

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 119

AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof fourteen new sections relating to sports wagering.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Chapter 313.800, RSMo, is repealed and fourteen new sections enacted in lieu thereof, to be known as sections 313.800, 313.1000, 313.1002, 313.1004, 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1017, 313.1018, 313.1019, and 313.1020, to read as follows:

313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers. "Adjusted gross receipts" shall not include adjusted gross receipts from sports wagering as defined in section 313.1000;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

1 (4) "Capital, cultural, and special law enforcement purpose
2 expenditures" shall include any disbursement, including
3 disbursements for principal, interest, and costs of issuance and
4 trustee administration related to any indebtedness, for the
5 acquisition of land, land improvements, buildings and building
6 improvements, vehicles, machinery, equipment, works of art,
7 intersections, signing, signalization, parking lot, bus stop,
8 station, garage, terminal, hanger, shelter, dock, wharf, rest
9 area, river port, airport, light rail, railroad, other mass
10 transit, pedestrian shopping malls and plazas, parks, lawns,
11 trees, and other landscape, convention center, roads, traffic
12 control devices, sidewalks, alleys, ramps, tunnels, overpasses
13 and underpasses, utilities, streetscape, lighting, trash
14 receptacles, marquees, paintings, murals, fountains, sculptures,
15 water and sewer systems, dams, drainage systems, creek bank
16 restoration, any asset with a useful life greater than one year,
17 cultural events, and any expenditure related to a law enforcement
18 officer deployed as horse-mounted patrol, school resource or drug
19 awareness resistance education (D.A.R.E) officer;

20 (5) "Cheat", to alter the selection of criteria which
21 determine the result of a gambling game or the amount or
22 frequency of payment in a gambling game;

23 (6) "Commission", the Missouri gaming commission;

24 (7) "Credit instrument", a written check, negotiable
25 instrument, automatic bank draft or other authorization from a
26 qualified person to an excursion gambling boat licensee or any of
27 its affiliated companies licensed by the commission authorizing

1 the licensee to withdraw the amount of credit extended by the
2 licensee to such person from the qualified person's banking
3 account in an amount determined under section 313.817 on or after
4 a date certain of not more than thirty days from the date the
5 credit was extended, and includes any such writing taken in
6 consolidation, redemption or payment of a previous credit
7 instrument, but does not include any interest-bearing installment
8 loan or other extension of credit secured by collateral;

9 (8) "Dock", the location in a city or county authorized
10 under subsection 10 of section 313.812 which contains any natural
11 or artificial space, inlet, hollow, or basin, in or adjacent to a
12 bank of the Mississippi or Missouri Rivers, next to a wharf or
13 landing devoted to the embarking of passengers on and
14 disembarking of passengers from a gambling excursion but shall
15 not include any artificial space created after May 20, 1994, and
16 is located more than one thousand feet from the closest edge of
17 the main channel of the river as established by the United States
18 Army Corps of Engineers;

19 (9) "Excursion gambling boat", a boat, ferry or other
20 floating facility licensed by the commission on which gambling
21 games are allowed;

22 (10) "Fiscal year" shall for the purposes of subsections 3
23 and 4 of section 313.820 mean the fiscal year of a home dock city
24 or county;

25 (11) "Floating facility", any facility built or originally
26 built as a boat, ferry or barge licensed by the commission on
27 which gambling games are allowed;

1 (12) "Gambling excursion", the time during which gambling
2 games may be operated on an excursion gambling boat whether
3 docked or during a cruise;

4 (13) "Gambling game" includes, but is not limited to, games
5 of skill or games of chance on an excursion gambling boat but
6 does not include gambling on sporting events; provided such games
7 of chance are approved by amendment to the Missouri Constitution;

8 (14) "Games of chance", any gambling game in which the
9 player's expected return is not favorably increased by his or her
10 reason, foresight, dexterity, sagacity, design, information or
11 strategy;

12 (15) "Games of skill", any gambling game in which there is
13 an opportunity for the player to use his or her reason,
14 foresight, dexterity, sagacity, design, information or strategy
15 to favorably increase the player's expected return; including,
16 but not limited to, the gambling games known as "poker",
17 "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow
18 poker", "Texas hold'em", "double down stud", sports wagering, and
19 any video representation of such games;

20 (16) "Gross receipts", the total sums wagered by patrons of
21 licensed gambling games;

