

SECOND REGULAR SESSION

SENATE BILL NO. 847

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (16).

5364S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 313.205 and 313.230, RSMo, and to enact in lieu thereof two new sections relating to the state lottery.

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

Section A. Sections 313.205 and 313.230, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 313.205 and 313.230, to read as follows:

313.205. As used in sections 313.200 to 313.350, the
2 following words and terms shall have the meanings ascribed
3 to them in this section unless the context clearly requires
4 otherwise:

5 (1) "Commission" or "lottery commission", the three-
6 member body appointed by the governor to manage and oversee
7 the lottery and to appoint a director;

8 (2) "Commissioner", one of the members of the lottery
9 commission appointed by the governor pursuant to the
10 provisions of sections 313.200 to 313.350;

11 (3) "Director", the director of the state lottery
12 appointed by the commission as the chief administrator of
13 the state lottery;

14 (4) "Division", the division of the state lottery
15 authorized by sections 313.200 to 313.350;

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

(5) "Lottery" or "state lottery", the state lottery established and operated pursuant to the provisions of sections 313.200 to 313.350;

(6) "Lottery contractor" or "lottery vendor", a person with whom the division has contracted to provide goods or services for the state lottery;

(7) "Lottery game" or "game", any procedure authorized by written rule of the commission **or by law** whereby prizes are distributed among persons who have paid, or have unconditionally agreed to pay, for tickets or shares **in either a physical or electronic format** which provide the opportunity to win such prizes;

(8) "Lottery game retailer", any person with whom the lottery commission has contracted to sell tickets or shares in lottery games to the public;

(9) **"Lottery ticket" or "shares", any bearer instrument in a physical form or in an electronic format authorized by the commission. A bearer instrument may include credits that can be redeemed for use in playing future lottery games;**

(10) "Person", any natural person, firm, corporation, or other legal entity possessing a department of revenue retail sales license, as provided by law.

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] games may** be based **[in any form]** on the outcome of sporting events **where the maximum**

10 **ticket price does not exceed five dollars per ticket.**

11 **[However,]** It shall be legal to use clerk- or player-
12 activated terminals **or kiosks****[, which are coin- or currency-**
13 **operated,]** to **[dispense]** **sell** lottery tickets. **The**
14 **commission may also use an internet application to sell**
15 **electronic scratcher games, draw games, and pull-tab games**
16 **where a player may access such internet application to buy**
17 **lottery tickets in an electronic format using a personal**
18 **device;**

19 (b) The price, or prices, of tickets or shares in the
20 lottery;

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

23 (d) The manner of selecting the winning tickets or
24 shares;

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

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

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

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

33 (i) The licensing of lottery game retailers to sell
34 tickets or shares;

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

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

42 a. The payment of prizes to the holders of winning
43 tickets or shares;

44 b. The payment of costs incurred in the operation and
45 administration of the lottery, including the expenses of the
46 commission and the costs resulting from any contract or
47 contracts entered into for promotional, advertising or
48 operational services or for the purchase or lease of lottery
49 equipment and materials;

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

53 d. For timely transfer to the state lottery fund as
54 provided by law;

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

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

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

65 (4) Report quarterly to the governor and the general
66 assembly the total lottery revenues, prize disbursements and
67 other expenses for the preceding quarter, and to make an
68 annual report, which shall include a full and complete
69 statement of lottery revenues, prize disbursements and other
70 expenses, to the governor and the general assembly, and
71 including such recommendations for changes in sections
72 313.200 to 313.350 as it deems necessary or desirable;

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

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

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

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