

# SENATE BILL NO. 862

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

5587S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 43.050, 313.820, 572.010, 572.020, 572.070, and 572.100, RSMo, and to enact in lieu thereof twenty-three new sections relating to gaming, with penalty provisions.

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

Section A. Sections 43.050, 313.820, 572.010, 572.020,  
2 572.070, and 572.100, RSMo, are repealed and twenty-three new  
3 sections enacted in lieu thereof, to be known as sections  
4 27.180, 43.050, 313.425, 313.427, 313.429, 313.431, 313.433,  
5 313.435, 313.437, 313.438, 313.439, 313.440, 313.441, 313.442,  
6 313.443, 313.444, 313.445, 313.820, 572.010, 572.020, 572.070,  
7 572.100, and 650.930, to read as follows:

27.180. There is hereby created in the state treasury  
2 the "Illegal Gaming Enforcement Fund", which shall consist  
3 of moneys received by the state treasury pursuant to  
4 subdivision (3) of subsection 3 of section 313.429 or other  
5 funds so appropriated. The state treasurer shall be  
6 custodian of the fund. In accordance with sections 30.170  
7 and 30.180, the state treasurer may approve disbursements.  
8 Moneys in the fund shall be used by the attorney general,  
9 prosecutors, and law enforcement to investigate, enforce,  
10 charge, and prosecute violations of chapter 572.  
11 Notwithstanding the provisions of section 33.080 to the  
12 contrary, any moneys remaining in the fund at the end of the  
13 biennium shall not revert to the credit of the general

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

14 **revenue fund. The state treasurer shall invest moneys in**  
15 **the fund in the same manner as other funds are invested.**  
16 **Any interest and moneys earned on such investments shall be**  
17 **credited to the fund.**

43.050. 1. The superintendent may appoint not more  
2 than thirty-four captains and one director of radio, each of  
3 whom shall have the same qualifications as the  
4 superintendent, nor more than sixty-eight lieutenants, and  
5 such additional force of sergeants, corporals and patrolmen,  
6 so that the total number of members of the patrol shall not  
7 exceed one thousand sixty-four officers and patrolmen and  
8 such numbers of radio personnel as the superintendent deems  
9 necessary.

10 2. In case of a national emergency the superintendent  
11 may name additional patrolmen and radio personnel in a  
12 number sufficient to replace, temporarily, patrolmen and  
13 radio personnel called into military services.

14 3. The superintendent may enter into an agreement with  
15 the Missouri gaming commission to enforce any law, rule, or  
16 regulation, conduct background investigations under the laws  
17 of this state, and enforce the regulations of licensed  
18 gaming activities governed by chapter 313. A notice of  
19 either party to terminate or modify the provisions of such  
20 agreement shall be in writing and executed not less than one  
21 year from the effective date of the termination or  
22 modification, unless mutually agreed upon by the  
23 superintendent and the Missouri gaming commission. Members  
24 of the patrol hired in conjunction with any agreement with  
25 the Missouri gaming commission shall not be subject to the  
26 personnel cap referenced in subsection 1 of this section.  
27 If such agreement is subsequently terminated or modified to  
28 reduce the number of personnel used in such agreement, those

members affected by such termination or modification shall not be subject to the personnel cap referenced in subsection 1 of this section for a period of five years.

4. The superintendent may enter into an agreement with the Missouri lottery commission to enforce any law, rule, or regulation, conduct background investigations under the laws of this state, and enforce the regulations of licensed lottery activities governed by chapter 313. A notice of either party to terminate or modify the provisions of such agreement shall be in writing and executed not less than one year from the effective date of the termination or modification, unless mutually agreed upon by the superintendent and the Missouri lottery commission. Members of the patrol hired in conjunction with any agreement with the Missouri lottery commission shall not be subject to the personnel cap referenced in subsection 1 of this section. If such agreement is subsequently terminated or modified to reduce the number of personnel used in such agreement, those members affected by such termination or modification shall not be subject to the personnel cap referenced in subsection 1 of this section for a period of five years.

5. Member positions of the patrol originally acquired in conjunction with the community-oriented policing services federal grant or members assigned to fulfill the duties established in sections 43.350 to 43.380 shall not be subject to the personnel cap referenced in subsection 1 of this section.

[5.] 6. Applicants shall not be discriminated against because of race, creed, color, national origin or sex.

313.425. Sections 313.425 to 313.445 shall be known and may be cited as the "Missouri Video Lottery Regulatory Act" and shall provide additional funding for Missouri

4 education programs and additional resources for Missouri  
5 municipalities and counties by establishing a licensing and  
6 regulatory framework for a system of video lottery game  
7 terminals to conduct video lottery games.

313.427. As used in sections 313.425 to 313.445, the  
2 following terms shall mean:

3 (1) "Adjusted gross gaming revenue", the amount of  
4 revenue generated by a video lottery game terminal that is  
5 remaining after:

6 (a) Payment of winnings to players; and

7 (b) Deduction by the commission of that amount  
8 necessary to pay direct administrative costs for the  
9 operation of the central control system, but before  
10 deduction of the adjusted gross gaming revenue tax;

11 (2) "Adjusted gross gaming revenue tax", a tax of  
12 thirty-one percent imposed on adjusted gross gaming revenue;

13 (3) "Central control system", a computer system  
14 developed or procured by the commission that connects all  
15 video lottery game terminals, redemption terminals, and  
16 other necessary equipment using standard industry protocols  
17 capable of monitoring activity on a video lottery game  
18 terminal, redemption terminal, and other necessary  
19 equipment, and that can activate or deactivate a video  
20 lottery gaming terminal;

21 (4) "Commission" or "lottery commission", the state  
22 lottery commission appointed by the governor to manage and  
23 oversee the lottery under section 313.215;

24 (5) "Department", the Missouri department of revenue;

25 (6) "Municipality and county administration tax", a  
26 tax of three percent imposed on adjusted gross gaming  
27 revenue;

28           (7) "Net terminal income", the amount of adjusted  
29 gross gaming revenue remaining after deduction of the gross  
30 gaming revenue tax and municipality and county  
31 administration tax, which shall be divided equally between  
32 the video lottery game operator and the video lottery game  
33 retailer;

34           (8) "Person", an individual, partnership, corporation,  
35 or limited liability company;

36           (9) "Use agreement", a contract executed by and  
37 between a video lottery game operator and a video lottery  
38 game retailer, approved by the commission containing minimum  
39 terms and conditions determined by the commission  
40 establishing the right of the video lottery game operator to  
41 place and operate video lottery game terminals on the  
42 premises of a video lottery game retailer;

43           (10) "Video lottery game", any game approved by the  
44 commission for play on a video lottery game terminal;

45           (11) "Video lottery game distributor", a person  
46 licensed by the commission who distributes video lottery  
47 games, video lottery game terminals, redemption terminals,  
48 ancillary equipment, or parts and components for video  
49 lottery gaming terminals approved by the commission for sale  
50 to video lottery game distributors or video lottery game  
51 operators;

52           (12) "Video lottery game handler", a person licensed  
53 by the commission and employed by a video lottery game  
54 operator to handle, place, operate, and service video  
55 lottery game terminals, redemption terminals, and ancillary  
56 equipment;

57           (13) "Video lottery game manufacturer", a person  
58 licensed by the commission who manufactures video lottery  
59 games, video lottery game terminals, redemption terminals,

60 ancillary equipment, or parts and components for video  
61 lottery game terminals or video lottery games approved by  
62 the commission for sale to video lottery game operators;

63 (14) "Video lottery game operator", a person licensed  
64 by the commission who owns, rents, or leases video lottery  
65 games and video lottery game terminals for placement and  
66 operation at the business premises of a licensed video  
67 lottery game retailer;

68 (15) "Video lottery game redemption terminal" or  
69 "redemption terminal", the collective hardware, software,  
70 and other ancillary equipment approved by the commission  
71 used to redeem a video lottery game ticket for cash;