22 (17) "Holder of occupational license", a person licensed by
23 the commission to perform an occupation within excursion gambling
24 boat operations which the commission has identified as requiring
25 a license;

26 (18) "Licensee", any person licensed under sections 313.800
27 to 313.850;

1 (19) "Mississippi River" and "Missouri River", the water,
2 bed and banks of those rivers, including any space filled by the
3 water of those rivers for docking purposes in a manner approved
4 by the commission but shall not include any artificial space
5 created after May 20, 1994, and is located more than one thousand
6 feet from the closest edge of the main channel of the river as
7 established by the United States Army Corps of Engineers;

8 (20) "Supplier", a person who sells or leases gambling
9 equipment and gambling supplies to any licensee.

10 2. In addition to the games of skill defined in this
11 section, the commission may approve other games of skill upon
12 receiving a petition requesting approval of a gambling game from
13 any applicant or licensee. The commission may set the matter for
14 hearing by serving the applicant or licensee with written notice
15 of the time and place of the hearing not less than five days
16 prior to the date of the hearing and posting a public notice at
17 each commission office. The commission shall require the
18 applicant or licensee to pay the cost of placing a notice in a
19 newspaper of general circulation in the applicant's or licensee's
20 home dock city or county. The burden of proof that the gambling
21 game is a game of skill is at all times on the petitioner. The
22 petitioner shall have the affirmative responsibility of
23 establishing his or her case by a preponderance of evidence
24 including:

25 (1) Is it in the best interest of gaming to allow the game;
26 and

27 (2) Is the gambling game a game of chance or a game of

1 skill?

2

3 All testimony shall be given under oath or affirmation. Any
 4 citizen of this state shall have the opportunity to testify on
 5 the merits of the petition. The commission may subpoena
 6 witnesses to offer expert testimony. Upon conclusion of the
 7 hearing, the commission shall evaluate the record of the hearing
 8 and issue written findings of fact that shall be based
 9 exclusively on the evidence and on matters officially noticed.
 10 The commission shall then render a written decision on the merits
 11 which shall contain findings of fact, conclusions of law and a
 12 final commission order. The final commission order shall be
 13 within thirty days of the hearing. Copies of the final
 14 commission order shall be served on the petitioner by certified
 15 or overnight express mail, postage prepaid, or by personal
 16 delivery.

17 313.1000. As used in sections 313.1000 to 313.1020, the
 18 following terms mean:

19 (1) "Adjusted gross receipts":

20 (a) The total of all cash and cash equivalents received by
 21 a sports wagering operator from sports wagering minus:

22 (b) The total of:

23 a. All cash and cash equivalents paid out as winnings to
 24 sports wagering patrons;

25 b. The amounts paid to registered sports governing bodies
 26 under section 313.1018 and to public universities under section
 27 313.1019;

1 c. The actual costs paid by a sports wagering operator for
2 any personal property or services distributed to sports wagering
3 patrons as prizes; and

4 d. Uncollectible sports wagering receivables, not to exceed
5 the lesser of:

6 (i) A reasonable provision for uncollectible patron checks
7 received from sports wagering operations; or

8 (ii) Two percent of the total of all sums, including
9 checks, whether collected or not, less the amount paid out as
10 winnings to sports wagering patrons. For purposes of this
11 section, a counter or personal check that is invalid or
12 unenforceable under this section is considered cash received by
13 the sports wagering operator from sports wagering operations;

14 (2) "Approved limited mobile gaming system", a limited
15 mobile gaming system approved by the commission;

16 (3) "Certificate holder", a licensed applicant issued a
17 certificate of authority by the commission;

18 (4) "Certificate of authority", a certificate issued by the
19 commission authorizing a licensed applicant to conduct sports
20 wagering under sections 313.1000 to 313.1020;

21 (5) "Collegiate athletic or sporting event", an athletic or
22 sporting event offered or sponsored by, or played in connection
23 with, a public or private institution that offers educational
24 services beyond the secondary level;

25 (6) "Commission", the Missouri gaming commission;

26 (7) "Department", the department of revenue;

27 (8) "Excursion gambling boat", the same meaning as defined

1 under section 313.800;

2 (9) "Gross receipts", the total amount of cash and cash
3 equivalents paid by sports wagering patrons to a sports wagering
4 operator to participate in sports wagering;

5 (10) "Interactive sports wagering platform" or "platform",
6 a person that offers sports wagering over the internet, including
7 on internet websites and mobile devices on behalf of a
8 certificate holder;

