

FIRST REGULAR SESSION

HOUSE BILL NO. 1364

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUX.

2636H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof twenty-five new sections relating to gaming, with penalty provisions.

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

Section A. Section 313.800, RSMo, is repealed and twenty-five new sections enacted
2 in lieu thereof, to be known as sections 313.800, 313.1000, 313.1002, 313.1003, 313.1004,
3 313.1006, 313.1008, 313.1010, 313.1012, 313.1014, 313.1016, 313.1018, 313.1021, 313.1022,
4 313.1200, 313.1202, 313.1204, 313.1206, 313.1208, 313.1210, 313.1212, 313.1214, 313.1216,
5 313.1218, and 313.1220, to read as follows:

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

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

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

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

10 (4) "Capital, cultural, and special law enforcement purpose expenditures" shall include
11 any disbursement, including disbursements for principal, interest, and costs of issuance and
12 trustee administration related to any indebtedness, for the acquisition of land, land
13 improvements, buildings and building improvements, vehicles, machinery, equipment, works
14 of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian
16 shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads,
17 traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities,
18 streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water
19 and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life
20 greater than one year, cultural events, and any expenditure related to a law enforcement officer
21 deployed as horse-mounted patrol, school resource or drug awareness resistance education
22 (D.A.R.E) officer;

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

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

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

34 (8) "Dock", the location in a city or county authorized under subsection 10 of section
35 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to
36 a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the
37 embarking of passengers on and disembarking of passengers from a gambling excursion but shall
38 not include any artificial space created after May 20, 1994, and is located more than one
39 thousand feet from the closest edge of the main channel of the river as established by the United
40 States Army Corps of Engineers;

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

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

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

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

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

52 (14) "Games of chance", any gambling game in which the player's expected return is not
53 favorably increased by ~~[his or her]~~ **such player's** reason, foresight, dexterity, sagacity, design,
54 information or strategy;

55 (15) "Games of skill", any gambling game in which there is an opportunity for the player
56 to use ~~[his or her]~~ **such player's** reason, foresight, dexterity, sagacity, design, information or
57 strategy to favorably increase the player's expected return; including, but not limited to, the
58 gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai
59 gow poker", "Texas hold'em", "double down stud", **"sports wagering"**, and any video
60 representation of such games;

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

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

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

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

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

73 2. **(1)** In addition to the games of skill defined in this section, the commission may
74 approve other games of skill upon receiving a petition requesting approval of a gambling game
75 from any applicant or licensee. The commission may set the matter for hearing by serving the
76 applicant or licensee with written notice of the time and place of the hearing not less than five
77 days prior to the date of the hearing and posting a public notice at each commission office. The
78 commission shall require the applicant or licensee to pay the cost of placing a notice in a
79 newspaper of general circulation in the applicant's or licensee's home dock city or county. The
80 burden of proof that the gambling game is a game of skill is at all times on the petitioner. The
81 petitioner shall have the affirmative responsibility of establishing ~~[his or her]~~ **such petitioner's**
82 case by a preponderance of evidence including:

83 ~~[(1)]~~ **(a)** Is it in the best interest of gaming to allow the game; and

84 ~~[(2)]~~ **(b)** Is the gambling game a game of chance or a game of skill?

85 (2) All testimony shall be given under oath or affirmation. Any citizen of this state shall
86 have the opportunity to testify on the merits of the petition. The commission may subpoena
87 witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall
88 evaluate the record of the hearing and issue written findings of fact that shall be based
89 exclusively on the evidence and on matters officially noticed. The commission shall then render
90 a written decision on the merits which shall contain findings of fact, conclusions of law and a
91 final commission order. The final commission order shall be within thirty days of the hearing.
92 Copies of the final commission order shall be served on the petitioner by certified or overnight
93 express mail, postage prepaid, or by personal delivery.

