

SECOND REGULAR SESSION

SENATE BILL NO. 850

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

4408S.01I

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 six new sections, to be known as sections 313.425, 313.427, 313.429, 313.431, 313.433, and 313.435, to read as follows:

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

313.427. As used in sections 313.425 to 313.435, 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 five-member body appointed by the governor to manage and oversee 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

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

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

83 (13) "Video lottery game ticket" or "ticket", a
84 document printed at the conclusion of any lottery game play
85 or group of plays on a video lottery game terminal that is
86 redeemable for cash utilizing a video lottery game ticket
87 redemption terminal or that may be reinserted into a video
88 lottery game terminal in the establishment for which it was
89 issued for video lottery terminal game play credit;

90 (14) "Video lottery game ticket redemption terminal",
91 the collective hardware, software, communications
92 technology, and other ancillary equipment used to facilitate
93 the payment of tickets cashed out by players as a result of
94 playing a video lottery game terminal.

313.429. 1. The commission shall implement a system
2 of video lottery game terminals utilizing a licensing
3 structure for processing license applications and issuing
4 licenses to video lottery game manufacturers, video lottery
5 game distributors, video lottery game operators, video
6 lottery game handlers, and video lottery game retailers for
7 the conduct of lottery games utilizing video lottery game
8 terminals within the state; except that, a person licensed
9 as a:

10 (1) Video lottery game manufacturer or a video lottery
11 game distributor shall not be issued a license as a video
12 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

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

44 lottery game operators to encourage private sector
45 investment and job opportunities for Missouri citizens.
46 Video lottery game terminals shall be connected to a
47 centralized computer system developed or procured by the
48 commission. The commission shall provide licensed video
49 lottery game operators with the necessary protocols to
50 connect the operators' video lottery game terminal or
51 terminals to the centralized computer system after such
52 terminal or terminals have been approved by the commission.
53 No video lottery game terminal shall be placed in operation
54 without first connecting to the centralized computer system
55 after such terminal or terminals have been approved by the
56 commission. A vendor that provides the centralized computer
57 system authorized under this subsection shall not be
58 eligible to be licensed as a video lottery game operator or
59 video lottery game retailer. The commission may impose an
60 initial nonrefundable license application fee as follows:

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

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

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

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

74 (a) Five thousand dollars for video lottery game
75 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.

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

108 capable of randomly generating the outcome of video lottery
109 games approved by the commission. Video lottery game
110 terminals shall be capable of printing a ticket redeemable
111 for winning video lottery game plays. Such video lottery
112 game terminals shall be inspected and approved by the
113 commission prior to being sold, leased, or transferred.

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

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

122 7. (1) Licensed video lottery game operators:

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

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

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

131 (d) Shall pay winning tickets using a video lottery
132 game ticket redemption terminal. Such video lottery ticket
133 redemption terminal shall be located within the video
134 lottery game retailer's establishment in direct proximity of
135 where such video lottery games are offered. Video lottery
136 game operators shall pay the commission thirty-two percent
137 of any unclaimed cash prize associated with a winning ticket
138 that has not been redeemed within one year of issue.

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

143 (2) Licensed video lottery game operators and licensed
144 video lottery game retailers may enter into a written
145 agreement for the placement of video lottery game
146 terminals. The agreement shall be on a form approved by the
147 commission and shall specify a freely negotiated and agreed
148 upon division of adjusted gross receipts between the video
149 lottery game operator and the video lottery game retailer
150 after adjustments for taxes and administrative fees are
151 made. A video lottery game operator shall be responsible
152 for remitting to the commission and the video lottery game
153 retailer its share of adjusted gross receipts. Video
154 lottery game retailers that are also video lottery game
155 operators and licensed video lottery game operators that are
156 also video lottery game retailers shall only be required to
157 submit an agreement pursuant to this subdivision if the
158 ownership is not identical in both entities. Nothing in
159 this subdivision shall prohibit a licensed video lottery
160 game operator from entering into an agreement with a sales
161 agent for retailer agreements provided such agreement is in
162 writing and approved by the commission. No video lottery
163 game operator or its sales agents, employees, or affiliates
164 may offer, promise, or tender any property or personal
165 advantage to any employee or agent of any video lottery game
166 retailer with the intent to influence such video lottery
167 game retailer with respect to locating any video lottery
168 game terminal in the video lottery game retailer's
169 establishment. Video lottery game operators and video
170 lottery game retailers may allocate costs related to the

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

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

186 8. No licensed video lottery game operator shall:

187 (1) Offer video lottery gaming terminals that directly
188 dispense anything of value except for tickets for winning
189 plays. Tickets shall be dispensed by pressing the ticket
190 dispensing button on the video lottery gaming terminal at
191 the end of any video lottery game play. The ticket shall
192 indicate the total amount of video lottery game terminal
193 credits and the cash award, the time of day in a twenty-four-
194 hour format showing hours and minutes, the date, the
195 terminal serial number, the sequential number of the ticket,
196 and an encrypted validation number from which the validity
197 of the prize may be determined. The cost of the video
198 lottery game terminal credits shall be one cent, five cents,
199 ten cents, or twenty-five cents, and the maximum wager
200 played per video lottery game shall not exceed five
201 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

232 video surveillance in the immediate area of the video
233 lottery game retailer's establishment where video lottery
234 game terminals are located. Recorded video from such
235 surveillance system shall be made available to the
236 commission upon request and shall be reviewed by video
237 lottery game operators as reasonably and specifically
238 requested by the commission for any violation of law, rules,
239 or regulations governing the conduct of video lottery
240 games. A video lottery game operator that fails to review
241 such surveillance video and report any known violation of
242 law, rules, or regulations governing the conduct of video
243 lottery games in conformance with established commission
244 procedures may be subject to an administrative fine not to
245 exceed five thousand dollars. Any video lottery game
246 retailer that fails to report any known violation of law,
247 rules, or regulations governing the conduct of video lottery
248 games in conformance with established commission procedures
249 may be subject to an administrative fine not to exceed five
250 thousand dollars. In the event a video lottery game
251 operator or retailer is found to have knowingly committed a
252 violation governing the conduct of video lottery games, the
253 commission may impose an administrative fine not to exceed
254 five thousand dollars, suspend such operator's or retailer's
255 license for up to thirty days, or in the case of repeated
256 violations, revoke such operator's or retailer's license for
257 a period of one year. Any video lottery game operator or
258 retailer aggrieved by the commission's decision in any
259 disciplinary action that results in the suspension or
260 revocation of such operator's or retailer's video lottery
261 game license may appeal such decision by filing an action in
262 circuit court. The commission shall refer a violation of
263 the criminal code, with any evidence thereof, to the

264 appropriate law enforcement officials. Video lottery game
265 retailers shall provide an intrusion detection system
266 capable of detecting unauthorized entrance of the video
267 lottery game retailer's establishment during nonbusiness
268 hours and shall report to the commission any unauthorized
269 entrance of the video lottery game retailer's
270 establishment. Such surveillance and intrusion detection
271 system shall meet specifications as defined by the
272 commission.

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

278 10. (1) Video lottery game operators shall pay the
279 commission thirty-six percent of the video lottery game
280 adjusted gross receipts, which shall be deposited in the
281 state lottery fund. The commission shall transfer the
282 amount received from the operator from the lottery fund to
283 the lottery proceeds fund after administrative expenses
284 equal to four percent of the video lottery game adjusted
285 gross receipts are paid to the municipality where a licensed
286 video lottery game retailer maintains an establishment
287 licensed for the operation of video lottery game terminals,
288 or if such licensed establishment is not located within the
289 corporate boundaries of a municipality, then the county
290 where such licensed establishment is located to reimburse
291 such municipality or county for administrative expenses, and
292 any administrative expenses for the commission that are not
293 covered by reimbursements from operators are deducted. Net
294 proceeds transferred to the lottery proceeds fund shall be
295 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

328 Missouri. Subject to appropriation, up to one percent of
329 such license fees and reimbursements deposited to the credit
330 of the state lottery fund may be deposited to the credit of
331 the compulsive gamblers fund created under section 313.842.
332 The remainder of the money deposited in the state lottery
333 fund from video lottery game license fees and any
334 reimbursements of commission administrative expenses to
335 enforce sections 313.425 to 313.435 shall, subject to
336 appropriation, be used for administrative expenses
337 associated with supervising and enforcing the provisions of
338 sections 313.425 to 313.435. Any amount of revenues from
339 video lottery game license fees and reimbursements of
340 commission administrative expenses not currently needed for
341 the supervising and enforcement of sections 313.425 to
342 313.435 shall be appropriated to the veterans' commission
343 capital improvement trust fund created in section 42.300.

344 12. The commission may contract with a state law
345 enforcement entity to assist in conducting investigations
346 into applicants for any video lottery game license and to
347 investigate violations by any video lottery game licensee of
348 any of the provisions of sections 313.425 to 313.435 or
349 state law regulating illegal gambling activities. A video
350 lottery game licensee suspected of a violation shall be
351 afforded an administrative hearing on the record and any
352 action taken to impose a fine on such licensee, or to
353 suspend or revoke the ability of a licensee to offer lottery
354 game products for sale, shall be appealed to the
355 commission. Any such administrative suspension or
356 revocation upheld by the commission may be appealed by the
357 video lottery game licensee in a state court of competent
358 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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