9 (11) "Licensed applicant", a person holding a license
10 issued under section 313.807 to operate an excursion gambling
11 boat;

12 (12) "Licensed facility", an excursion gambling boat
13 licensed under this chapter;

14 (13) "Licensed supplier", a person holding a supplier's
15 license issued by the commission;

16 (14) "Limited mobile gaming system", a system that enables
17 a certificate holder to accept sports wagers through the use of
18 mobile gaming devices;

19 (15) "Occupational license", a license issued by the
20 commission;

21 (16) "Official league data", statistics, results, outcomes,
22 and other data relating to an athletic or sporting event obtained
23 pursuant to an agreement with the relevant sports governing body,
24 or an entity expressly authorized by the sports governing body to
25 provide such information to sports wagering operators, which
26 authorizes the use of such data for determining the outcome of
27 tier two sports wagers;

1 (17) "Person", an individual, sole proprietorship,
2 partnership, association, fiduciary, corporation, limited
3 liability company, or any other business entity;

4 (18) "Proposition wager", a wager on any aspect of an
5 athletic or sporting event unrelated to the event's outcome;

6 (19) "Registered sports governing body", a sports governing
7 body that is headquartered in the United States and who has
8 registered with the commission pursuant to this chapter. The
9 term shall not include the National Collegiate Athletic
10 Association;

11 (20) "Sports governing body", the organization that
12 prescribes final rules and enforces codes of conduct with respect
13 to a sporting event and participants therein;

14 (21) "Sports wagering", wagering conducted under sections
15 313.1000 to 313.1020 on athletic and sporting events, on portions
16 of athletic and sporting events, on the individual statistics of
17 athletes in a sporting event or combination of sporting events,
18 or on other events as approved by the commission involving human
19 competitors. The term includes, but is not limited to, single-
20 game wagers, teaser wagers, parlays, over-under, moneyline,
21 pools, exchange wagering, in-game wagers, in-play wagers,
22 proposition wagers, and straight wagers. Sports wagering shall
23 not include moneys spent to participate in paid fantasy sports
24 under section 313.900 to 313.955;

25 (22) "Sports wagering device", a mechanical, electrical, or
26 computerized contrivance, terminal, device, apparatus, piece of
27 equipment, or supply approved by the commission for conducting

1 sports wagering under sections 313.1000 to 313.1020. "Sports
2 wagering device" shall not include a device used by a sports
3 wagering patron to access an interactive sports wagering
4 platform;

5 (23) "Sports wagering operator" or "operator", certificate
6 holder or an interactive sports wagering platform offering sports
7 wagering on behalf of a certificate holder;

8 (24) "Supplier's license", a license issued by the
9 commission under section 313.807;

10 (25) "Tier one sports wager", a sports wager that is
11 determined solely by the final score or final outcome of the
12 sporting event and is placed before the sporting event has begun;

13 (26) "Tier two sports wager", a sports wager that is not a
14 tier one sports wager.

15 313.1002. 1. The state of Missouri shall be exempt from
16 the provisions of 15 U.S.C. Section 1172.

17 2. All shipments of gambling devices used to conduct sports
18 wagering under sections 313.1000 to 313.1020 to licensed
19 applicants or certificate holders, the registering, recording,
20 and labeling of which have been completed by the manufacturer or
21 dealer thereof in accordance with 15 U.S.C. Sections 1171 to
22 1178, shall be legal shipments of gambling devices into this
23 state.

24 313.1004. 1. The commission shall adopt rules to implement
25 the provisions of sections 313.1000 to 313.1020. Any rule or
26 portion of a rule, as that term is defined in section 536.010,
27 that is created under the authority delegated in this section

1 shall become effective only if it complies with and is subject to
2 all of the provisions of chapter 536 and, if applicable, section
3 536.028. This section and chapter 536 are nonseverable, and if
4 any of the powers vested with the general assembly pursuant to
5 chapter 536 to review, to delay the effective date, or to
6 disapprove and annul a rule are subsequently held
7 unconstitutional, then the grant of rulemaking authority and any
8 rule proposed or adopted after August 28, 2019, shall be invalid
9 and void.