313.1000. As used in sections 313.1000 to 313.1022, the following terms shall mean:

2 (1) "Adjusted gross receipts":

3 (a) The total of all cash and cash equivalents received by a sports wagering
4 operator from sports wagering minus the total of:

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

6 b. The actual costs paid by a sports wagering operator for any personal property
7 or services distributed to sports wagering patrons as prizes;

8 c. Voided or cancelled wagers;

9 d. Free play or promotional credits; and

10 e. Uncollectible sports wagering receivables, not to exceed the lesser of:

11 (i) A reasonable provision for uncollectible patron checks, ACH transactions, debit
12 card transactions, and credit card transactions received from sports wagering operations;
13 or

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

19 (b) If the amount of adjusted gross receipts on a gaming day is a negative figure,
20 the certificate holder shall remit no sports wagering tax for that gaming day. Any negative
21 adjusted gross receipts shall be carried over and calculated as a deduction on the
22 subsequent gaming days until the negative figure has been brought to a zero balance;

23 (2) "Certificate holder", a licensed applicant issued a certificate of authority by the
24 commission;

25 (3) "Certificate of authority", a certificate issued by the commission authorizing
26 a licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022;

27 (4) "Commission", the Missouri gaming commission;

- 28 (5) "Department", the department of revenue;
- 29 (6) "Esports", athletic and sporting events involving electronic sports and
30 competitive video games;
- 31 (7) "Excursion gambling boat", the same meaning as defined under section
32 313.800;
- 33 (8) "Gross receipts", the total amount of cash and cash equivalents paid by sports
34 wagering patrons to a sports wagering operator to participate in sports wagering;
- 35 (9) "Interactive sports wagering platform" or "platform", a person that offers
36 sports wagering over the internet, including on websites and mobile devices, on behalf of
37 a certificate holder;
- 38 (10) "Licensed applicant", a person holding a license issued under section 313.807
39 to operate an excursion gambling boat;
- 40 (11) "Licensed facility", an excursion gambling boat licensed under this chapter;
- 41 (12) "Licensed supplier", a person holding a supplier's license issued by the
42 commission;
- 43 (13) "Occupational license", a license issued by the commission;
- 44 (14) "Person", an individual, sole proprietorship, partnership, association,
45 fiduciary, corporation, limited liability company, or any other business entity;
- 46 (15) "Sports wagering", wagering conducted under sections 313.1000 to 313.1022
47 on athletic and sporting events involving human competitors including, but not limited to,
48 esports, or on other events as approved by the commission. "Sports wagering" shall not
49 include moneys spent to participate in paid fantasy sports under sections 313.900 to
50 313.955;
- 51 (16) "Sports wagering device", a mechanical, electrical, or computerized
52 contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the
53 commission for conducting sports wagering under sections 313.1000 to 313.1022. "Sports
54 wagering device" shall not include a device used by a sports wagering patron to access an
55 interactive sports wagering platform;
- 56 (17) "Sports wagering operator" or "operator", a certificate holder or an
57 interactive sports wagering platform offering sports wagering on behalf of a certificate
58 holder;
- 59 (18) "Supplier's license", a license issued by the commission under section 313.807.
 313.1002. 1. The state of Missouri shall be exempt from the provisions of 15 U.S.C.
2 Section 1172, as amended.
- 3 2. All shipments of gambling devices used to conduct sports wagering under
4 sections 313.1000 to 313.1022 to licensed applicants or certificate holders, the registering,

5 recording, and labeling of which have been completed by the manufacturer or dealer
6 thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal
7 shipments of gambling devices into this state.

2 **313.1003. 1. Sports wagering shall not be offered in this state except by a licensed
2 facility.**

3 **2. A licensed facility may offer sports wagering:**

4 **(1) In person at the licensed facility; and**

5 **(2) Over the internet via an interactive sports wagering platform to persons
6 physically located in this state.**

2 **313.1004. 1. The commission shall adopt rules to implement the provisions of
3 sections 313.1000 to 313.1022. Any rule or portion of a rule, as that term is defined in
4 section 536.010, that is created under the authority delegated in this section shall become
5 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
6 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
7 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
8 the effective date, or to disapprove and annul a rule are subsequently held
9 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
10 after August 28, 2021, shall be invalid and void.**

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

13 **(1) Standards and procedures to govern the conduct of sports wagering, including
14 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 **(2) Standards governing how a certificate holder offers sports wagering over the
19 internet through an interactive sports wagering platform to patrons physically located in
20 Missouri;**

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

25 **(4) Standards concerning the detection and prevention of compulsive gambling.**

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

27 **(1) Designate an area within the licensed facility operated by the certificate holder**
28 **for sports wagering conducted under sections 313.1000 to 313.1022;**

29 **(2) Ensure the security and integrity of sports wagers accepted through an**
30 **interactive sports wagering platform;**

