated equally to public elementary and secondary education and public institutions of higher education with an emphasis on funding early childhood education and care programs and public institutions of higher education workforce development programs, and programs benefitting Missouri military veterans.

(2) Video lottery game operators shall retain the remainder of the video lottery game adjusted gross receipts as compensation after the payment required in subdivision (1) of this subsection has been made to the state lottery fund, and shall pay video lottery game retailers a commission equal to one-half of the adjusted gross receipts retained by the video lottery game operator as compensation based on video lottery game plays at such retailer's establishment.

11. All revenues received by the commission from license fees and any reimbursements associated with the administration of the provisions of sections 313.425 to 313.437, and all interest earned thereon, shall be considered administrative expenses and shall be deposited in the state lottery fund. Moneys deposited into the state lottery fund from license fees and any reimbursements of commission administrative expenses to administer sections 313.425 to 313.437 shall be considered administrative expenses and shall not be considered net proceeds pursuant to Article III, Section 39(b) of the Missouri Constitution. Subject to appropriation, up to one percent of such license fees shall be deposited to the credit of the compulsive gamblers fund created under section 313.842. The remainder of the money deposited in the state lottery fund from video lottery game license fees and any reimbursements of commission administrative expenses to enforce sections 313.425 to 313.437

shall, subject to appropriation, be used for administrative expenses associated with supervising and enforcing the provisions of sections 313.425 to 313.437.

12. The commission shall contract with the Missouri gaming commission and with a state law enforcement entity to assist in conducting background investigations of video lottery game applicants, and for the administration and enforcement of sections 313.425 to 313.437.

13. A video lottery game licensee suspected of a violation of sections 313.425 to 313.437 shall be afforded an administrative hearing by the director of the state lottery on the record, and an appeal of any action taken to impose a fine on such licensee shall be to the commission. Any such administrative suspension or revocation upheld by the commission may be appealed by the video lottery game licensee in a state court of competent jurisdiction.

14. The commission shall adopt rules for the implementation of the video lottery game system authorized under sections 313.425 to 313.437, including, but not limited to, the placement of video lottery terminals within a retail establishment and for the active oversight of the conduct of video lottery games. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

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

(1) Contract for the supply and operation of a centralized computer system for video lottery games no later than one hundred eighty days after the effective date of this act;

(2) Make license applications for video lottery game manufacturers, video lottery game distributors, video lottery game operators, video lottery game retailers, and video lottery game handlers available to applicants and accept such applicants and promulgate any emergency or regular rules and regulations needed for the implementation of the video lottery system authorized under sections 313.425 to 313.437 no later than one hundred eighty days after the effective date of this act;

(3) Issue an approved form for persons applying for a video lottery game terminal operator's license available for use in contracting with a video lottery game retailer no later than one hundred eighty days after the effective date of this act;

(4) Establish a start date no later than July 1, 2024, once applications and the approved form contract are made available, whereby any person seeking a license as a video lottery game operator that has applied for a license to be a video lottery game terminal operator, has paid the initial license fee, and satisfactorily completed a background investigation, may begin soliciting contracts with prospective video lottery game retailers for the placement of video lottery game terminals. Such start date shall be set no more than sixty days after applications are made available; and

(5) Approve or deny any completed video lottery game retailer establishment application no more than ninety days after such an application has been received.

The system of video lottery games authorized pursuant to sections 313.425 to 313.437 shall commence no earlier than January 15, 2025, and no later than July 1, 2025.

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

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

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

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

313.435. 1. A municipality may adopt an ordinance prohibiting video lottery game terminals within the limits of such municipality within one hundred eighty days from the effective date of this act.

2. A county commission may, for the unincorporated area of the county, adopt an ordinance prohibiting video lottery game terminals within the unincorporated area of such county within one hundred eighty days from the effective date of this act.

3. Any municipality or county adopting an ordinance that disallows the licensing of video lottery game retailers shall notify the commission of such action and provide a certified copy of such ordinance to the commission. Upon receiving such notification and ordinance, the commission shall not license video lottery game retailers within such area covered by such municipal or county ordinance.

4. Any such municipality or county that has opted to prohibit the use of video lottery game terminals to play video lottery games may repeal such ordinance, and upon such repeal and notification of such repeal, the commission may license video lottery game retailers within such municipality or county to conduct video lottery games.