10 2. Rules adopted under this section shall include, but
11 shall not be limited to, the following:

12 (1) Standards for the conduct of sports wagering;

13 (2) Standards and procedures to govern the conduct of
14 sports wagering, including the manner in which:

15 (a) Wagers are received;

16 (b) Payouts are paid; and

17 (c) Point spreads, lines, and odds are disclosed;

18 (3) Standards governing how a certificate holder offers
19 sports wagering over the internet through an interactive sports
20 wagering platform to patrons physically located in Missouri or in
21 a state which Missouri has entered into a reciprocal agreement on
22 sports wagering;

23 (4) The manner in which a certificate holder's books and
24 financial records relating to sports wagering are maintained and
25 audited, including standards for the daily counting of a
26 certificate holder's gross receipts from sports wagering and
27 standards to ensure that internal controls are followed; and

1 (5) Standards concerning the detection and prevention of
2 compulsive gambling.

3 3. Rules adopted under this section shall require a
4 certificate holder to make commercially reasonable efforts to do
5 the following:

6 (1) Designate an area within the licensed facility operated
7 by the certificate holder for sports wagering conducted under
8 sections 313.1000 to 313.1020;

9 (2) Ensure the security and integrity of sports wagers
10 accepted under an approved limited mobile gaming system;

11 (3) Ensure that the certificate holder's surveillance
12 system covers all areas of the licensed facility in which sports
13 wagering is conducted;

14 (4) Allow the commission to be present through the
15 commission's gaming agents during the time sports wagering is
16 conducted in all areas of the certificate holder's licensed
17 facility in which sports wagering is conducted, to do the
18 following:

19 (a) Ensure maximum security of the counting and storage of
20 the sports wagering revenue received by the certificate holder;

21 (b) Certify the sports wagering revenue received by the
22 certificate holder; and

23 (c) Receive complaints from the public;

24 (5) Ensure that individuals who are less than twenty-one
25 years of age do not make sports wagers;

1 (6) Provide written information to sports wagering patrons
2 about sports wagering, payouts, winning wagers, and other
3 information considered relevant by the commission; and

4 (7) Post a sign in the designated sports wagering area
5 indicating the minimum and maximum amounts that may be wagered.

6 313.1006. 1. Sports wagering shall not be conducted except
7 by an excursion gambling boat licensed under this chapter.

8 2. A licensed applicant who wishes to offer sports wagering
9 under sections 313.1000 to 313.1020 shall:

10 (1) Submit an application to the commission in the manner
11 prescribed by the commission for each licensed facility in which
12 the licensed applicant wishes to conduct sports wagering; and

13 (2) Pay an initial application fee of ten thousand dollars.

14 3. Upon receipt of the application and fee required under
15 subsection 2 of this section, the commission shall issue a
16 certificate of authority to a licensed applicant authorizing the
17 licensed applicant to conduct sports wagering under sections
18 313.1000 to 313.1020 in a licensed facility, in a location
19 authorized under sections 313.1000 to 313.1020 through an
20 approved limited mobile gaming system, or through an interactive
21 sports wagering platform.

22 313.1008. 1. The commission shall test new sports wagering
23 devices and new forms, variations, or composites of sports
24 wagering under the terms and conditions that the commission
25 considers appropriate prior to authorizing a certificate holder
26 to offer a new sports wagering device or a new form, variation,
27 or composite of sports wagering.

1 2. (1) A certificate holder shall designate an area within
2 the certificate holder's licensed facility for conducting sports
3 wagering. In addition to such designated area, sports wagering
4 may be conducted at any location authorized under subsection 10
5 of this section through the use of an approved limited mobile
6 gaming system.

7 (2) A certificate holder may contract with up to three
8 individually branded interactive sports wagering platforms to
9 administer interactive sports wagering on the certificate
10 holder's behalf.

11 3. (1) Except as provided in subdivision (2) of this
12 subsection, a person who is less than twenty-one years of age
13 shall not be present in the area designated under subsection 2 of
14 this section where sports wagering is being conducted.

15 (2) A person who is at least eighteen years of age and who
16 is an employee of the certificate holder may be present in an
17 area where sports wagering is conducted. However, an employee
18 who is less than twenty-one years of age shall not perform any
19 function involving sports wagering by patrons.

20 4. (1) Sports wagering may be conducted with chips,
21 tokens, electronic cards, moneys, or other negotiable currency.

22 (2) A certificate holder shall determine the minimum and
23 maximum wagers in sports wagering conducted in the certificate
24 holder's licensed facility.