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

33 **(4) Allow the commission to be present through the commission's gaming agents**
34 **when sports wagering is conducted in all areas of the certificate holder's licensed facility**
35 **in which sports wagering is conducted to do the following:**

36 **(a) Ensure maximum security of the counting and storage of the sports wagering**
37 **revenue received by the certificate holder;**

38 **(b) Certify the sports wagering revenue received by the certificate holder; and**

39 **(c) Receive complaints from the public;**

40 **(5) Ensure that individuals who are under twenty-one years of age do not make**
41 **sports wagers; and**

42 **(6) Establish house rules specifying the amounts to be paid on winning wagers, the**
43 **effect of schedule changes, and the source of the information used to determine the**
44 **outcome of wagers. The house rules shall be displayed in the certificate holder's sports**
45 **wagering area, posted on the certificate holder's or platform's internet site or mobile**
46 **application for interactive sports wagering, and included in the terms and conditions of the**
47 **certificate holder's or platform's interactive sports wagering system.**

48 **4. The commission may enter into agreements with other jurisdictions to facilitate,**
49 **administer, and regulate multi-jurisdictional sports betting by sports betting operators to**
50 **the extent that entering into the agreement is consistent with state and federal laws and the**
51 **sports betting agreement is conducted only in the United States.**

313.1006. 1. A licensed applicant who wishes to offer sports wagering under
2 **sections 313.1000 to 313.1022 shall:**

3 **(1) Submit an application to the commission in the manner prescribed by the**
4 **commission for each licensed facility in which the licensed applicant wishes to conduct**
5 **sports wagering; and**

6 **(2) Pay an initial application fee of fifty thousand dollars, which shall be deposited**
7 **in the gaming commission fund and distributed according to section 313.835.**

8 **2. Upon receipt of the application and fee required under subsection 1 of this**
9 **section, the commission shall issue a certificate of authority to a licensed applicant**
10 **authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to**
11 **313.1022 in a licensed facility or through an interactive sports wagering platform.**

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

2. (1) A certificate holder shall designate an area or areas within the certificate holder's licensed facility for conducting sports wagering.

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

3. (1) Sports wagering may be conducted with chips, tokens, electronic cards, cash, cash equivalents, debit or credit cards, other negotiable currency, online payment services, automated clearing houses, promotional funds, or any other means approved by the commission.

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

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

5. A sports wagering device shall be approved by the commission and acquired by a certificate holder from a licensed supplier.

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

7. A certificate holder may lay off one or more sports wagers. The commission may promulgate rules permitting certificate holders or platforms to employ systems that offset loss or manage risk in the operation of sports wagering under sections 313.1000 to 313.1022 through the use of liquidity pools in other jurisdictions in which the certificate holder, platform, an affiliate of the certificate holder or platform, or a third party also holds licenses to conduct sports wagering; provided that, at all times adequate protections are maintained to ensure sufficient funds are available to pay winnings to patrons.

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

313.1010. 1. An interactive sports wagering platform provider may offer sports wagering on behalf of a certificate holder only if the interactive sports wagering platform holds an interactive sports wagering platform license issued by the commission.

2. An applicant for an interactive sports wagering platform license shall:

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

7 **(2) Pay an initial application fee of fifty thousand dollars.**

8 **3. Each year on or before the anniversary date of the payment of the initial**
9 **application fee under this section, an interactive sports wagering platform provider holding**
10 **a license issued under this section shall pay to the commission an annual license renewal**
11 **fee of twenty thousand dollars.**

12 **4. Notwithstanding any other provision of law to the contrary, the following**
13 **information shall be confidential and shall not be disclosed to the public unless required**
14 **by court order or by any other provision of section 313.1000 to 313.1022:**

15 **(1) An interactive sports wagering platform license application; and**

16 **(2) All documents, reports, and data submitted by an interactive sports wagering**
17 **platform provider to the commission containing proprietary information, trade secrets,**
18 **financial information, or personally identifiable information about any person.**

313.1012. 1. A certificate holder shall verify that a person placing a wager is of the
2 **legal minimum age for placing a wager under sections 313.1000 to 313.1022.**