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

Further amend said bill, page 35, section 313.1022, line 18, by inserting after all of said line the following:

“572.015. Nothing in this chapter prohibits constitutionally authorized activities under Article III, Sections 39(a) to 39(f) of the Missouri Constitution, **including a raffle using tickets, a device, or a machine where a person buys chances from a finite number of draws for a prize; provided that it can be proved by an engineering opinion from an independent testing laboratory accredited under ISO standard 17025 that the determination of a winner by the electronic device or machine is from draws of numbered tickets in electronic form from a finite deal thereof.**”; and

Further amend the title and enacting clause accordingly.

Senator Schroer moved that the above amendment be adopted.

Senator Luetkemeyer requested a roll call vote be taken. He was joined in his request by Senators Beck, Crawford, Eslinger, and Rowden.

Senator Bernskoetter assumed the Chair.

Senator Fitzwater assumed the Chair.

Senator May offered SA 1 to SA 11:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 11

Amend Senate Amendment No. 11 to Senate Substitute for Senate Bill No. 30, Page 9, Section 313.429, Lines 271-272, by striking said lines and inserting in lieu thereof the following: **“commission and shall specify a freely negotiated and agreed upon division of adjusted gross receipts between the video lottery game operator and the video lottery game retailer after adjustments for taxes and”**.

Senator May moved that the above amendment be adopted, which motion prevailed.

Senator Schroer offered SA 2 to SA 11:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 11

Amend Senate Amendment No. 11 to Senate Substitute for Senate Bill No. 30, Page 7, Section 313.429, Lines 213-214, by striking “or a crime involving illegal gambling”.

Senator Schroer moved that the above amendment be adopted, which motion prevailed.

SA 11, as amended, failed of adoption by the following vote:

YEAS—Senators

Brown (26th Dist.)	Carter	Coleman	Eigel	Hoskins	Koenig	May
Rizzo	Schroer	Trent	Williams—11			

NAYS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brown (16th Dist.)	Crawford
Eslinger	Fitzwater	Gannon	Hough	Luetkemeyer	McCreery	Mosley
O’Laughlin	Razer	Roberts	Rowden	Thompson Rehder	Washington—20	

Absent—Senators

Brattin	Cierpiot	Moon—3
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Absent with leave—Senators—None

Vacancies—None

Senator Hoskins offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Bill No. 30, Page 34, Section 313.1021, Line 47, by striking “one” and inserting in lieu thereof the following: “**ten**”.

Senator Hoskins moved that the above amendment be adopted.

At the request of Senator Luetkemeyer, **SB 30**, with **SS**, and **SA 12** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 906**, entitled:

An Act to repeal sections 701.336, 701.340, 701.342, 701.344, and 701.348, RSMo, and to enact in lieu thereof five new sections relating to lead poisoning.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCRs 21 & 22**.

**HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTIONS NOS. 21 and 22**

WHEREAS, between 1942 to 1966, the United States Government produced, in secrecy and without proper protective measures, 300,000 tons of uranium in St. Louis City and St. Charles County as part of the Manhattan Project to produce the atomic bomb; and

WHEREAS, in the mid-1950s, the property that was next to Francis Howell High School was transferred to the United States Atomic Energy Commission (AEC); and

WHEREAS, from 1957 to 1966, the AEC operated a uranium processing facility at that site. Impure ore concentrates and some scrap metal were processed at the plant. Other radioactive wastes were disposed of in the quarry in Weldon Spring by the AEC. The operation produced 16,000 tons of uranium annually; and

WHEREAS, Francis Howell High School was in operation when the United States Government hid its uranium processing plant from the enemy by operating next to the school from 1957 to 1966; and

WHEREAS, in the 1990s, despite initial concern from school administration and parents that Francis Howell High School be relocated during cleanup efforts, Francis Howell High School remained in operation while the cleanup was conducted by the United States Department of Energy. Documents detail the public relations efforts the Department of Energy took to ease local concern for fear that relocation efforts would slow down the cleanup and risk the safety of the drinking water for 70,000 residents because the mixed hazardous and radioactive material in the quarry were starting to leach toward wellfields; and

WHEREAS, the United States Government damaged property and harmed residents of St. Louis, North St. Louis County, and St. Charles County through the improper handling of 2.3 million cubic yards of mixed radioactive contamination during the nation's race to produce the atomic bomb in World War II and from the subsequent push to make more nuclear weapons during the Cold War; and

WHEREAS, the United States Government publicly admitted to exposing atomic bomb workers to radioactive waste without the workers' knowledge or consent and failing to provide atomic bomb workers with proper protective gear; and

WHEREAS, in 2000, the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) was passed, and employees of the Department of Energy have been paid out over \$284,200,840 in EEOICPA benefits in Missouri alone; and