25 5. A certificate holder shall not permit any sports
26 wagering on the premises of the licensed facility except as
27 provided under subsection 2 of this section.

1 6. A sports wagering device shall be approved by the
2 commission and acquired by a certificate holder from a licensed
3 supplier.

4 7. The commission shall determine the occupations related
5 to sports wagering that require an occupational license.

6 8. A certificate holder may lay off one or more sports
7 wagers.

8 9. Subject to the approval of the commission, a certificate
9 holder may contract with a third party to conduct sports wagering
10 at the certificate holder's licensed facility.

11 10. (1) A certificate holder may request approval from the
12 commission to use a limited mobile gaming system in the
13 certificate holder's sports wagering operations.

14 (2) The commission may approve the use of a limited mobile
15 gaming system to allow a patron to wager on sports while in the
16 following locations:

17 (a) The area designated under subsection 2 of this section;
18 and

19 (b) A gaming or other betting area of the certificate
20 holder's licensed facility that is outside of the area designated
21 under subsection 2 of this section.

22 (3) A hotel, restaurant, or other amenity that is operated
23 by the certificate holder and subject to the supervision of the
24 commission. A patron shall not transmit a sports wager using a
25 mobile gaming device while present in any other location.

26 313.1010. 1. An interactive sports wagering platform
27 provider may offer sports wagering on behalf of a certificate

1 holder only if the interactive sports wagering platform holds an
2 interactive sports wagering platform license issued by the
3 commission.

4 2. After making an announcement under section 313.1006, the
5 commission may begin accepting applications for an interactive
6 sports wagering platform license from any provider that wishes to
7 offer an interactive sports wagering platform to a certificate
8 holder. The commission shall prescribe the form of the
9 application.

10 3. An applicant for an interactive sports wagering platform
11 license shall:

12 (1) Submit an application to the commission in the manner
13 prescribed by the commission to verify the platform's eligibility
14 under this section; and

15 (2) Pay an initial application fee of ten thousand dollars.

16 4. Each year before the anniversary date of the payment of
17 the initial application fee under subsection 3 of this section,
18 an interactive sports wagering platform provider holding a
19 license issued under this section shall pay to the commission an
20 annual license renewal fee of five thousand dollars.

21 5. Notwithstanding any other provision of law to the
22 contrary, the following information shall be confidential and
23 shall not be disclosed to the public unless required by court
24 order or by any other provision of sections 313.1000 to 313.1020:

25 (1) An interactive sports wagering platform license
26 application; and

27 (2) All documents, reports, and data submitted by an

1 interactive sports wagering platform provider to the commission
2 containing proprietary information, trade secrets, financial
3 information, or personally identifiable information about any
4 person.

5 313.1012. 1. A certificate holder shall verify that a
6 person placing a wager is of the legal minimum age for placing a
7 wager under sections 313.1000 to 313.1020.

8 2. A certificate holder shall not offer proposition wagers
9 on any collegiate athletic or sporting event or on the individual
10 performance statistics of an athlete in a collegiate athletic or
11 sporting event.

12 3. The commission shall adopt rules and regulations for a
13 sports wagering self-exclusion program. Any rule or portion of a
14 rule, as that term is defined in section 536.010, that is created
15 under the authority delegated in this section shall become
16 effective only if it complies with and is subject to all of the
17 provisions of chapter 536 and, if applicable, section 536.028.
18 This section and chapter 536 are nonseverable, and if any of the
19 powers vested with the general assembly pursuant to chapter 536
20 to review, to delay the effective date, or to disapprove and
21 annul a rule are subsequently held unconstitutional, then the
22 grant of rulemaking authority and any rule proposed or adopted
23 after August 28, 2019, shall be invalid and void.

24 4. Rules promulgated under subsection 2 of this section
25 shall:

26 (1) Allow individuals to restrict themselves from placing
27 wagers with the certificate holder; and

1 (2) Enable the certificate holder to take reasonable steps
2 to prevent a person from placing wagers prohibited under sections
3 313.1000 to 313.1020, including sharing, upon request of the
4 person, the person's request for self-exclusion with the
5 commission, for the sole purpose of disseminating the request to
6 other sports wagering certificate holders.

