

SENATE BILL NO. 850

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

4408S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 313, RSMo, by adding thereto six new sections relating to video lottery, with penalty provisions.

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

Section A. Chapter 313, RSMo, is amended by adding thereto
2 six new sections, to be known as sections 313.425, 313.427,
3 313.429, 313.431, 313.433, and 313.435, to read as follows:

313.425. Sections 313.425 to 313.435 shall be known
2 and may be cited as the "Missouri Video Lottery Control Act"
3 and shall establish the regulatory framework for the use of
4 player-activated video terminals for the conduct of lottery
5 games.

313.427. As used in sections 313.425 to 313.435, the
2 following words and phrases shall mean:

- 3 (1) "Centralized computer system", a computerized
4 system developed or procured by the commission that video
5 lottery game terminals are connected to using standard
6 industry protocols that can activate or deactivate a
7 particular video lottery game terminal from a remote
8 location, and that is capable of monitoring and auditing
9 video lottery game plays;
- 10 (2) "Commission" or "lottery commission", the five-
11 member body appointed by the governor to manage and oversee
12 the lottery under section 313.215;

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

25 (4) "Video lottery game", any lottery game approved by
26 the commission for play on a video lottery game terminal
27 using video lottery game terminal credits that have been
28 purchased with cash, cash equivalents, or by a winning video
29 lottery game terminal ticket;

30 (5) "Video lottery game adjusted gross receipts", the
31 total of cash or cash equivalents used for the play of a
32 video lottery game on a video lottery game terminal minus
33 cash or cash equivalent paid to players as a result of
34 playing video lottery games on a video lottery game terminal;

35 (6) "Video lottery game distributor", a person
36 licensed by the commission to buy, sell, lease, rent,
37 finance, or otherwise provide, distribute, or service video
38 lottery game terminals or major parts and components of
39 video lottery game terminals, including used or refurbished
40 video lottery game terminals to and from licensed video
41 lottery game manufacturers and licensed video lottery game
42 operators;

43 (7) "Video lottery game handler", a person employed by
44 a licensed video lottery game operator to handle, place,

45 operate, and service video lottery game terminals and
46 associated equipment;

47 (8) "Video lottery game manufacturer", any person that
48 manufactures video lottery game terminals or major parts and
49 components for video lottery game terminals as approved by
50 the lottery commission;

51 (9) "Video lottery game operator", a person licensed
52 by the commission that owns, rents, or leases and services
53 or maintains video lottery game terminals for placement in
54 licensed video lottery game retailer establishments;

55 (10) "Video lottery game retailer", a person meeting
56 the requirements of a lottery game retailer under section
57 313.260, that secures and maintains a license issued by the
58 commission to conduct video lottery games played on a video
59 lottery game terminal or terminals and that is a veterans'
60 organization, or business entity licensed under chapter 311
61 to sell liquor by the drink and that only allows patrons
62 over the age of twenty-one to enter;

63 (11) "Video lottery game terminal", player-activated
64 terminal that exchanges coins, currency, tickets, ticket
65 vouchers, or other electronic payment methods approved by
66 the commission for video lottery game terminal credits used
67 to play video lottery games approved by the commission.
68 Such video lottery game terminals shall use a video display
69 and microprocessor capable of randomly generating the
70 outcome of video lottery games and be capable of printing a
71 ticket at the conclusion of any video lottery game play that
72 is redeemable at a video lottery game ticket redemption
73 terminal or reinserted into a video lottery game terminal
74 for video lottery game credit. All video lottery games
75 approved by the commission for play on a video lottery game

terminal shall have a minimum theoretical payout of eighty-five percent;

(12) "Video lottery game terminal credit", one cent, five cents, ten cents, or twenty-five cents either won or purchased by a player on a video lottery game terminal that is used to play video lottery games and that may be converted into a video lottery game ticket;

(13) "Video lottery game ticket" or "ticket", a document printed at the conclusion of any 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 for which it was issued for video lottery terminal game play credit;

(14) "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. 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; except that, a person licensed as a:

(1) Video lottery game manufacturer or a video lottery game distributor shall not be issued a license as a video lottery game operator or a video lottery game retailer;

13 (2) Video lottery game operator shall not be issued a
14 license as a video lottery game manufacturer or a video
15 lottery game distributor; and

16 (3) Video lottery game retailer shall not be issued a
17 license as a video lottery game manufacturer or a video
18 lottery game distributor.