WHEREAS, despite the Department of Energy's data regarding illnesses for atomic bomb workers, residents of Coldwater Creek, St. Louis City, and North St. Louis County and students, faculty, and nearby residents of Francis Howell High School have suffered from the same illnesses and diseases as the atomic bomb workers and have died without regard or accountability; and

WHEREAS, Missourians have been made ill, due to the Manhattan Project, through inhalation from smokestack emissions, exposure to radiation, and contact made with contaminated quarries, creeks, and groundwater; and

WHEREAS, Missourians are reporting diseases and cancers related to chronic exposure to ionizing radiation and exposure to chemical war waste that clearly match diseases documented by the Centers for Disease Control and Prevention, Environmental Protection Agency, Agency for Toxic Substance and Disease Registry, Department of Justice, and Department of Veterans Affairs; and

WHEREAS, radioactive waste was not stored in a sufficiently protective manner at the St. Louis Airport Storage (SLAPS) on Latty Avenue, which resulted in the washing of radioactive material into Coldwater Creek. The creek carried such radioactive material into North St. Louis County, contaminating much of the area around the creek where children play. Heavy rains have caused the creek to flood into the yards and basements of residents in that area; and

WHEREAS, in 1973, approximately 47,000 tons of that same radioactive waste was illegally dumped into the West Lake Landfill in Bridgeton; and

WHEREAS, during the 1950s and 1960s, as part of a series of Cold War experiments, the United States Army selected St. Louis as one of the cities singled out for heavy-duty testing during Operation Large Area Coverage. Testing was conducted throughout the Pruitt-Igoe housing project located northwest of downtown St. Louis; and

WHEREAS, the Weldon Spring Site, which is located in St. Charles County and approximately 30 miles west of St. Louis, was the largest explosive production site erected and established by the United States Government in 1941 for the purposes of producing trinitrotoluene (TNT) and dinitrotoluene (DNT). It consisted of two distinct areas, the chemical plant and the quarry. The Army used the quarry for disposal of rubble contaminated with TNT; and

WHEREAS, the Manhattan Project-era atomic programs produced and left behind vast quantities of chemical contaminants that include, but are not limited to, antimony, arsenic, cadmium, calcium hydroxide, chromium, ethylene glycol, friable and nonfriable asbestos-containing material, heavy metals, hydrofluoric acid, magnesium, magnesium fluoride, manganese, mercury, molybdenum, nickel, nitrates, nitric acid, nitroaromatics, perchloric acid, polychlorinated biphenyls (PCBs), polyaromatic hydrocarbons, potassium hydroxide, selenium, sodium hydroxide, sulfates, tetrachloroethylene, tributyl phosphate, and zinc. Radiological contaminants identified at the site were radium, thorium, and uranium; and

WHEREAS, the aforementioned activities of the United States Government in Missouri have had a deleterious effect on the environment of this state and have resulted in the contamination of the surface water and groundwater of a large geographic area in Missouri with radioactive and other hazardous and toxic contaminants:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the One Hundred Second General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Missouri Attorney General, the Missouri Department of Natural Resources, and the Missouri Department of Health and Senior Services to conduct a joint investigation into whether the State of Missouri and its residents could potentially receive monetary compensation from the United States Government for contamination of the environment in Missouri with radioactive and other hazardous contaminants as a result of the production of military explosive weapons and nuclear weapons, dumping contaminants and equipment, and other activities conducted by the United States Government in Missouri, to the extent that conducting such an investigation will cost the Attorney General, Department of Natural Resources, and Department of Health and Senior Services no additional moneys or resources; and

BE IT FURTHER RESOLVED that the Missouri Attorney General report the results of the investigation, if any, to the members of the General Assembly by December 31, 2023; and

BE IT FURTHER RESOLVED that the General Assembly requests that the Missouri Congressional delegation expand the Radiation Exposure Compensation Act or other current or newly created federally funded compensation program to include Missouri residents exposed

to nuclear waste from the Manhattan Project and look for additional funding opportunities for education for medical providers, health screenings for residents exposed to nuclear waste from such project, and medical care necessitated by such exposure; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Attorney General, the directors of the Department of Natural Resources and the Department of Health and Senior Services, and each member of Missouri's Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, Missourians for Transportation Investment Executive Director, Jeff W. Glenn; and members.

Senator Mosley introduced to the Senate, Madison Cantrell; Samuel Brody; and Kaitlyn Olvera.

Senator Schroer introduced to the Senate, Whitney, Aiden, and Daylin Fossum, Dardenne Prairie; and Aiden and Daylin were made honorary pages.

Senator Roberts introduced to the Senate, Employment Connection CEO, Sal Martinez, St. Louis City.