7 5. The commission shall adopt rules to ensure that
8 advertisements for sports wagering:

9 (1) Do not target minors or other persons who are
10 ineligible to place wagers, problem gamblers, or other vulnerable
11 persons;

12 (2) Disclose the identity of the sports wagering
13 certificate holder;

14 (3) Provide information about or links to resources
15 relating to gambling addiction; and

16 (4) Are not otherwise false, misleading, or deceptive to a
17 reasonable consumer.

18 313.1014. 1. The commission shall conduct background
19 checks on individuals seeking licenses under sections 313.1000 to
20 313.1020. A background check conducted under this section shall
21 include a search for criminal history, and any charges or
22 convictions involving corruption or manipulation of sporting
23 events.

24 2. (1) A certificate holder shall employ commercially
25 reasonable methods to:

26 (a) Prohibit the certificate holder, directors, officers,
27 and employees of the certificate holder, and any relative living

1 in the same household of a person described in this paragraph
2 from placing sports wagers with the certificate holder;

3 (b) Using publicly available information and any lists of
4 employees and affiliates provided to the certificate holder or
5 the commission by a sports governing body, prohibit wagering by
6 any athlete, coach, referee, team owner, employee of a sports
7 governing body or one of its member teams, or player or referee
8 union personnel;

9 (c) Prohibit any individual with access to nonpublic
10 confidential information held by the certificate holder from
11 placing sports wagers with the certificate holder;

12 (d) Prevent the sharing of confidential information that
13 could affect sports wagering offered by the certificate holder or
14 by third parties until the information is made publicly
15 available; and

16 (e) Prohibit persons from placing sports wagers as agents
17 or proxies for other persons.

18 (2) Nothing in this section shall preclude the use of
19 internet or cloud based hosting of data, or any disclosure of
20 information required by court order or other provisions of law.

21 3. A sports governing body may notify the commission that
22 it desires to restrict, limit, or exclude sports wagering on its
23 sporting events by providing notice in the form and manner as the
24 commission may require including, but not limited to,
25 restrictions on the sources of data and associated video upon
26 which an operator may rely in offering and paying wagers and the
27 bet types that may be offered. Upon receiving such notice, the

1 commission shall only deny a request if it deems such request
2 arbitrary and capricious. If the commission denies a request,
3 the sports governing body shall be afforded notice and the right
4 to be heard and offer proof in opposition to such determination
5 in accordance with the regulations of the commission. Offering
6 or taking wagers contrary to restrictions promulgated by the
7 commission is a violation of this section. In the event that a
8 request is submitted in relation to an emergency situation, the
9 executive director of the commission may temporarily grant the
10 request of the sports governing body until the commission makes a
11 final determination as to whether such request is arbitrary and
12 capricious. Offering or taking wagers contrary to such published
13 restrictions shall be a violation of the provisions of sections
14 313.855 to 313.885.

15 4. The commission and certificate holders shall cooperate
16 with investigations conducted by sports governing bodies, law
17 enforcement agencies, and universities located within the state,
18 including by providing or facilitating the provision of betting
19 information and audio or video files relating to persons placing
20 sports wagers.

21 5. A certificate holder shall immediately report to the
22 commission any information relating to:

23 (1) Criminal or disciplinary proceedings commenced against
24 the certificate holder in connection with its operations;

25 (2) Bets or wagers that violate state or federal law;

1 (3) Abnormal wagering activity or patterns that may
2 indicate a concern regarding the integrity of a sporting event or
3 events;

4 (4) Any potential breach of the relevant sports governing
5 body's internal rules and codes of conduct pertaining to sports
6 wagering;

7 (5) Any other conduct that corrupts the wagering outcome of
8 a sporting event or events for purposes of financial gain; and

9 (6) Suspicious or illegal wagering activities.

10 6. A certificate holder shall also immediately report
11 information relating to conduct described in (3), (4), or (5) of
12 subsection 5 of this section to the relevant sports governing
13 body and to universities located within the state.

14 7. A certificate holder shall maintain the confidentiality
15 of information provided by a sports governing body to the
16 certificate holder unless disclosure is required by court order,
17 the commission, or any other provision of law.

18 8. Except as provided in subsection 9 of this section,
19 certificate holders may use any data source to determine the
20 results of sports wagers, provided the data is not obtained
21 directly or indirectly from live event attendees who collect the
22 data in violation of the terms of admittance to an event or
23 through automated computer programs that compile data from the
24 internet in violation of the terms of service of the relevant
25 website or other internet platform.