19 Nothing in this subsection shall prevent a video lottery
20 game manufacturer from obtaining a video lottery game
21 manufacturer's license and a video lottery game
22 distributor's license and providing and operating the
23 centralized computer system for monitoring video lottery
24 game terminals, and nothing in this subsection shall prevent
25 a video lottery game operator from obtaining a video lottery
26 game retailer's license or a video lottery game retailer
27 from obtaining a video lottery game operator's license,
28 provided the applicant meets the requirements for all such
29 licenses.

30 2. Under no circumstances shall the commission:

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

34 (2) Allow a single licensed video lottery game
35 operator to control or operate more than twenty-five percent
36 of video lottery game terminals in the state; or

37 (3) Allow a single licensed video lottery game
38 manufacturer or distributor to manufacture or distribute
39 more than twenty-five percent of video lottery game
40 terminals in the state.

41 3. (1) The video lottery game system authorized by
42 this section shall allow for multiple video lottery game
43 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 as follows:

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

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

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

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

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

76 (b) Five thousand dollars for video lottery game
77 operators;

78 (c) Fifty dollars for video lottery game handlers; and

79 (d) Five hundred dollars for each video lottery game
80 retailer's establishment.

81 (3) In addition to the license fees required in
82 subdivisions (1) and (2) of this subsection, video lottery
83 game operators shall pay the commission an annual license
84 fee of two hundred dollars for each video lottery game
85 terminal placed in service. Such video lottery game
86 terminal license shall be renewed each year and cost two
87 hundred dollars. A license issued under this subsection is
88 nontransferable.

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

94 4. No license shall be issued to any person, and no
95 person shall be allowed to serve as a sales agent, who has
96 been convicted of a felony or a crime involving illegal
97 gambling.

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

105 6. (1) Video lottery game terminals shall meet
106 independent testing standards approved by the commission, as
107 tested by one or more approved 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 by the commission 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 pay winning tickets 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 of where such video lottery games are offered. 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 year of issue.

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.

(2) Licensed video lottery game operators and licensed video lottery game retailers may 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 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 administrative fees are made. 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. Video lottery game retailers that are also video lottery game operators and licensed video lottery game operators that are also video lottery game retailers shall only be required to submit an agreement pursuant to this subdivision if the ownership is not identical in both entities. 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. No video lottery game operator or its sales agents, employees, or affiliates may offer, promise, or tender any property or personal advantage to any employee or agent of any video lottery game retailer with the intent to influence such video lottery game retailer with respect to locating any video lottery game terminal in the video lottery game retailer's establishment. Video lottery game operators and video lottery game retailers may allocate costs related to the

operation, promotion, and maintenance of video lottery game terminals in any manner that has been mutually agreed to. An agreement for the placement of video lottery game terminals, or any similar agreement, entered into prior to the enactment of sections 313.425 to 313.435 shall be invalid and unenforceable. Persons violating this subdivision are subject to the loss or prohibition of their video lottery game operator's license.

(3) 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 cost of the video lottery game terminal credits shall be one cent, five cents, ten cents, or twenty-five cents, and the maximum wager played per video lottery game shall not exceed five dollars. No cash award for the maximum wager played on any

202 individual video lottery game shall exceed one thousand
203 dollars;

204 (2) Operate in a retail establishment that is not also
205 licensed to sell liquor;

206 (3) Operate more than five video lottery game
207 terminals at one video lottery game retailer establishment;
208 except if the establishment is a veterans' organization,
209 such establishment may operate up to ten video lottery game
210 terminals as approved by the commission;

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

214 9. (1) A person under twenty-one years of age shall
215 not play video lottery games, and such video lottery game
216 terminals shall be under the supervision of a person that is
217 at least twenty-one years of age to prevent persons under
218 twenty-one years of age from playing video lottery games.
219 Video lottery game terminals shall not be visible from areas
220 normally occupied by minors and shall be placed within the
221 unobstructed line of sight of the sales counter unless
222 placed in an enclosed or partially enclosed area that is
223 continually monitored by video surveillance. A warning sign
224 shall be posted in a conspicuous location where such video
225 lottery game terminals are located, containing in red
226 lettering at least one-half inch high on a white background
227 the following:

228 "YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY VIDEO LOTTERY
229 GAMES"

230 In addition to the placement and supervision requirements of
231 this subsection, a video lottery game operator shall provide

video surveillance in the immediate area of the video lottery game retailer's establishment where video lottery game terminals are located. Recorded video from such surveillance system shall be made available to the commission upon request and shall be reviewed by video lottery game operators as reasonably and specifically requested by the commission for any violation of law, rules, or regulations governing the conduct of video lottery games. A video lottery game operator that fails to review such surveillance video and 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. The commission shall refer a violation of the criminal code, with any evidence thereof, to the

appropriate law enforcement officials. 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.