Senator May introduced to the Senate, Redditt Hudson.

Senator Razer introduced to the Senate, Saint Elizabeth Parish cub scout troop, Kansas City; and Freddy Dreiling, Reid Schaffer; and Brady Legenza were made honorary pages.

Senator Bernskoetter introduced to the Senate, Jackson Skain; Mia Tomson; AJ Sartorious; Nevaeh Brenneke; Sayan Nieland; and Henry Hamill; and were made honorary pages.

Senator Williams introduced to the Senate, Paige Roland; Maddi Damann; and Courtney McDermott, St. Louis.

Senator Bean introduced to the Senate, Poplar Bluff High School coaches, Kimberly Smith; and Brianna Jones; team, Madison Cash; McKenzie Cassie; Audrie Caudel; Miles Coleman; Emma Hicks; Lilah Hoffman; Kelsey Kramer; Adyson Parsons; Jordyn Ridens; Lanie Robertson; Macie Robertson; Lydian Sanders; Karly Scott; Lauryn Wilderson; Kaytlynn Holland; and Samantha Schalk.

On motion of Senator O'Laughlin the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY—THURSDAY, APRIL 6, 2023

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 651-Eigel
SB 653-Roberts

SB 654-Eigel
SB 655-Moon

SB 656-Fitzwater	SB 690-Roberts
SB 657-Crawford	SB 691-Razer
SB 658-Eigel	SB 692-Eigel
SB 659-McCreery	SB 693-Eigel
SB 660-McCreery	SB 694-Eigel
SB 661-McCreery	SB 695-Bean
SB 662-McCreery	SB 696-Hoskins
SB 663-Cierpiot	SB 697-Hoskins
SB 664-Gannon	SB 698-Hoskins
SB 665-Gannon	SB 699-Brattin
SB 666-Black	SB 700-Luetkemeyer
SB 667-Eslinger	SB 701-Schroer
SB 668-Roberts	SB 702-Beck
SB 669-Arthur	SB 703-Eslinger
SB 670-Arthur	SB 704-Eslinger
SB 671-Carter	SB 705-Rizzo
SB 672-Carter	SB 706-Koenig
SB 673-May	SB 707-Trent
SB 674-May	SB 708-O'Laughlin, et al
SB 675-Washington	SB 709-O'Laughlin
SB 676-Washington	SB 710-Moon and Carter
SB 677-Trent	SB 711-Eigel
SB 678-Trent	SB 712-Brown (26)
SB 679-Trent	SB 713-Washington
SB 680-Brown (26)	SB 714-Washington
SB 681-Eigel	SB 715-Washington
SB 682-Eigel	SB 716-Washington
SB 683-Trent	SB 717-Fitzwater
SB 684-Luetkemeyer	SB 718-Fitzwater
SB 685-Coleman	SB 719-Fitzwater
SB 686-Coleman	SB 720-Hoskins
SB 687-Coleman	SB 721-Roberts
SB 688-Bernskoetter	SB 722-Washington
SB 689-McCreery	SB 723-Washington

HOUSE BILLS ON SECOND READING

HB 677-Copeland	HCS for HB 668
HB 585-Owen	HCS for HBs 802, 807 & 886
HCS for HB 461	HB 131-Griffith
HCS for HB 454	HCS for HB 587
HB 490-Sharpe (4)	HCS for HB 715
HCS for HBs 47 & 638	HB 81-Veit
HB 630-Knight	HCS for HB 909
HCS for HBs 919 & 1081	HCS for HBs 117, 343 & 1091

HB 94-Schwadron	HCS for HB 5
HCS for HB 1019	HCS for HB 6
HB 1010-Christofanelli	HCS for HB 7
HCS for HBs 556 & 581	HCS for HB 8
HCS for HB 467	HCS for HB 9
HB 132-Griffith	HCS for HB 10
HCS for HB 475	HCS for HB 11
HB 129-Griffith	HCS for HB 12
HCS for HB 130	HCS for HB 13
HB 283-Kelly (141)	HCS for HB 15
HB 644-Francis	HB 1120-Hardwick
HB 923-Hovis	HCS for HB 870
HB 447-Davidson	HCS for HB 675
HCS for HB 442	HB 995-Baker
HCS for HJRs 33 & 45	HCS for HB 1058
HCS for HBs 816 & 660	HCS for HB 986
HCS for HBs 651, 479 & 647	HCS for HB 774
HCS for HB 725	HCS for HB 543
HCS for HBs 913 & 428	HB 196-Henderson
HCS for HB 863	HB 519-Mayhew
HS for HCS for HB 356	HCS for HB 809
HCS for HB 1162	HCS for HB 90
HCS for HB 766	HCS for HB 497
HCS for HBs 971 & 970	HB 200-Francis
HCS for HB 1133	HCS for HB 76
HCS for HB 1015	HB 557-Houx
HCS for HB 207	HCS for HB 443
HB 403-Haden	HB 1102-Stephens
HCS for HB 225	HCS for HB 1263
HCS for HBs 882 & 518	HCS for HB 779
HCS for HB 631	HCS for HB 1152
HCS for HB 1	HCS for HBs 178, 179 & 401
HCS for HB 2	HB 142-Sassmann
HCS for HB 3	HCS for HB 906
HCS for HB 4	

