

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 833, Page 1, in the Title, Lines 2 and 3, by deleting the phrase "savings
2 promotions programs" and inserting in lieu thereof the phrase "financial transactions"; and

3
4 Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line
5 the following:

6
7 "313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires
8 otherwise, the following terms mean:

9 (1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices
10 less winnings paid to wagerers;

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

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

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

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

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

30 (7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or
31 other authorization from a qualified person to an excursion gambling boat licensee or any of its
32 affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of
33 credit extended by the licensee to such person from the qualified person's banking account in an
34 amount determined under section 313.817 on or after a date certain of not more than thirty days
35 from the date the credit was extended, and includes any such writing taken in consolidation,
36 redemption or payment of a previous credit instrument, but does not include any interest-bearing

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 installment loan or other extension of credit secured by collateral;

2 (8) "Dock", the location in a city or county authorized under subsection 10 of section
3 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a
4 bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of
5 passengers on and disembarking of passengers from a gambling excursion but shall not include any
6 artificial space created after May 20, 1994, and is located more than one thousand feet from the
7 closest edge of the main channel of the river as established by the United States Army Corps of
8 Engineers;

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

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

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

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

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

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

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

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

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

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

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

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

40 2. In addition to the games of skill defined in this section, the commission may approve
41 other games of skill upon receiving a petition requesting approval of a gambling game from any
42 applicant or licensee. The commission may set the matter for hearing by serving the applicant or
43 licensee with written notice of the time and place of the hearing not less than five days prior to the
44 date of the hearing and posting a public notice at each commission office. The commission shall
45 require the applicant or licensee to pay the cost of placing a notice in a newspaper of general
46 circulation in the applicant's or licensee's home dock city or county. The burden of proof that the
47 gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the
48 affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- 1 (1) Is it in the best interest of gaming to allow the game; and
- 2 (2) Is the gambling game a game of chance or a game of skill?

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

13 313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling
14 games shall permit no form of wagering on gambling games.

15 2. The licensee may receive wagers only from a person present on a licensed excursion
16 gambling boat.

17 3. Wagering shall not be conducted with money or other negotiable currency. The licensee
18 shall exchange the money or credit instrument of each wagerer for electronic or physical tokens,
19 chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange
20 the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

21 4. A person under twenty-one years of age shall not make a wager on an excursion
22 gambling boat and shall not be allowed in the area of the excursion boat where gambling is being
23 conducted; provided that employees of the licensed operator of the excursion gambling boat who
24 have attained eighteen years of age shall be permitted in the area in which gambling is being
25 conducted when performing employment-related duties, except that no one under twenty-one years
26 of age may be employed as a dealer or accept a wager on an excursion gambling boat. The
27 governing body of a home dock city or county may restrict the age of entrance onto an excursion
28 gambling boat by passage of a local ordinance.

29 5. In order to help protect patrons from invasion of privacy and the possibility of identity
30 theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of
31 identification, any type of patron-tracking cards, or other types of identification prior to being
32 permitted to enter the area where gambling is being conducted on an excursion gambling boat or to
33 make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of
34 age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be
35 authorized to request such patron to provide a valid state or federal photo identification or a valid
36 passport. This section shall not prohibit enforcement of identification requirements that are required
37 by federal law. This section shall not prohibit enforcement of any Missouri statute requiring
38 identification of patrons for reasons other than being permitted to enter the area of an excursion
39 gambling boat where gambling is being conducted or to make a wager.

40 6. A licensee shall only allow wagering and conduct gambling games at the times allowed
41 by the commission.

42 7. It shall be unlawful for a person to present false identification to a licensee or a gaming
43 agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such
44 person is legally entitled to be present on the excursion gambling boat. Any person who violates the
45 provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a
46 class A misdemeanor for second and subsequent offenses.

47 8. Credit instruments executed on or after August 28, [2014] 2016, are valid contracts
48 creating debt that is enforceable by legal process. A licensee may accept credit instruments from a

1 qualified person in exchange for currency, chips, tokens, or electronic tokens that can be wagered on
2 gambling games at the licensee's excursion gambling boat. For the purposes of this subsection,
3 "qualified person" means a person who has completed a credit application provided by the licensee
4 and who is determined by the licensee, after performing a credit check and applying usual standards
5 to establish creditworthiness, to qualify for a line of credit [of at least ten thousand dollars] and in
6 an amount to be determined by the licensee under the restrictions in subsection 9 of this section
7 based on such person's demand deposit account or accounts, including any checking account and
8 savings account. Once the licensee makes the determination that a person is a qualified person,
9 additional credit checks are not required. Approval to accept a credit instrument from a qualified
10 person shall be made by the holder of an occupational license. [A licensee may accept multiple
11 credit instruments from the same person to consolidate or redeem a previous credit instrument.] If a
12 new credit instrument is issued to consolidate or replace an existing credit instrument or
13 instruments, the new credit instrument shall use the oldest date of the credit instrument or
14 instruments being replaced. A lost or destroyed credit instrument shall remain valid and enforceable
15 if the party seeking enforcement can prove its existence and terms. Any person who violates this
16 subsection is subject only to the penalties provided in section 313.812. The commission shall have
17 no authority to determine the validity or enforceability of a credit instrument or the enforceability of
18 the debt that the credit instrument represents. Failure to comply with any regulation promulgated by
19 the commission shall not impact the validity or enforceability of the credit instrument or the debt
20 that the credit instrument represents.

21 9. In addition to the other creditor protections contained in this section, a licensee [may]
22 shall not lend anything of value or extend credit to any person for the purpose of permitting that
23 person to wager on any gambling game except through the use of a credit instrument; credit
24 instruments of ten thousand dollars or less may be accepted only if the licensee determines the
25 qualified person's creditworthiness to be at least twice the amount of the credit instrument or ten
26 thousand dollars, whichever is less; credit instruments of more than ten thousand dollars may be
27 accepted only if the licensee determines the qualified person's creditworthiness to be equal or in
28 excess of the amount of the credit instrument; and no credit instrument shall be secured by any
29 individual's house or other real property, tangible personal property, investments, IRAs, a 401(k),
30 pensions or other retirement accounts, any college savings plans, or any assets whatsoever other
31 than a demand deposit account or accounts. All credit instruments shall provide that any credit
32 extended shall be due no later than thirty days from the date credit is extended. Credit instruments
33 shall be considered an unsecured loan and shall not bear interest.

34 10. No credit shall be extended to a person who is intoxicated."; and
35

36 Further amend said bill by amending the title, enacting clause, and intersectional references
37 accordingly.
38