(2) 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 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 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 to public elementary and secondary education

296 and public institutions of higher education with an emphasis
297 on programs to promote science, technology, engineering, and
298 mathematics (STEM) and programs to promote workforce
299 development.

300 (2) Video lottery game operators shall retain sixty-
301 four percent of the video lottery game adjusted gross
302 receipts, a portion of which shall be utilized to pay for
303 administrative expenses which shall include the cost of the
304 centralized computer system, which cost shall be paid by
305 video lottery game operators in proportion to the number of
306 video lottery game terminals operated and shall not be
307 apportioned by the video lottery game operator among video
308 lottery game retailers to which it provides operations. The
309 remainder, after the costs of the centralized computer
310 system are paid, shall be divided between the video lottery
311 game operator and video lottery game retailer as agreed to
312 by the video lottery game operator and video lottery game
313 retailer under the freely negotiated agreement made under
314 subdivision (2) of subsection 7 of this section, unless the
315 video lottery game operator and video lottery game retailer
316 share the same ownership.

317 11. All revenues received by the commission from
318 license fees and any reimbursements associated with the
319 administration of the provisions of sections 313.425 to
320 313.435, and all interest earned thereon, shall be
321 considered administrative expenses and shall be deposited in
322 the state lottery fund. Moneys deposited into the state
323 lottery fund from license fees and any reimbursements of
324 commission administrative expenses to administer sections
325 313.425 to 313.435 shall be considered administrative
326 expenses and shall not be considered net proceeds pursuant
327 to Article III, Section 39(b) of the Constitution of

Missouri. Subject to appropriation, up to one percent of such license fees and reimbursements deposited to the credit of the state lottery fund may 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 313.435 shall, subject to appropriation, be used for administrative expenses associated with supervising and enforcing the provisions of sections 313.425 to 313.435. Any amount of revenues from video lottery game license fees and reimbursements of commission administrative expenses not currently needed for the supervising and enforcement of sections 313.425 to 313.435 shall be appropriated to the veterans' commission capital improvement trust fund created in section 42.300.

12. The commission may contract with a state law enforcement entity to assist in conducting investigations into applicants for any video lottery game license and to investigate violations by any video lottery game licensee of any of the provisions of sections 313.425 to 313.435 or state law regulating illegal gambling activities. A video lottery game licensee suspected of a violation shall be afforded an administrative hearing on the record and any action taken to impose a fine on such licensee, or to suspend or revoke the ability of a licensee to offer lottery game products for sale, shall be appealed 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.

359 13. (1) Any person manufacturing, operating,
360 distributing, or in possession of a video lottery game
361 terminal not authorized by the commission under the
362 provisions of sections 313.425 to 313.435 as of August 28,
363 2026, shall become compliant with the provisions of sections
364 313.425 to 313.435 within one hundred twenty days of August
365 28, 2026. Any person failing to become compliant within the
366 following number of days shall be subject to the following
367 fines issued by the commission:

368 (a) Within one hundred twenty days, two hundred fifty
369 thousand dollars;

370 (b) Within two hundred forty days, five hundred
371 thousand dollars;

372 (c) Within three hundred sixty days, seven hundred
373 fifty thousand dollars; and

374 (d) Within four hundred eighty days, one million
375 dollars.

376 (2) In addition to the fines provided in subdivision
377 (1) of this subsection, any person failing to become
378 compliant after four hundred eighty days may be prosecuted
379 under the provisions of chapter 572. The commission shall
380 have the power to investigate suspected violations by any
381 video lottery game license holder and to refer any
382 violations or suspected violations to the appropriate law
383 enforcement authority.

384 14. The commission shall adopt rules for the
385 implementation of the video lottery game system authorized
386 under sections 313.425 to 313.435, including, but not
387 limited to, the placement of video lottery game terminals
388 within a retail establishment and for the active oversight
389 of the conduct of video lottery games. Any rule or portion
390 of a rule, as that term is defined in section 536.010 that

391 is created under the authority delegated in this section
392 shall become effective only if it complies with and is
393 subject to all of the provisions of chapter 536 and, if
394 applicable, section 536.028. This section and chapter 536
395 are nonseverable and if any of the powers vested with the
396 general assembly pursuant to chapter 536 to review, to delay
397 the effective date, or to disapprove and annul a rule are
398 subsequently held unconstitutional, then the grant of
399 rulemaking authority and any rule proposed or adopted after
400 August 28, 2026, shall be invalid and void.