THIRD READING OF SENATE BILLS

SS for SCS for SB 8-Eigel (In Fiscal Oversight)	SS for SB 35-May (In Fiscal Oversight)
SS for SB 143-Beck (In Fiscal Oversight)	SS for SCS for SB 157-Black
SS#3 for SCS for SB 131-Brattin (In Fiscal Oversight)	SS for SCS for SB 92-Hoskins (In Fiscal Oversight)
SJR 21-Roberts (In Fiscal Oversight)	SS for SB 199-Thompson Rehder

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---|
| 1. SB 317-Eigel, with SCS | 16. SB 129-Brattin, with SCS |
| 2. SB 228-Coleman, with SCS | 17. SB 74-Trent, with SCS |
| 3. SB 413-Hoskins, with SCS | 18. SB 378-Rowden |
| 4. SBs 411 & 230-Brown (26), with SCS | 19. SB 265-Bean |
| 5. SB 234-Brown (26) | 20. SB 148-Mosley |
| 6. SB 304-Eigel | 21. SB 180-Crawford |
| 7. SB 122-May | 22. SB 400-Schroer |
| 8. SB 256-Brattin, with SCS | 23. SJR 12-Cierpiot |
| 9. SB 540-Eigel | 24. SB 168-Brown (26), with SCS |
| 10. SB 542-Eigel | 25. SB 335-Crawford |
| 11. SB 275-Trent | 26. SB 46-Gannon, with SCS |
| 12. SB 190-Luetkemeyer | 27. SB 206-Eslinger |
| 13. SB 355-Brown (16), with SCS | 28. SB 349-Trent, with SCS |
| 14. SB 398-Schroer, with SCS | 29. SB 229-Coleman, with SCS |
| 15. SB 128-Thompson Rehder | 30. SBs 332, 334, 541 & 144-Brattin, with SCS |

HOUSE BILLS ON THIRD READING

HCS for HB 301, with SCS (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 5-Koenig, with SCS | SB 88-Brown (26), with SCS & SS for SCS
(pending) |
| SB 11-Crawford, with SCS, SS for SCS, SA 2
& SA 1 to SA 2 (pending) | SBs 93 & 135-Hoskins, with SCS & SS for
SCS (pending) |
| SB 15-Cierpiot, with SS (pending) | SB 95-Koenig, with SS & SA 2 (pending) |
| SB 21-Bernskoetter, with SCS (pending) | SB 105-Cierpiot, with SS & SA 2 (pending) |
| SB 30-Luetkemeyer, with SS & SA 12
(pending) | SB 110-Bernskoetter |
| SB 38-Williams, with SCS & SS for SCS
(pending) | SB 112-Hough |
| SB 44-Brattin | SB 117-Luetkemeyer, with SS, SA 1 & SA 1
to SA 1 (pending) |
| SBs 73 & 162-Trent, with SCS, SS for SCS
& SA 2 (pending) | SB 136-Eslinger |
| SB 79-Schroer, with SCS | SB 140-Bean, with SCS |
| SB 80-Schroer | SB 151-Fitzwater, with SA 2 (pending) |
| SB 81-Coleman, with SCS | SB 152-Trent |
| SB 85-Carter, with SCS, SS for SCS & SA
1 (pending) | SB 184-Arthur, with SCS & SA 1 (pending) |
| | SBs 189, 36 & 37-Luetkemeyer, with SCS |
| | SB 209-Bean, with SCS |

SB 214-Beck, with SS & SA 2 (pending)
SB 360-Koenig, with SCS

SJR 14-Brown (16), with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HJR 43 (Crawford), with SS, SA 1,
SSA 1 for SA 1 & SA 1 to SSA 1
for SA 1 (pending)

RESOLUTIONS

SR 22-Roberts

To be Referred

HCS for HCR 13

HCS for HCRs 21 & 22

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