26 9. A sports governing body may notify the commission that
27 it desires to supply official league data to certificate holders

1 for determining the results of tier two sports wagers. Such
2 notification shall be made in the form and manner as the
3 commission may require. Within thirty days of such notification
4 by a sports governing body, certificate holders shall use only
5 official league data to determine the results of tier two sports
6 wagers, unless the certificate holder can demonstrate to the
7 commission that the sports governing body or its designee cannot
8 provide a feed of official league data to the certificate holder
9 on commercially reasonable terms.

10 313.1016. 1. A certificate holder shall maintain records
11 of all bets and wagers placed; including personally identifiable
12 information of the bettor; the amount and type of bet; the time
13 the bet was placed; the location of where the bet was placed,
14 including the IP address if applicable; the outcome of the bet;
15 records of abnormal betting activity; and video camera recordings
16 in the case of in-person wagers, for at least three years after
17 the sporting event occurs, and make the data available for
18 inspection upon request of the commission or as required by court
19 order.

20 2. If a sports governing body has notified the commission
21 that real-time information sharing for wagers placed on its
22 sporting events is necessary and desirable, sports wagering
23 operators shall share in real time, at the account level, and in
24 pseudonymous form, the information required to be retained under
25 subsection 1 of this section other than video files with the
26 sports governing body or its designee with respect to wagers on
27 its sporting events. Such information may be used by a sports

1 governing body solely for integrity purposes.

2 313.1017. 1. The performance of any act required, or the
3 forbearance of any act prohibited, by sections 313.1000 to
4 313.1020, by an interactive sports wagering platform provider is
5 imputed to the certificate holder on behalf of which the platform
6 is operating, and vice versa.

7 2. A certificate holder is not liable under the laws of
8 this state to any party, including patrons, for disclosing
9 information as required under sections 313.1000 to 313.1020, and
10 is not liable for refusing to disclose information unless
11 required under sections 313.1000 to 313.1020.

12 313.1018. 1. A sports governing body may register with the
13 commission if the sports governing body is headquartered in the
14 United States and it completes such registration form as the
15 commission may require. Upon submission of a completed
16 registration form to the commission, the eligible sports
17 governing body shall be deemed registered and shall be entitled
18 to receive the royalty provided for in this section.

19 2. Within thirty days of the end of each calendar quarter,
20 a certificate holder shall remit to the commission a royalty of
21 one-fourth of one percent of the amounts wagered on sporting
22 events conducted by registered sports governing bodies.

23 3. The royalty shall be remitted on a form as the
24 commission may require, on which the certificate holder shall
25 identify the percentage of wagering during the reporting period
26 attributable to each registered sports governing body's sporting
27 events.

1 4. No later than April thirtieth of each year, a registered
2 sports governing body may submit a request for disbursement funds
3 remitted by certificate holders in the previous calendar year.
4 The commission shall disburse the funds to the registered sports
5 governing body in pro rata proportion of the total amount wagered
6 on its sporting events. No registered sports governing body is
7 required to obtain a license from the commission in order to
8 lawfully accept the funds provided for in this subsection.

9 5. The commission shall annually publish a report stating
10 the amount received from certificate holders in royalties and the
11 amount paid to registered sports governing bodies.

12 6. Any unclaimed royalties shall be distributed to the
13 certificate holders that timely remitted the royalties required
14 under this subsection to the commission. Such royalties shall be
15 distributed to the eligible certificate holders on a pro rata
16 basis.

17 7. The commission shall cooperate with a registered sports
18 governing body and certificate holders to ensure the timely,
19 efficient, and accurate sharing of information and the remittance
20 of the royalty to the registered sports governing body or its
21 designee.

22 313.1019. 1. Within thirty days of the end of each
23 calendar quarter, a certificate holder shall remit to the
24 commission a royalty of one-fourth of one percent of the amounts
25 wagered on:

26 (1) Sporting events involving at least one National
27 Collegiate Athletic Association Football Bowl Subdivision

1 football team; and

2 (2) Sporting events involving at least one National
3 Collegiate Athletic Association Division I men's basketball team.

4 2. No later than April thirtieth of each year, the
5 commission shall disburse the royalties collected from
6 certificate holders under this section as follows:

7 (1) The royalties collected under subdivision (1) of
8 subsection 1 of this section shall be distributed evenly among
9 the public universities in this state that sponsor National
10 Collegiate Athletic Association Football Bowl Subdivision
11 football teams; and

12 (2) The royalties collected under subdivision (2) of
13 subsection 1 of this section shall be distributed evenly among
14 the public universities in this state that sponsor National
15 Collegiate Athletic Association Division I men's basketball
16 teams.