313.431. 1. In order to expedite the orderly
2 implementation of the video lottery game system authorized
3 under sections 313.425 to 313.435, the commission shall:

4 (1) Issue a request for proposal for the supply and
5 operation of a centralized computer system for video lottery
6 games within one hundred twenty days of the effective date
7 of this section;

8 (2) Make license applications for video lottery game
9 manufacturers, video lottery game distributors, video
10 lottery game operators, video lottery game retailers, and
11 video lottery game handlers available to applicants and
12 promulgate any emergency or regular rules and regulations
13 needed for the implementation of the video lottery system
14 authorized under sections 313.425 to 313.435 within one
15 hundred twenty days of the effective date of this section;

16 (3) Issue a provisional license to an applicant for a
17 video lottery game manufacturer's, video lottery game
18 distributor's, video lottery game operator's, video lottery
19 game retailer's, or video lottery game handler's license if
20 such applicant satisfies all of the following criteria to
21 the satisfaction of the commission:

22 (a) The applicant is current on all state taxes;

23 (b) The applicant has submitted a complete application
24 for licensure as a licensed video lottery game manufacturer,
25 video lottery game distributor, video lottery game operator,
26 video lottery game retailer, or video lottery game handler,
27 which shall be submitted concurrently with the applicant's
28 request for a provisional license;

29 (c) The applicant has never been convicted of any
30 felony or gambling law violation in any jurisdiction; and

31 (d) The applicant for a video lottery game retailer's
32 license has been issued and holds a valid license to sell
33 liquor under chapter 311.

34 A provisional license shall be issued by the commission
35 within sixty days from the date on which the application was
36 first received unless the commission shows cause that the
37 license application is deficient or such applicant does not
38 meet the criteria for licensure.

39 2. The commission may issue provisional licenses prior
40 to the completion of a background check to an applicant that
41 is currently licensed under sections 313.200 to 313.435 or
42 sections 313.800 to 313.850; holds or is an affiliate of any
43 entity that holds a license in good standing from a
44 regulatory body of another state to operate, handle, or
45 maintain video gaming terminals or video lottery game
46 terminals that are substantially similar to video lottery
47 game terminals authorized under sections 313.425 to 313.435;
48 or if such person has been in the business of locating and
49 operating amusement games within this state continuously for
50 a period of five years.

51 3. A provisional license shall be valid until:

52 (1) The commission either approves or denies the
53 applicant's application for licensure;

54 (2) The provisional license is terminated for a
55 violation of this section; or

56 (3) One calendar year has passed since the provisional
57 license was issued.

58 Nothing in this section shall prohibit an applicant for a
59 video lottery game manufacturer's, video lottery game
60 distributor's, video lottery game operator's, video lottery
61 game retailer's, or video lottery game handler's license
62 from applying for a renewal of the provisional license
63 issued under this section so long as the commission has not
64 made a final determination to award or deny the applicant a
65 license.

66 4. Each applicant shall attest by way of affidavit
67 under penalty of perjury that the applicant is not otherwise
68 prohibited from licensure according to the requirements of
69 this section.

70 5. All requests for provisional licensure under this
71 section shall include the following fee, which is in
72 addition to the applicable fee required for an application
73 for licensure and shall be retained by the commission:

74 (1) Five thousand dollars for a video lottery game
75 manufacturer and video lottery game distributor;

76 (2) Five thousand dollars for a video lottery game
77 operator;

78 (3) Five hundred dollars for a video lottery game
79 retailer's establishment; or

80 (4) One hundred dollars for a video lottery game
81 handler.

313.433. 1. Notwithstanding any other provision of
2 law to the contrary, participation by a person, firm,
3 corporation, or organization in any aspect of the state

4 lottery under sections 313.425 to 313.435 shall not be
5 construed to be a lottery or gift enterprise in violation of
6 Section 39 of Article III of the Constitution of Missouri.

7 2. The sale of lottery tickets, shares, or lottery
8 game plays using a video lottery game terminal under
9 sections 313.425 to 313.435 shall not constitute a valid
10 reason to refuse to issue or renew or to revoke or suspend
11 any license or permit issued under the provisions of chapter
12 311.

313.435. A municipality may adopt an ordinance
2 prohibiting video lottery game terminals within the
3 corporate limits of such municipality within one hundred
4 twenty days from the effective date of this act. A county
5 commission may, for the unincorporated area of the county,
6 adopt an ordinance prohibiting video lottery game terminals
7 within the unincorporated area of the county within one
8 hundred twenty days from the effective date of this act.
9 The commission shall not license video lottery game
10 retailers within such area covered by such ordinance. Any
11 such municipality or county that has opted to prohibit the
12 use of video lottery game terminals to play video lottery
13 games may repeal such ordinance and upon such repeal, the
14 commission may license video lottery game retailers within
15 such municipality or county to conduct video lottery games.

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