

(Vetoed by the Governor)

This bill makes several changes to gaming provisions. In its main provisions, the bill:

- (1) Extends to January 1, 2005, the expiration date of the requirement of the state lottery to award certain percentages of its contracts and subcontracts to women- and minority-owned businesses;
- (2) Allows tokens to be physical or electronic;
- (3) Requires applicants for licensure or license renewal to provide an affirmative action plan to the Missouri Gaming Commission and to report on the plan's effectiveness to the commission at renewal periods. The commission must report the licensee's information in its annual report to the Joint Committee on Gaming and Wagering;
- (4) Changes the license renewal period from every 2 years to no fewer than 2 years and no more than 3 years. In current law, the initial license period and first renewal are for one year, and subsequent renewals are every 2 years;
- (5) Adds commission-approved persons or entities as eligible to supply gambling games or implements;
- (6) Authorizes the commission without limitation to deny a license to an applicant based solely on the fact that there is evidence that the applicant has engaged in certain activities, including being suspended from operating a gambling boat in another jurisdiction or making a false statement of a material fact to the commission;
- (7) Authorizes the commission to deny an application for an applicant's act or failure to act that is injurious to public health, safety, morals, good order, or general welfare or would tend to discredit the gaming industry or the state. Current law applies penalties only to licensees if they engage in the same conduct;
- (8) Allows the bond or surety posted to the commission by the licensee to be used to guarantee the completion of any expansion or modification of a boat in a time period approved by the commission, or August 28, 2003, whichever is later. Failure to complete the approved expansion or modification within the specified period is sufficient grounds for nonrenewal of a license;

(9) Extends the period of time within which a licensee may request tax reassessment from 10 days to 20 days from the postmark date;

(10) Specifies a penalty for permitting or aiding persons under 21 years of age to make a wager and persons younger than 21 years making or attempting to make a wager. The first offense is a class B misdemeanor; second and subsequent violations are class A misdemeanors;

(11) Limits the definition of the term "gambling." Gambling excludes amusement redemption devices that confer only an immediate right of replay, noncash prizes, toys, novelties, coupons, or other redeemable representations of value that can be redeemed on the premises for prizes, toys, or novelties, not to exceed \$250 in value and which cannot be resold for cash or other consideration. Specifically prohibited is redeeming representations of value for cash, intoxicating beer or liquor, nonintoxicating beer, or tobacco products. No amusement redemption device will allow the wholesale value of any prize for a single play to exceed the value of a single play or \$5, whichever is more. The value of a prize for multiple plays will not exceed the cumulative value of play or \$250, whichever is less;

(12) Limits the definition of the term "gambling device." Gambling devices exclude games or amusement redemption devices that confer only an immediate right of replay, noncash prizes, toys, novelties, coupons, or other representations of value that can be redeemed on the premises for prizes, toys, or novelties, not to be resold or transferred for cash or other consideration. Prohibited is redeeming representations of value for cash, gift certificates, intoxicating beer or liquor, nonintoxicating beer, or tobacco products. No amusement redemption device will allow the wholesale value of any prize for a single play to exceed the value of a single play or \$5, whichever is more. The value of a prize for multiple plays will not exceed the cumulative value of play or \$250, whichever is less. No amusement redemption device will act as a lottery or gift enterprise or simulate a slot machine or any other game of skill, as defined as of August 28, 1999;

(13) Establishes regulations for raffles and sweepstakes, allowing qualifying charitable and religious organizations to conduct raffles or sweepstakes with total annual prizes with a value of less than \$50,000 without a license. Raffles and sweepstakes with total annual prizes of \$50,000 or more require a license from the commission;

(14) Outlines license application requirements, establishes certain bookkeeping and recordkeeping requirements, and requires commission access to books, records, and premises;

- (15) Excludes certain persons and organizations from the management, conduct, or operation of any raffle or sweepstakes;
- (16) Requires 10 days' notice to the commission and an event fee of up to \$25 prior to a raffle or sweepstakes;
- (17) Sets restrictions for the conduct of raffles and sweepstakes, including that only bona fide members for at least 6 months are permitted to be involved in the management of raffles or sweepstakes;
- (18) Makes it a misdemeanor to violate the provisions pertaining to raffles and sweepstakes, and authorizes the commission to fine a violator in an amount not more than 3 times the amount of the proceeds of the raffle or sweepstakes directly connected to the violation;
- (19) Makes it a class D felony to counterfeit any raffle or sweepstakes ticket with the intent to defraud;
- (20) Allows the commission to promulgate rules and regulations to implement the provisions relating to raffles and sweepstakes; and
- (21) Requires the commission to promulgate rules allowing persons to voluntarily exclude themselves from excursion gambling boats. If such a person enters a gambling boat, he or she is guilty of first-degree trespassing (class B misdemeanor) and will forfeit all chips, tokens, and electronic gaming credits in his or her possession at the time the person is discovered. The commission will establish by rule the procedure for forfeitures.