17 3. The royalties received by public universities under this
18 section shall be used solely for athletics compliance.

19 4. (1) In addition to all other fees authorized under
20 sections 313.1000 to 313.1020, at least once per calendar
21 quarter, a sports wagering operator shall remit to the commission
22 an administrative fee of one-half of one percent of the gross
23 amount wagered on its sporting events during the previous
24 calendar quarter.

25 (2) The commission shall deposit all administrative fees
26 collected under this subsection in the "Entertainment Facilities
27 Infrastructure Fund", which is hereby created in the state

1 treasury. The state treasurer shall be custodian of the fund.
2 In accordance with sections 30.170 and 30.180, the state
3 treasurer may approve disbursements. Notwithstanding the
4 provisions of section 33.080 to the contrary, any moneys
5 remaining in the fund at the end of the biennium shall not revert
6 to the credit of the general revenue fund. The state treasurer
7 shall invest moneys in the fund in the same manner as other funds
8 are invested. Any interest and moneys earned on such investments
9 shall be credited to the fund. Moneys in the fund shall be used
10 solely for the purposes of funding the construction or
11 maintenance of entertainment structures, fixtures, systems, and
12 facilities including, but not limited to, convention centers,
13 multipurpose sports and entertainment venues, exhibition and
14 trade facilities, transportation facilities, cultural facilities,
15 field houses, indoor and outdoor convention and recreational
16 facilities and centers, playing fields, or parking facilities
17 that contribute to the attraction of convention, sports,
18 recreation, transportation, cultural, or meeting activities,
19 either professional or amateur, commercial or private.

20 313.1020. 1. A wagering tax of eight percent is imposed on
21 the adjusted gross receipts received from sports wagering
22 conducted by a certificate holder under sections 313.1000 to
23 313.1020. If a third party is contracted with to conduct sports
24 wagering at a certificate holder's licensed facility, the third
25 party contractor shall fulfill the certificate holder's duties
26 under this section.

27 2. A certificate holder shall remit the tax imposed by

1 subsection 1 of this section to the department before the close
2 of the business day one day prior to the last business day of
3 each month for the wagering taxes collected for such month. Any
4 taxes collected during the month but after the day on which the
5 taxes are required to be paid to the department shall be paid to
6 the department at the same time the following month's taxes are
7 due.

8 3. The payment of the tax under this section shall be by an
9 electronic funds transfer by an automated clearinghouse.

10 4. Revenues received from the tax imposed under subsection
11 1 of this section shall be deposited in the state treasury to the
12 credit of the "Gaming Proceeds for Education Fund" and shall be
13 distributed as provided under section 313.822.

14 5. (1) A certificate holder shall pay to the commission an
15 annual administrative fee of five thousand dollars. The fee
16 imposed shall be due one year after the date on which the
17 certificate holder commences sports wagering operations under
18 sections 313.1000 to 313.1020, and on each annual anniversary
19 date thereafter. The commission shall deposit the administrative
20 fees received under this subsection in the sports wagering fund
21 established under subsection 6 of this section.

22 (2) In addition to the annual administrative fee required
23 under this subsection, a certificate holder shall pay to the
24 commission a fee of ten thousand dollars to cover the costs of a
25 full reinvestigation of the certificate holder in the fifth year
26 after the date on which the certificate holder commences sports
27 wagering operations under sections 313.1000 to 313.1020 and on

1 each fifth year thereafter. The commission shall deposit the
2 fees received under this subdivision in the sports wagering fund
3 established under subsection 6 of this section.

4 6. There is hereby established the "Sports Wagering Fund"
5 to be administered by the commission. The fund shall consist of
6 the fees deposited under subsection 5 of this section. The state
7 treasurer shall invest the moneys in the fund not currently
8 needed to meet the obligations of the fund in the same manner as
9 other funds are invested. Any interest and moneys earned on such
10 investments shall be credited to the fund. Notwithstanding the
11 provisions of section 33.080 to the contrary, any moneys
12 remaining in the fund at the end of the biennium shall not revert
13 to the credit of the general revenue fund. Moneys in the fund
14 shall be used by the commission to pay the costs incurred to
15 administer sections 313.1000 to 313.1020.