72 (16) "Video lottery game retailer", a person licensed  
73 by the commission to enter into use agreements with video  
74 lottery game operators for the placement of video lottery  
75 game terminals at the business premises of the licensed  
76 video lottery game retailer who meets the requirements of a  
77 lottery game retailer under section 313.260. No person with  
78 a primary purpose of providing entertainment, activities, or  
79 educational services to anyone under the age of twenty-one  
80 shall be licensed as a video lottery game retailer;

81 (17) "Video lottery game terminal", any device that,  
82 through an electronic, mechanical, or electromechanical  
83 process, including through the use of any application,  
84 software, or other system that accepts legal tender, credits  
85 or tickets, or forms of digital currency to play, and  
86 through which is used to generate a prize of money or form  
87 of credit that can be redeemed for money or another form of  
88 monetary payment that is presented to the player by a set or  
89 combination of alphanumeric symbols or lines of symbols that  
90 determine the amount of the prize, regardless of the  
91 operating system that determined the prize. Electronic

gaming machines, with the exception of those operated under section 313.800, shall be regulated by the commission. All other forms of electronic gaming machines that are not regulated by the commission or bear the commission's seal are not legal under the definition of a slot machine in section 572.010;

(18) "Video lottery game terminal credit", credits either purchased or won on a video lottery game terminal that may be used to play video lottery games or be converted into a video lottery game ticket;

(19) "Video lottery game ticket", a document printed or provided electronically by a video lottery game terminal at the conclusion of any video lottery game play or series of plays that may be redeemed for cash at a redemption terminal located on the premises of the video lottery game retailer, or that may be reinserted into a video lottery game terminal for video lottery game play on the premises of the video lottery game retailer where such ticket was issued.

313.429. 1. (1) The commission shall implement a system of video lottery game terminals and issue licenses to video lottery game manufacturers, video lottery game distributors, video lottery game operators, video lottery game handlers, and video lottery game retailers; provided, however, that:

(a) No person licensed as a video lottery game manufacturer or a video lottery game distributor shall be issued a license as a video lottery game operator or video lottery game retailer;

(b) No person licensed as a video lottery game operator shall be issued a license as a video lottery game manufacturer, video lottery game distributor, or video lottery game retailer;

15           (c) No person licensed as a video lottery game  
16 retailer shall be issued a license as a video lottery game  
17 manufacturer, video lottery game distributor, or video  
18 lottery game operator.

19           (2) Nothing in this subsection shall prevent a video  
20 lottery game manufacturer or a video lottery gaming  
21 distributor from being licensed as both a video lottery game  
22 manufacturer and a video lottery game distributor. Nothing  
23 in this subsection shall prevent a video lottery game  
24 manufacturer or a video lottery game distributor from  
25 contracting with the commission to provide or operate the  
26 central control system.

27           (3) The commission shall not authorize or allow a  
28 single video lottery game manufacturer or video lottery game  
29 distributor as the sole or exclusive manufacturer or  
30 distributor of video lottery game terminals, video lottery  
31 games, or redemption terminals in Missouri.

32           (4) The commission shall ensure that the video lottery  
33 game system authorized by sections 313.425 to 313.437 shall  
34 allow for multiple video lottery game manufacturers, video  
35 lottery game distributors, video lottery game operators, and  
36 video lottery game retailers to encourage private sector  
37 investment and job opportunities for Missouri citizens.

38           2. Video lottery game terminals and video lottery  
39 games shall meet independent testing standards approved by  
40 the commission, as tested by one or more licensed  
41 independent test labs. The commission shall promulgate  
42 rules for minimum standards for video lottery game  
43 terminals, video lottery games, and redemption terminals.  
44 Such minimum standards shall include:



45           (1) Video lottery game terminals shall conform to all  
46 requirements of federal law and regulations, including FCC  
47 Class A Emission Standards;

48           (2) Video lottery game terminals and video lottery  
49 games shall theoretically pay out a mathematically  
50 demonstrable percentage during the expected lifetime of the  
51 terminal of all amounts played, which shall not be less than  
52 eighty percent. The commission shall establish a maximum  
53 payout percentage for approved models by rule. Video  
54 lottery game terminals that may be affected by skill shall  
55 meet this standard when using a method of play that will  
56 provide the greatest return to the player over a period of  
57 continuous play;

58           (3) Video lottery game terminals shall use a random  
59 number generator computer, software, or similar random  
60 selection process to generate and produce an independent and  
61 random outcome of each play of a video lottery game. The  
62 random selection process shall meet ninety-nine percent  
63 confidence limits using a standard chi-squared test for  
64 goodness of fit;

65           (4) Video lottery game terminals shall display an  
66 accurate representation of the video lottery game outcome;

67           (5) Video lottery game terminals shall not  
68 automatically alter pay tables or any function of the video  
69 lottery game terminal based on internal computation of hold  
70 percentage or have any means of manipulation that affects  
71 the random selection process or probabilities of winning a  
72 game;

73           (6) Video lottery game terminals shall not be  
74 adversely affected by static discharge or other  
75 electromagnetic interference;

76           (7) Video lottery game terminals shall, while in an  
77 idle state or on demand, be capable of detecting and  
78 displaying "power reset", "door open", and "door just  
79 closed";

80           (8) Video lottery game terminals shall have the  
81 capacity to display complete play history including, but not  
82 limited to, outcome, intermediate play steps, credits  
83 available, bets placed, credits paid, and credits cashed  
84 out, for the most recent game played and ten games played  
85 immediately prior thereto;

86           (9) The theoretical payback percentage of a video  
87 lottery game terminal shall not be capable of being changed  
88 without making a hardware or software change in the video  
89 lottery game terminal, either on site or through the central  
90 control system;

91           (10) Video lottery game terminals shall be designed so  
92 that replacement of parts or modules required for normal  
93 maintenance does not necessitate replacement of the  
94 electromechanical meters;

95           (11) Video lottery game terminals shall have one or  
96 more mechanisms that accept cash in the form of bills and  
97 accepting tickets. The mechanisms shall be designed to  
98 prevent obtaining credits without paying by stringing,  
99 slamming, drilling, or other means. If such attempts at  
100 physical tampering are made, the video lottery game terminal  
101 shall suspend itself from operating until reset;

102           (12) Video lottery game terminals shall have  
103 accounting software that keeps an electronic record of  
104 information including, but not limited to, total cash  
105 inserted, value of winning tickets claimed by players, total  
106 credits played, total credits awarded by a video lottery

game terminal, and payback percentage credited to players of each video lottery game;

(13) Video lottery game terminals shall be capable of issuing and accepting tickets for play, commonly known as "ticket-in ticket-out". Video lottery game terminals shall not directly dispense anything of value except for tickets representing credits purchased or won on a video lottery game terminal. The ticket shall indicate the total amount of award, the time of day in a twenty-four-hour format showing hours and minutes, the date, the video lottery game terminal serial number, the sequential number of the ticket, and an encrypted validation number from which the validity of the prize may be determined;

(14) Video lottery game terminals and redemption terminals shall be connected to the central control system approved by the commission. The commission shall provide licensed video lottery game operators with the necessary protocols to connect video lottery game terminals to the central control system after such video lottery game terminals have been approved by the commission. No video lottery game terminal shall be placed in operation without first connecting to the central control system and shall remain connected to the central control system at all times a video lottery game terminal is made available for play; and

(15) The commission shall adopt rules to identify the location, by municipality and county, of each video lottery game terminal being operated in the state and connected to the central control system. The commission shall adopt rules to maintain a current list of such information, and shall provide said list to the department of revenue to ensure accurate taxation and reporting.

138           3. (1) The commission shall impose an initial  
139 nonrefundable administrative license application fee that  
140 shall be submitted when the application is filed and  
141 deposited in the state lottery fund as follows:

142           (a) For video lottery game manufacturers and video  
143 lottery game distributors, twenty-five thousand dollars;

144           (b) For video lottery game operators, one hundred  
145 thousand dollars;

146           (c) For video lottery game retailer establishments,  
147 one thousand dollars for each video lottery game retailer  
148 establishment; and

149           (d) For video lottery game handlers, one hundred  
150 dollars.

151           (2) The initial license shall be for a period of one  
152 year. Thereafter, renewals of such license shall be for a  
153 period of four years. Subsequent to the initial one-year  
154 period, anyone licensed pursuant to this subsection shall  
155 submit an annual nonrefundable fee to be deposited in the  
156 state lottery fund. Such fee shall be paid as follows:

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

159           (b) Fifty thousand dollars for video lottery game  
160 operators;

161           (c) One hundred dollars for video lottery game  
162 handlers; and

163           (d) One thousand dollars for each establishment owned  
164 and operated by a video lottery game retailer.

165           (3) In addition to any other fees imposed by sections  
166 313.425 to 313.445, an annual nonrefundable administrative  
167 fee of one thousand dollars shall be paid to the department  
168 for each video lottery game terminal placed in service, and  
169 shall be deemed an administrative fee on the device itself

and not on the operation or play thereof. Such annual administrative fee shall be equally divided and paid by the video lottery game operator and the video lottery game retailer to the department once per year. The department shall remit two hundred dollars of the fee to the commission, which shall deposit such fee in the state lottery fund. The remaining eight hundred dollars of such fee shall be remitted to the illegal gaming enforcement fund, which the state treasurer shall pay as follows:

(a) One hundred dollars shall be transmitted to the Missouri state highway patrol for use in investigations and enforcement of sections 313.425 to 313.445;

(b) Fifty dollars shall be transmitted to the Missouri attorney general's office for use in illegal gambling enforcement;

(c) Fifty dollars shall be transmitted to the Missouri prosecutors pension fund;

(d) Four hundred dollars shall be transmitted to the Missouri veterans commission; and

(e) Two hundred dollars shall be transmitted to the municipality in which the video lottery game terminal is located, except that if a video lottery game terminal is located in an unincorporated area of a county, the two hundred dollars shall be transmitted to the county in which the video lottery game terminal is located.

(4) No license shall be issued to any person who has been convicted of a felony or any crime involving illegal gambling.

(5) A licensee shall notify the commission of any change relating to the status of its license or any other information contained in the application materials on file with the commission.

202           4. Licensed video lottery game operators and licensed  
203 video lottery game retailers shall enter into a use  
204 agreement for the placement of video lottery game  
205 terminals. The video lottery game operator shall provide a  
206 true and accurate copy of the executed use agreement to the  
207 video lottery game retailer within ten days after execution  
208 of the use agreement by the parties. The use agreement  
209 shall be on a form approved by the commission. The use  
210 agreement shall contain commercially reasonable terms  
211 including, but not limited to, the following minimum  
212 requirements:

213           (1) An equal division of net terminal income between a  
214 video lottery game operator and video lottery game retailer;

215           (2) A requirement that the video lottery game operator  
216 is to be responsible for collection, remittance, and  
217 disbursement of gross gaming revenue, gross gaming revenue  
218 tax, and net terminal income;

219           (3) An affirmative statement that no inducement was  
220 offered, proposed, or accepted by either the video lottery  
221 game operator or the video lottery game retailer regarding  
222 the placement or operation of video lottery game terminals  
223 at the premises of the video lottery game retailer;

224           (4) An indemnity and hold harmless provision on behalf  
225 of the state, the commission, and its agents relative to any  
226 cause of action arising out of the use agreement between a  
227 video lottery game operator and a video lottery game  
228 retailer;

229           (5) A prohibition on the assignment of the agreement  
230 from or to any person except from a video lottery game  
231 operator to another video lottery game operator or from a  
232 video lottery game retailer to another video lottery game

233 retailer, and providing that all use agreements shall be  
234 otherwise freely assignable;

235 (6) A release of the video lottery game retailer from  
236 any continuing contractual obligation to the video lottery  
237 game operator if the video lottery game operator has its  
238 license revoked or denied, has its renewal denied, or  
239 surrenders its license;

240 (7) A provision that the parties agree to modify the  
241 agreement to the extent necessary to comply with a change in  
242 Missouri law or commission rules;

243 (8) A term not to exceed five years and shall not  
244 contain any automatic renewal or extension of any such term;  
245 and

246 (9) Provisions approved by the commission.

247 5. No video lottery game retailer shall enter into a  
248 use agreement with more than one video lottery game operator  
249 at any time. Only upon termination of a use agreement with  
250 a video lottery game operator may a video lottery game  
251 retailer enter into a new use agreement with a different  
252 video lottery game operator.

253 6. All licensees shall remain subject to all income  
254 taxes, sales taxes, and use taxes lawfully assessed by this  
255 state, or any municipality, county, or other political  
256 subdivision of this state; provided, however, that a  
257 municipality, county, or other political subdivision of this  
258 state shall not impose, levy, collect, or assess any license  
259 requirement, tax, or fee including, but not limited to, any  
260 permit tax or fee, sticker fee, occupation tax or fee,  
261 amusement tax or fee, or taxes or fees upon the play, use,  
262 ownership, lease, placement, operation, repair, service,  
263 transportation, or storage of any video lottery game  
264 terminal, video lottery game, video lottery game

265 manufacturer, video lottery game distributor, video lottery  
266 game operator, or video lottery game retailer.

267 7. (1) Video lottery game terminals shall be  
268 inspected and approved by the commission prior to being  
269 sold, leased, or transferred.

270 (2) Video lottery game manufacturers and video lottery  
271 game distributors may buy, sell, or lease new or refurbished  
272 video lottery game terminals to and from video lottery game  
273 manufacturers, video lottery game distributors, and video  
274 lottery game operators.

275 (3) Redemption terminals shall meet independent  
276 testing standards approved by the commission. The  
277 commission may approve redemption terminals that have been  
278 approved by another state for operation for use as part of  
279 that state's video lottery game system or similar system.

280 8. (1) Licensed video lottery game operators:

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

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

286 (c) Shall connect all video lottery game terminals to  
287 the central control system approved by the commission.

288 (2) All video lottery game tickets shall be redeemed  
289 using a redemption terminal. Such redemption terminal shall  
290 be located within a video lottery game retailer's  
291 establishment in direct proximity to such video lottery game  
292 terminals. Video lottery game operators shall pay the  
293 commission thirty-two percent of any unclaimed cash prize  
294 associated with each video lottery game ticket that has not  
295 been redeemed within one hundred eighty days of issuance.



296           (3) A video lottery game operator shall not, directly  
297 or indirectly, lease real estate to a video lottery game  
298 retailer. No lease of real property to a video lottery game  
299 retailer may contain a provision requiring any sharing or  
300 splitting of net terminal income between the lessor and the  
301 lessee, or any method of rent calculation using a percentage  
302 of net terminal income, or any other similar provision or  
303 method for the determination or calculation of any rent,  
304 concession, or other charge by a lessor to a lessee. Video  
305 lottery game retailers shall submit true, accurate, and  
306 complete leases or similar agreements regarding the premises  
307 of the video lottery game retailer to the commission with  
308 their license application and annual license renewal  
309 application.

310           (4) Only a video lottery game operator or an  
311 operator's employee may negotiate and enter into a use  
312 agreement with a video lottery game retailer for the initial  
313 or continued placement of video lottery game terminals.  
314 Video lottery game operators and video lottery game  
315 retailers shall not offer, propose, or accept anything of  
316 value, other than the equal division of net terminal income  
317 in exchange for the execution of a use agreement. No video  
318 lottery game operator or video lottery game retailer shall  
319 pay compensation or any other valuable consideration to any  
320 third party for the solicitation, procurement, execution, or  
321 delivery of any use agreement with a video lottery game  
322 operator or video lottery game retailer, except as approved  
323 by the commission. A video lottery game operator shall not  
324 share or split net terminal income with any other video  
325 lottery game operator licensee under sections 313.425 to  
326 313.445 or with any other third-party, except as approved by  
327 the commission. The commission shall adopt rules for the

328 sharing or splitting of net terminal income by a video  
329 lottery game operator.

330 (5) Any agreement, contract, or arrangement for the  
331 initial or continued placement of video lottery game  
332 terminals entered into by any person prior to being duly  
333 licensed as a video lottery game operator or a video lottery  
334 game retailer by the commission shall be invalid. Only use  
335 agreements by and between licensed video lottery game  
336 operators and licensed video lottery game retailers shall be  
337 deemed valid for the placement and operation of video  
338 lottery game terminals.

339 9. (1) To combat problem gambling, video lottery game  
340 operators shall allow players to be self-excluded from video  
341 lottery game play pursuant to rules adopted by the  
342 commission.

343 (2) Video lottery game operators may establish a  
344 player rewards systems approved by the commission. No  
345 player shall be required to enroll in a rewards program  
346 offered by a video lottery game operator as a condition to  
347 play video lottery games.

348 10. (1) Video lottery game terminals shall not  
349 directly dispense anything of value except for video lottery  
350 game tickets. Tickets shall be dispensed by pressing the  
351 ticket dispensing button on the video lottery game terminal  
352 at the end of any video lottery game play or series of  
353 plays. The value of video lottery game terminal credits  
354 shall be determined by the commission. Video lottery game  
355 operators shall not be required to pay out coins for prizes  
356 to be paid to a player having a value less than one dollar,  
357 and redemption terminals shall not be required to dispense  
358 coins. Any prize to be paid to a player having a value less  
359 than one dollar shall be dispensed to the player from the

redemption terminal in the form of a ticket, which may be inserted into a video lottery game terminal for play. The commission may adopt rules allowing redemption terminals to allow a player to donate prizes to be paid to a player having a value of less than one dollar to charitable organizations.

(2) The maximum wager for a single video lottery game shall not exceed four dollars. The maximum prize won from a single wager for video lottery game play shall be no more than one dollar less than the minimum amount required to report gambling winnings from slot machines pursuant to IRS Form W2G and IRS Form 5754;

(3) No more than eight video lottery game terminals may be placed at the business premises of a video lottery game retailer;

(4) The play, use, or operation of video lottery games and video lottery game terminals shall not be advertised to the public through any means including, but not limited to, media outlets, social media advertising, direct mail, broadcast media, telephone solicitation, billboards, or other signage. The commission may adopt rules allowing for limited signage to be displayed at a video lottery game retailer's premises. 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. Notwithstanding any other provision of law to the contrary, there is no prohibition or restriction on direct or indirect marketing or advertising of video lottery games, video lottery game terminals, or redemption terminals by video lottery game manufacturers, and video lottery game

distributors to video lottery game operators and video lottery game retailers. Video lottery game operators may advertise, promote, and market to players of video lottery games and video lottery game terminals through player rewards programs approved by the commission.

(5) Video lottery games shall not be played at any time when the video lottery game retailer's establishment is closed for business.

11. (1) No person under twenty-one years of age shall play video lottery games or video lottery game terminals. The video lottery game retailer shall be responsible for preventing persons under twenty-one years of age from playing video lottery games or video lottery game terminals.

(2) Video lottery game operators shall install, maintain, and operate video surveillance systems within the immediate area of the video lottery game retailer's establishment where video lottery game terminals and redemption terminals are located. The surveillance system may also cover the perimeter of the video lottery game retailer's premises. The video lottery game operator shall maintain video footage for thirty days and shall, upon request, provide such footage to the commission. Video footage taken by the video surveillance system shall:

(a) Be deleted and expunged after the thirty day period described in this subdivision; and

(b) Not make use of any facial recognition technology or software.

(3) The commission shall adopt rules regarding the investigation and enforcement of violations of law, rule, or regulation governing the conduct of video lottery games in conformance with established commission procedures, which

may include fines, suspension, and revocation of licenses issued 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, or other similar information as determined by the commission. The commission may adopt rules for the mandatory posting of signage regarding problem gaming, underage gaming, and other consumer protection measures.

(5) Pursuant to rules adopted by the department and the commission, a video lottery game operator shall be responsible for:

(a) Paying prizes won from video lottery game play to winning players;

(b) Collecting all funds from video lottery game terminals;

(c) Depositing all funds collected from video lottery game terminals into a separate bank account maintained by the video lottery game operator to allow for monthly electronic fund transfers by the commission and the department all applicable adjusted gross gaming tax and municipality and county administration tax;

(d) After such transfer to the commission and the department, remitting to the video lottery game retailer its share of net terminal income on not less than a monthly basis. The video lottery game operator may thereafter transfer its share of net terminal income to its business operations account; and

(e) The commission may adopt rules allowing for the division of net terminal income between the video lottery

game operator and the video lottery game retailer on a basis other than an equal division of net terminal income.

(6) A video lottery game retailer or operator shall place a conspicuous warning label or sticker on each video lottery game terminal at each video lottery game retailer location in red lettering at least one-half inch high on white background that reads, "WARNING: GAMBLING CAN BE ADDICTIVE".

12. The adjusted gross gaming revenue tax shall be imposed on adjusted gross gaming revenue. Video lottery game operators shall collect and remit the adjusted gross gaming revenue tax, which shall be deposited in the state lottery fund pursuant to rules adopted by the commission. The commission shall use and transmit such funds as follows:

(1) The commission shall retain an amount from the adjusted gross gaming revenue tax necessary to cover direct administrative expenses for the regulation and enforcement of the video lottery game program that are not covered by license fees or reimbursements;

(2) Subject to appropriations, all remaining funds after administrative expenses and payment of prizes shall be transferred to the lottery proceeds fund and shall be appropriated equally to public elementary and secondary education and public institutions of higher education. Ten percent of such funds shall be appropriated to public institutions of higher education workforce development programs, and ten percent of such funds shall be appropriated for construction and rehabilitation of public elementary and secondary education facilities. The funding provided for in this subdivision shall supplement, and not supplant, any education funding otherwise appropriated by the general assembly.

13. The municipality and county administration tax shall be imposed on adjusted gross gaming revenue. Video lottery game operators shall remit the municipality and county administration tax to the department. The department shall distribute such funds to the municipality or county identified by the commission pursuant to subdivision (15) of subsection 2 of this section. The municipality or county shall receive the proceeds of the municipality and county administration tax generated by the video lottery game terminals located within the jurisdiction of the identified municipality or county to be used for providing services necessary for the safety of the public visiting a video lottery game retailer's location. All revenue owed to the municipality or county shall be deposited and distributed to the municipality or county in accordance with rules and regulations created by the department. All the funds deposited with any municipality or county shall not be considered state funds and shall be deposited in the municipality or county's general revenue fund to be expended as provided for in this section.

14. All revenues received by the commission from license fees and any reimbursements associated with the administration of the provisions of sections 313.425 to 313.445, and all interest earned thereon, shall be used for 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 313.445 shall not be considered net proceeds under Article III, Section 39(b) of the Constitution of Missouri. 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.

15. The commission may contract with a state law enforcement entity to assist in conducting background investigations of video lottery game license applicants, and for the enforcement of sections 313.425 to 313.445.

16. The commission shall adopt rules for the implementation of the video lottery game system authorized under sections 313.425 to 313.445, including, but not limited to, a designation of a distinct, designated area within a video lottery game retailer's premises as the video lottery gaming area that is divided from the primary business operation area of the video lottery game retailer's premises where all video lottery game terminals and redemption terminals shall be placed and operated and all gaming activity shall be conducted. 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, 2026, 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 313.445, the commission shall:



4           (1) Contract for the supply and operation of a central  
5 control system no later than ninety days after the effective  
6 date of sections 313.425 to 313.445;

7           (2) Make license applications for video lottery game  
8 manufacturers, video lottery game distributors, video  
9 lottery game operators, video lottery game retailers, and  
10 video lottery game handlers available to applicants no later  
11 than thirty days after the effective date of sections  
12 313.425 to 313.445;

13           (3) Accept applications and promulgate any emergency  
14 rules or regular rules and regulations needed for the  
15 implementation of the video lottery game system authorized  
16 under sections 313.425 to 313.445 no later than one hundred  
17 twenty days after the effective date of sections 313.425 to  
18 313.445;

19           (4) Issue an approved form use agreement no later than  
20 ninety days after the effective date of sections 313.425 to  
21 313.445;

22           (5) Establish a start date when all video lottery game  
23 operators may begin soliciting use agreements with video  
24 lottery game retailers for the placement of video lottery  
25 game terminals. No video lottery game operator shall  
26 solicit use agreements prior to the start date. Such start  
27 date shall be set no more than one hundred eighty days after  
28 the effective date of sections 313.425 to 313.445;

29           (6) Approve or deny any completed video lottery game  
30 retailer application or video lottery game operator  
31 application no more than ninety days after such application  
32 is received by the commission. The operation of unregulated  
33 amusement devices or unregulated gambling devices shall not  
34 be the sole cause for denial of a video lottery game

retailer license or a video lottery game operator license;  
and

(7) Establish a date by which the system of video lottery game terminals shall be operational. The operational date shall be no later than three hundred sixty five days after the effective date of sections 313.425 to 313.445.

313.433. 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 313.445 shall not be construed to be a lottery or gift enterprise in violation of Article III, Section 39 of the Constitution of Missouri.

313.435. 1. A municipality may adopt an ordinance prohibiting video lottery game terminals within the corporate limits of such municipality within ninety days after the effective date of this act. Such municipality shall notify the commission of the ordinance within seven days of passage. A municipality that has adopted such an ordinance may at any time thereafter adopt an ordinance allowing video lottery game terminals within the corporate limits of such municipality, but may not after the passage of such ordinance adopt any ordinance prohibiting video lottery game terminals within the corporate limits of such municipality.

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 the county within ninety days from the effective date of this act. Such county shall notify the commission of the ordinance within seven days of passage. A county commission that has adopted such an ordinance may at any time

20 thereafter adopt an ordinance allowing video lottery game  
21 terminals within the unincorporated area of the county, but  
22 may not after the passage of such ordinance adopt any  
23 ordinance prohibiting video lottery game terminals within  
24 the unincorporated area of the county.

25 3. Any municipality or county adopting an ordinance  
26 that prohibits the licensing of video lottery games shall  
27 notify the commission of such action and provide a certified  
28 copy of such ordinance to the commission. Upon receiving  
29 such notification and ordinance, the commission shall not  
30 license video lottery game retailers within such area  
31 covered by such municipal or county ordinance.

32 4. If any such municipality or county that has opted  
33 to prohibit the use of video lottery game terminals to play  
34 video lottery games repeals such ordinance and adopts an  
35 ordinance allowing video lottery game terminals within such  
36 municipality or county, then such municipality or county  
37 shall notify the commission, and the commission may license  
38 video lottery game retailers within such municipality or  
39 county to conduct video lottery games.

313.437. 1. Nothing in sections 313.425 to 313.445  
2 shall be construed to prohibit or bar the issuance of any  
3 license described therein to an applicant on the basis of  
4 that applicant's operation, handling, leasing, licensing,  
5 servicing, or placing of machines or devices used for  
6 amusement purposes, except that any video lottery game  
7 retailer shall attest, on a form provided by the commission,  
8 that the video lottery game retailer does not own or possess  
9 any illegal gambling devices, or other machines or devices  
10 where the player pays money to play a game of skill or  
11 chance which may result in a cash award or prize to the  
12 player. This form shall be submitted with a person's

13 application for any license authorized under sections  
14 313.425 to 313.445.

15 2. The general assembly, by enacting sections 313.425  
16 to 313.445, intends to enact a comprehensive scheme of  
17 statewide regulation, and further intends to preempt any  
18 other regulation of the area covered by sections 313.425 to  
19 313.445. No municipality, county, governmental subdivision,  
20 or agency may enact or enforce any law, ordinance, or  
21 regulation that regulates, taxes, imposes a fee, or makes  
22 any conduct in the area covered by sections 313.425 to  
23 313.445 an offense, or the subject of a criminal or civil  
24 penalty or sanction of any kind.

313.438. 1. The application form for licensure under  
2 sections 313.425 to 313.445 shall be prescribed by the  
3 commission and shall contain the following information:

4 (1) The name, date of birth, and address of the  
5 individual or organization;

6 (2) A statement as to whether the individual or  
7 organization has had any previous application refused, or  
8 any license revoked or suspended;

9 (3) A copy of the articles of incorporation and  
10 certificate of incorporation of the organization, if  
11 applicable;

12 (4) A sworn statement signed by the individual or  
13 chief officer and the secretary of the organization  
14 verifying that the statements contained in the application  
15 are true;

16 (5) The name and address of a person authorized to  
17 receive service of process on behalf of the organization; and

18 (6) Such other information deemed necessary by the  
19 commission or as the commission may promulgate by  
20 regulation.

21           2. The commission shall issue, suspend, revoke, and  
22 renew licenses under sections 313.425 to 313.445 pursuant to  
23 rules and regulations adopted by the commission. Licensing  
24 rules and regulations shall include requirements relating to  
25 the financial responsibility of the licensee, the  
26 accessibility of the licensee's place of business or  
27 activity to the public, the sufficiency of existing licenses  
28 to serve the public interest, the volume of expected sales,  
29 the security and efficient operation of the video lottery  
30 game, and other matters necessary to protect the public  
31 interest and trust in the lottery. Licensees shall be  
32 selected without regard to political affiliation.

33           3. The commission shall require every licensee to post  
34 a bond, a bonding fee, or a letter of credit in such amount  
35 as may be required by the commission, and upon licensure  
36 shall prominently display the licensee's license, or a copy  
37 thereof, as provided in the rules and regulations of the  
38 commission.

39           4. Any license issued by the commission shall not be  
40 assignable or transferable.

41           5. A license shall be revoked upon a finding that the  
42 licensee:

43           (1) Has knowingly provided false or misleading  
44 information to the commission or its employees;

45           (2) Has been convicted of any felony; or

46           (3) Has endangered the security of the lottery.

47           6. A license may be suspended, revoked, or not renewed  
48 for any of the following causes:

49           (1) A change of business location;

50           (2) An insufficient sales volume;

51           (3) A delinquency in remitting money owed to the  
52 commission; or

53           (4) Any violation of any rule or regulation adopted  
54 pursuant to this section by the commission.

55           7. A person who knowingly makes a false statement on  
56 an application is guilty of a class A misdemeanor and shall  
57 not be eligible for any license by the commission.

58           8. A renewal application shall only include any  
59 changes in the information required to be submitted with the  
60 initial application or such other information required by  
61 the commission.

62           (1) A blank form for application for registration  
63 shall be mailed to each person licensed in this state at the  
64 person's last known office or residence address. Failure to  
65 receive such application shall not, however, relieve any  
66 person of the duty to renew and pay the required fee, nor  
67 exempt the person from the penalties provided by this  
68 chapter for failure to renew.

69           (2) If a person licensed, certified, or registered by  
70 the commission does not renew such license, such license  
71 shall be deemed void.

72           9. The commission shall submit fingerprints for any  
73 person seeking issuance or renewal of a license issued by  
74 the commission, for the purpose of checking the person's  
75 prior criminal history when the commission determines a  
76 nationwide check is warranted. The fingerprint cards and  
77 any required fees shall be sent to the Missouri state  
78 highway patrol's central repository. The fingerprints shall  
79 be used for searching the state criminal history repository  
80 and shall also be forwarded to the Federal Bureau of  
81 Investigation for the searching of the federal criminal  
82 history files under section 43.540. The patrol shall notify  
83 the commission of any criminal history information or lack  
84 of criminal history information discovered on the

individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the commission.

10. It is the burden of the applicant to show by clear and convincing evidence the applicant's suitability as to character, experience, and other factors as may be deemed appropriate by the commission.

11. Before a license is granted, the commission shall conduct a thorough investigation of the applicant for a license. The applicant shall provide information on a form as required by the commission.

12. Any organization licensed under sections 313.425 to 313.445 that changes any of its officers, directors, or officials during the term of the license shall immediately report the names and addresses of such individuals to the commission, along with a sworn statement of each such individual as required on forms furnished by the commission.

13. The following persons and organizations shall not be eligible for any license under the provisions of sections 313.425 to 313.445 and shall not participate in the management, conduct, or operation of any video lottery game, video lottery game handler, video lottery game distributor, or video lottery game manufacturer:

(1) Any person who has been convicted of a felony;

(2) Any person who has been convicted of or pleaded nolo contendere to any illegal gambling activity or forfeited bond for not appearing while charged with any illegal gambling activity;

(3) Any person the commission has determined, based on the person's prior activities or criminal record, if any, poses a threat to the public interest or to the effective

117 regulation and control of video lottery games, or creates or  
118 enhances the dangers of unsuitable, unfair, or illegal  
119 practices, methods, or activities in the conduct of video  
120 lottery games;

121 (4) Any firm, organization, or corporation in which a  
122 person defined in subdivision (3) of this subsection is an  
123 officer, director, or employee, whether compensated or not;

124 (5) Any firm, organization, or corporation in which a  
125 person defined in subdivision (3) of this subsection is to  
126 participate in the management or operations of a video  
127 lottery game, video lottery game handler, video lottery game  
128 distributor, video lottery game manufacturer, or video  
129 lottery game retailer;

130 (6) Any person who, at the time of the application for  
131 renewal of a license, would not be eligible for such license  
132 upon first application.

313.439. 1. A licensee shall be subject to the  
2 imposition of penalties, suspension or revocation of such  
3 license, or other action for any act or failure to act by  
4 the licensee or the licensee's agents or employees, that is  
5 injurious to the public health, safety, good order, and  
6 general welfare of the people of the state of Missouri, or  
7 that would discredit or tend to discredit the video lottery  
8 operations in the state of Missouri unless the licensee  
9 proves by clear and convincing evidence that the licensee is  
10 not guilty of such action. The commission may refuse to  
11 issue a license. The commission shall notify the applicant  
12 or licensee in writing of the reasons for the refusal or  
13 discipline, and shall advise the applicant or licensee of  
14 their right to file a complaint with the administrative  
15 hearing commission as provided by chapter 621. If no  
16 written request for a hearing is received by the



17 administrative hearing commission within the thirty-day  
18 period, the right to seek review of the commission's  
19 decision shall be considered as waived. The commission  
20 shall take appropriate action against any applicant or  
21 licensee who violates the law or the rules and regulations  
22 of the commission. Without limiting other provisions of  
23 sections 313.425 to 313.445, the following acts or omissions  
24 may be grounds for such discipline:

25 (1) Failing to comply with or make provision for  
26 compliance with the provisions of sections 313.425 to  
27 313.445, the rules and regulations of the commission, or any  
28 federal, state, or local law or regulation;

29 (2) Failing to comply with any rule, order, or ruling  
30 of the commission or its agents pertaining to sections  
31 313.425 to 313.445;

32 (3) Receiving or purchasing goods or services from a  
33 person or business entity who does not hold a license issued  
34 pursuant to sections 313.425 to 313.445, but who is required  
35 to hold such license by the provisions of sections 313.425  
36 to 313.445 or the rules and regulations of the commission;

37 (4) Associating with, either socially or in business  
38 affairs, or employing persons of notorious or unsavory  
39 reputation or who have extensive police records, or who have  
40 failed to cooperate with any officially constituted  
41 investigatory or administrative body and would adversely  
42 affect public confidence and trust in gaming;

43 (5) Use of fraud, deception, misrepresentation, or  
44 bribery in securing any license issued pursuant to the  
45 provisions of sections 313.425 to 313.445 or impersonation  
46 of any person holding a license or allowing a person to use  
47 the person's license;

48           (6) Obtaining or attempting to obtain any fee, charge,  
49 or other compensation by fraud, deception, or  
50 misrepresentation;

51           (7) Incompetence, misconduct, gross negligence, fraud,  
52 misrepresentation, or dishonesty in the performance of the  
53 functions or duties regulated by the provisions of sections  
54 313.425 to 313.445;

55           (8) Revocation, suspension, restriction, modification,  
56 limitation, reprimand, warning, censure, probation, or other  
57 final disciplinary action against the licensee or applicant  
58 for a license by another state, territory, federal agency,  
59 or country, whether or not voluntarily agreed to by the  
60 licensee or applicant, including, but not limited to, the  
61 denial of licensure, surrender of the license, or allowing  
62 the license to expire or lapse;

63           (9) A person is finally adjudged incapacitated or  
64 disabled by a court of competent jurisdiction;

65           (10) Issuance of a license based upon a material  
66 mistake of fact;

67           (11) Knowingly making a false statement, orally or in  
68 writing, to the commission;

69           2. The commission may cause a complaint to be filed  
70 with the administrative hearing commission as provided by  
71 chapter 621 against any applicant or holder of any license  
72 required by sections 313.425 to 313.445, or against any  
73 person who has failed to renew or has surrendered the  
74 person's license.

75           3. After the filing of such complaint before the  
76 administrative hearing commission, the proceedings shall be  
77 conducted in accordance with the provisions of chapter 621.  
78 Upon a finding by the administrative hearing commission that  
79 the grounds of this section for disciplinary action are met,

80 the commission may, singly or in combination, warn, censure,  
81 or place the person named in the complaint on probation on  
82 such terms and conditions as the commission deems  
83 appropriate for a period not to exceed ten years, or may  
84 suspend the person's license for a period not to exceed  
85 three years, or restrict or limit the person's license for  
86 an indefinite period of time, or revoke the person's license  
87 or administer a public or private reprimand, or deny the  
88 person's application for a license, or permanently withhold  
89 issuance of a license.

313.440. The administration of sections 313.425 to  
2 313.445 shall be vested in the commission which shall have  
3 power to adopt and enforce rules and regulations to regulate  
4 and license the management, operation, and conduct of video  
5 lottery games and participants therein and to properly  
6 administer and enforce the provisions of sections 313.425 to  
7 313.445. Any rule or portion of a rule, as that term is  
8 defined in section 536.010, that is created under the  
9 authority delegated in this section shall become effective  
10 only if it complies with and is subject to all of the  
11 provisions of chapter 536 and, if applicable, section  
12 536.028. This section and chapter 536 are nonseverable and  
13 if any of the powers vested with the general assembly  
14 pursuant to chapter 536 to review, to delay the effective  
15 date, or to disapprove and annul a rule are subsequently  
16 held unconstitutional, then the grant of rulemaking  
17 authority and any rule proposed or adopted after August 28,  
18 2026, shall be invalid and void.

313.441. The commission shall employ such  
2 professional, clerical, technical, and administrative  
3 personnel as may be necessary to carry out the provisions of  
4 sections 313.425 to 313.445. No person shall be employed by

5 the lottery who has been convicted of a felony. Any person  
6 employed by the lottery in a management or policy-making  
7 position shall be a resident of this state or become a  
8 Missouri resident within six months of the person's  
9 appointment. Personnel shall be employed without regard to  
10 any political affiliation. Personnel shall receive a salary  
11 comparable to the salaries received by other state employees  
12 doing comparable duties.

313.442. 1. The commission may administer oaths,  
2 subpoena witnesses, issue subpoenas duces tecum, and require  
3 production of documents and records. Subpoenas, including  
4 subpoenas duces tecum, shall be served by a person  
5 authorized to serve subpoenas of courts of record. In lieu  
6 of requiring attendance of a person to produce original  
7 documents in response to a subpoena duces tecum, the  
8 commission may require sworn copies of such documents to be  
9 filed with it or delivered to its designated representative.

10 2. The commission may enforce its subpoenas, including  
11 subpoena duces tecum, by applying to a circuit court of Cole  
12 County, the county of the investigation, hearing or  
13 proceeding, or any county where the person resides or may be  
14 found, for an order upon any person who shall fail to obey a  
15 subpoena to show cause why such subpoena should not be  
16 enforced, which such order and a copy of the application  
17 therefore shall be served upon the person in the same manner  
18 as a summons in a civil action, and if the circuit court  
19 shall, after a hearing, determine that the subpoena should  
20 be sustained and enforced, such court shall proceed to  
21 enforce the subpoena in the same manner as though the  
22 subpoena had been issued in a civil case in the circuit  
23 court.

313.443. Upon application by the commission, and the  
2 necessary burden having been met, a court of general  
3 jurisdiction may grant an injunction, restraining order, or  
4 other order as may be appropriate to enjoin a person from  
5 offering to engage or engaging in the performance of any  
6 acts or practices for which a license is required by  
7 sections 313.425 to 313.445 upon a showing that such acts or  
8 practices were performed or offered to be performed without  
9 a license. Any such action shall be commenced either in the  
10 county in which such conduct occurred or in the county in  
11 which the defendant resides. Any action brought under this  
12 section shall be in addition to and not in lieu of any  
13 penalty provided by sections 313.425 to 313.445 and may be  
14 brought concurrently with other actions to enforce the  
15 provisions of sections 313.425 to 313.445.

313.444. Upon receiving information that any provision  
2 of sections 313.425 to 313.445 has been or is being  
3 violated, the commission or other person designated by the  
4 commission shall investigate, and upon probable cause  
5 appearing, the commission shall file a complaint with the  
6 administrative hearing commission or appropriate official or  
7 court.

313.445. The provisions of sections 313.425 to 313.445  
2 are severable. If any provision of sections 313.425 to  
3 313.445 is found by a court of competent jurisdiction to be  
4 unconstitutional, the remaining provisions are valid except  
5 to the extent that the court finds that the valid  
6 provisions, standing alone, are incomplete and are incapable  
7 of being executed in accordance with the legislative  
8 intent. The provisions of this section shall be operative  
9 notwithstanding the provisions of section 1.140 to the  
10 contrary.

313.820. 1. An excursion boat licensee shall pay to  
2 the commission an admission fee of **[two] four** dollars for  
3 each person embarking on an excursion gambling boat with a  
4 ticket of admission. One dollar of such fee shall be  
5 deposited to the credit of the gaming commission fund as  
6 authorized pursuant to section 313.835, **two dollars of such**  
7 **fee shall be transferred to the Missouri veterans commission**  
8 **as established under section 42.007**, and one dollar of such  
9 fee shall not be considered state funds and shall be paid to  
10 the home dock city or county. Subject to appropriation, one  
11 cent of such fee deposited to the credit of the gaming  
12 commission fund may be deposited to the credit of the  
13 compulsive gamblers fund created pursuant to the provisions  
14 of section 313.842. Nothing in this section shall preclude  
15 any licensee from charging any amount deemed necessary for a  
16 ticket of admission to any person embarking on an excursion  
17 gambling boat. If tickets are issued which are good for  
18 more than one excursion, the admission fee shall be paid to  
19 the commission for each person using the ticket on each  
20 excursion that the ticket is used. If free passes or  
21 complimentary admission tickets are issued, the excursion  
22 boat licensee shall pay to the commission the same fee upon  
23 these passes or complimentary tickets as if they were sold  
24 at the regular and usual admission rate; however, the  
25 excursion boat licensee may issue fee-free passes to actual  
26 and necessary officials and employees of the licensee or  
27 other persons actually working on the excursion gambling  
28 boat. The issuance of fee-free passes is subject to the  
29 rules of the commission, and a list of all persons to whom  
30 the fee-free passes are issued shall be filed with the  
31 commission.

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

          572.010. As used in this chapter the following terms  
2 mean:

3           (1) "Advance gambling activity", a person advances  
4 gambling activity if, acting other than as a player, he or  
5 she engages in conduct that materially aids any form of  
6 gambling activity. Conduct of this nature includes but is  
7 not limited to conduct directed toward the creation or  
8 establishment of the particular game, lottery, contest,  
9 scheme, **gambling**, device or activity involved, toward the  
10 acquisition or maintenance of premises, paraphernalia,  
11 equipment or apparatus therefor, toward the solicitation or  
12 inducement of persons to participate therein, toward the  
13 actual conduct of the playing phases thereof, toward the  
14 arrangement or communication of any of its financial or  
15 recording phases, or toward any other phase of its  
16 operation. A person advances gambling activity if, having  
17 substantial proprietary control or other authoritative

control over premises being used with his or her knowledge for purposes of gambling activity, he or she permits that activity to occur or continue or makes no effort to prevent its occurrence or continuation. The supplying, servicing and operation of a licensed excursion gambling boat under sections 313.800 to 313.840 does not constitute advancing gambling activity. **The owning, operating, supplying, or servicing of video lottery game terminals under sections 313.425 to 313.437 does not constitute advancing gambling activity;**

(2) "Bookmaking", advancing gambling activity by unlawfully accepting bets from members of the public as a business, rather than in a casual or personal fashion, upon the outcomes of future contingent events;

(3) "Contest of chance", any contest, game, gaming scheme, or [gaming] **gambling** device in which the outcome [depends in a material degree upon an] **of the contest is determined by any** element of chance, notwithstanding that the skill of the contestants may also be a factor therein;

(4) "Gambling", a person engages in gambling when:

(a) He or she **operates, plays, or participates in the operation of a gambling device; or**

(b) **He or she** stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his or her control or influence, upon an agreement or understanding that he or she will receive something of value in the event of a certain outcome. Gambling does not include bona fide business transactions valid under the law of contracts, including but not limited to contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including but not



50 limited to contracts of indemnity or guaranty and life,  
51 health or accident insurance; nor does gambling include  
52 playing an amusement device that confers only an immediate  
53 right of replay not exchangeable for something of value.  
54 Gambling does not include any licensed activity, or persons  
55 participating in such games which are covered by sections  
56 313.800 to 313.840. **Gambling does not include any licensed**  
57 **activity or persons participating in such licensed activity,**  
58 **licensed video lottery game terminals, or video lottery**  
59 **games under sections 313.425 to 313.437;**

60 (5) ["Gambling device", any device, machine,  
61 paraphernalia or equipment that is used or usable in the  
62 playing phases of any gambling activity, whether that  
63 activity consists of gambling between persons or gambling by  
64 a person with a machine. However, lottery tickets, policy  
65 slips and other items used in the playing phases of lottery  
66 and policy schemes are not gambling devices within this  
67 definition;

68 (6) "Gambling record", any article, instrument,  
69 record, receipt, ticket, certificate, token, slip or  
70 notation used or intended to be used in connection with  
71 unlawful gambling activity;

72 [(7)] (6) "Lottery" or "policy", an unlawful gambling  
73 scheme in which for a consideration the participants are  
74 given an opportunity to win something of value, the award of  
75 which is determined by chance;

76 [(8)] (7) "Player", a person who engages in any form  
77 of gambling solely as a contestant or bettor, without  
78 receiving or becoming entitled to receive any profit  
79 therefrom other than personal gambling winnings, and without  
80 otherwise rendering any material assistance to the  
81 establishment, conduct or operation of the particular

82 gambling activity. A person who gambles at a social game of  
83 chance on equal terms with the other participants therein  
84 does not otherwise render material assistance to the  
85 establishment, conduct or operation thereof by performing,  
86 without fee or remuneration, acts directed toward the  
87 arrangement or facilitation of the game, such as inviting  
88 persons to play, permitting the use of premises therefor and  
89 supplying cards or other equipment used therein. A person  
90 who engages in "bookmaking" as defined in subdivision (2) of  
91 this section is not a player;

92 [(9)] (8) "Professional player", a player who engages  
93 in gambling for a livelihood or who has derived at least  
94 twenty percent of his or her income in any one year within  
95 the past five years from acting solely as a player;

96 [(10)] (9) "Profit from gambling activity", a person  
97 profits from gambling activity if, other than as a player,  
98 he or she accepts or receives money or other property  
99 pursuant to an agreement or understanding with any person  
100 whereby he participates or is to participate in the proceeds  
101 of gambling activity;

102 [(11)] (10) "Slot machine"[, a gambling device that as  
103 a result of the insertion of a coin or other object  
104 operates, either completely automatically or with the aid of  
105 some physical act by the player, in such a manner that,  
106 depending upon elements of chance, it may eject something of  
107 value. A device so constructed or readily adaptable or  
108 convertible to such use is no less a slot machine because it  
109 is not in working order or because some mechanical act of  
110 manipulation or repair is required to accomplish its  
111 adaptation, conversion or workability. Nor is it any less a  
112 slot machine because apart from its use or adaptability as  
113 such it may also sell or deliver something of value on a

basis other than chance] or "gambling device", an electronic, computerized, or mechanical machine, terminal, or other similar device that:

(a) Requires the direct or indirect insertion of any form of consideration, coin, currency, ticket, token, electronic token or currency, or other similar object, or the depositing of any form of consideration with the owner or operator of such slot machine or gambling device to operate the device;

(b) Offers, operates, or plays a contest or game, either completely automatically or with the aid of some physical act by the player, the outcome of which is determined by any element of chance, regardless of whether the outcome may also be partially or predominantly determined by the skill of the player, and regardless of whether the outcome may be partially or completely revealed to the player before or during play of the slot machine or gambling device; and

(c) May award to the player an award, prize, or something of value, whether or not the award is made directly or indirectly, and whether or not the award is made automatically from the gambling device or manually.

A device so constructed or readily adaptable or convertible to such use is no less a slot machine or gambling device because it is not in working order or because some mechanical act of manipulation or repair is required to accomplish its adaptation, conversion, or workability, nor is it any less a slot machine or gambling device because apart from its use or adaptability as such it may also sell or deliver something of value on a basis other than chance;

144 [(12)] (11) "Something of value", any money or  
145 property, any token, object or article exchangeable for  
146 money or property, or any form of credit or promise directly  
147 or indirectly contemplating transfer of money or property or  
148 of any interest therein or involving extension of a service,  
149 entertainment or a privilege of playing at a game or scheme  
150 without charge;

151 [(13)] (12) "Unlawful", not specifically authorized by  
152 law.

572.020. 1. A person commits the offense of gambling  
2 if he or she knowingly engages in gambling.

3 2. The offense of gambling is a class [C misdemeanor  
4 unless:

5 (1) It is committed by a professional player, in which  
6 case it is a class A misdemeanor; or

7 (2) The person knowingly engages in gambling with a  
8 child less than seventeen years of age, in which case it is  
9 a class B misdemeanor] **E felony.**

572.070. 1. A person commits the offense of  
2 possession of a gambling device if, with knowledge of the  
3 character thereof, he or she manufactures, sells,  
4 transports, places or possesses, or conducts or negotiates  
5 any transaction affecting or designed to affect ownership,  
6 custody or use of:

7 (1) A slot machine **or gambling device;** or

8 (2) Any other gambling device, knowing or having  
9 reason to believe that it is to be used in the state of  
10 Missouri in the advancement of unlawful gambling activity.

11 2. The offense of possession of a gambling device is a  
12 class A misdemeanor.

572.100. 1. The general assembly by enacting this  
2 chapter intends to preempt any other regulation of the area

3 covered by this chapter. No governmental subdivision or  
4 agency may enact or enforce a law that regulates or makes  
5 any conduct in the area covered by this chapter an offense,  
6 or the subject of a criminal or civil penalty or sanction of  
7 any kind.

8       2. The term "gambling", as used in this chapter, does  
9 not include licensed activities under sections 313.800 to  
10 313.840, **and does not include licensed activities under**  
11 **sections 313.425 to 313.437.**

12       3. The Missouri lottery commission shall have  
13 concurrent authority and jurisdiction to investigate and  
14 enforce violations of chapter 572, and to seek prosecution  
15 of violations of chapter 572 by the attorney general  
16 pursuant to section 27.105.

650.930. 1. There is hereby established within the  
2 department of public safety the "Missouri Gaming Bureau".  
3 The Missouri gaming commission and the Missouri lottery  
4 commission may contract with the Missouri gaming bureau for  
5 assistance in criminal and regulatory investigations  
6 involving individuals, companies, and suppliers who are  
7 applying for licensure or who are conducting any activities  
8 under sections 313.800 to 313.850 or operations relating to  
9 video lottery games.

10       2. The director of the gaming bureau shall be a  
11 uniformed member of the Missouri state highway patrol who  
12 shall be appointed by the superintendent of the state  
13 highway patrol. The director shall be responsible for the  
14 administrative operations of the gaming bureau and shall  
15 perform such other duties as may be delegated or assigned to  
16 the director by the department of public safety. Members of  
17 the state highway patrol, pursuant to a memorandum of  
18 understanding with the state highway patrol, may provide

19 services to the gaming bureau. The director may employ  
20 additional members to serve in the gaming bureau, provided  
21 that such persons are licensed peace officers under chapter  
22 590 and have a minimum of six hundred hours of law  
23 enforcement training.

24 3. Members of the gaming bureau shall have full power  
25 and authority as are now or hereafter vested by law in peace  
26 officers when working with the bureau, which shall include  
27 the power to enforce the rules of the gaming commission with  
28 respect to the gaming and lottery industry and the power to  
29 investigate violations occurring on the gaming floor and  
30 premises of excursion gambling boats licensed under sections  
31 313.800 to 313.850, violations by licensees of the lottery  
32 commission, and violations of chapter 572.

33 4. Members of the gaming bureau shall be paid from  
34 funds designated as administrative within the state lottery  
35 fund established under section 313.321 that were generated  
36 from revenues received by the Missouri lottery commission  
37 from the sale of Missouri lottery tickets and from license  
38 fees and reimbursements associated with the regulation and  
39 operation of video lottery games in the state and from funds  
40 designated as administrative within the gaming commission  
41 fund established under section 313.835 that were generated  
42 from revenues received by the Missouri gaming commission  
43 from license fees and reimbursements associated with the  
44 regulation and operation of excursion gambling boats in the  
45 state.

46 5. The director of the department of public safety may  
47 promulgate all necessary rules and regulations for the  
48 administration of this section. Any rule or portion of a  
49 rule, as that term is defined in section 536.010, that is  
50 created under the authority delegated in this section shall

51 become effective only if it complies with and is subject to  
52 all of the provisions of chapter 536 and, if applicable,  
53 section 536.028. This section and chapter 536 are  
54 nonseverable and if any of the powers vested with the  
55 general assembly pursuant to chapter 536 to review, to delay  
56 the effective date, or to disapprove and annul a rule are  
57 subsequently held unconstitutional, then the grant of  
58 rulemaking authority and any rule proposed or adopted after  
59 August 28, 2026, shall be invalid and void.

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