3 **2. The commission shall adopt rules and regulations for a sports wagering**
4 **self-exclusion program consistent with those adopted under sections 313.800 to 313.850.**
5 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
6 **under the authority delegated in this section shall become effective only if it complies with**
7 **and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.**
8 **This section and chapter 536 are nonseverable, and if any of the powers vested with the**
9 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
10 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
11 **rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be**
12 **invalid and void.**

13 **3. The commission shall adopt rules to ensure that advertisements for sports**
14 **wagering:**

15 **(1) Do not target minors or other persons who are ineligible to place wagers,**
16 **problem gamblers, or other vulnerable persons;**

17 **(2) Disclose the identity of the sports wagering certificate holder;**

18 **(3) Provide information about or links to resources relating to gambling addiction;**
19 **and**

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

313.1014. 1. The commission shall conduct background checks on individuals
2 **seeking licenses under sections 313.1000 to 313.1022. A background check conducted**
3 **under this section shall include a search for criminal history and any charges or**
4 **convictions involving corruption or manipulation of sporting events.**

5 **2. (1) A certificate holder shall employ commercially reasonable methods to:**

6 **(a) Prohibit the certificate holder; directors, officers, and employees of the**
7 **certificate holder; and any relative living in the same household of a person described in**
8 **this paragraph from placing sports wagers with the certificate holder;**

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

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

14 **(d) Prohibit persons from placing sports wagers as agents or proxies for other**
15 **persons.**

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

19 **3. (1) The following individuals are prohibited from engaging in sports wagering**
20 **under sections 313.1000 to 313.1022:**

21 **(a) Any individual whose participation may undermine the integrity of the betting**
22 **or sports event; or**

23 **(b) Any person who is prohibited for other good cause including, but not limited**
24 **to:**

25 **a. Any person placing a wager as an agent or proxy;**

26 **b. Any person who is an athlete, coach, referee, player, or referee personnel**
27 **member, in or on any sports event overseen by that person's sports governing body based**
28 **on publicly available information;**

29 **c. Any person who holds a position of authority or influence sufficient to exert**
30 **influence over the participants in a sporting contest including, but not limited to, coaches,**
31 **managers, handlers, or athletic trainers;**

32 **d. Any person under the age of twenty-one;**

33 **e. Any person with access to certain types of exclusive information on any sports**
34 **event overseen by that person's sports governing body based on publicly available**
35 **information; or**

36 **f. Any person identified by any lists provided by the commission.**

37 **(2) The direct or indirect legal or beneficial owner of five percent or more of a**
38 **sports governing body or any of its member teams shall not place or accept any wager on**
39 **a sports event in which any member team of that sports governing body participates. Any**

40 violation of this subdivision shall constitute disorderly conduct. Disorderly conduct under
41 this subdivision shall be a class C misdemeanor.

42 (3) Subdivision (1) of this subsection shall not apply to any person who is a direct
43 or indirect owner of a specific sports governing body member team and:

44 (a) Has less than five percent direct or indirect ownership interest in a casino; or

45 (b) The value of the ownership of such team represents less than one percent of the
46 person's total enterprise value and such shares of such person are registered under section
47 12 of the Securities Exchange Act of 1934, 15 U.S.C. Section 78l, as amended.

48 (4) (a) An operator shall adopt procedures to prevent persons from wagering on
49 sports events who are prohibited from placing sports wagers.

50 (b) An operator shall not accept wagers from any person whose identity is known
51 to the operator and:

52 a. Whose name appears on the exclusion list maintained by the commission;

53 b. Who is the operator, director, officer, owner, or employee of the operator or any
54 relative thereof living in the same household as the operator;

55 c. Who has access to nonpublic confidential information held by the operator; or

56 d. Who is an agent or proxy for any other person.

57 (5) An operator shall adopt procedures to obtain personally identifiable
58 information from any individual who places any single wager of ten thousand dollars or
59 more on a sports event while physically present at a casino.

60 4. The commission and certificate holders shall cooperate with investigations
61 conducted by law enforcement agencies, including by providing or facilitating the
62 provision of relevant betting information and audio or video files relating to persons
63 placing sports wagers.

64 5. A certificate holder shall immediately report to the commission any information
65 relating to:

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

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

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

71 (4) Any other conduct that corrupts the wagering outcome of a sporting event or
72 events for purposes of financial gain; and

73 (5) Suspicious or illegal wagering activities.

74 **6. A certificate holder shall maintain the confidentiality of information provided**
75 **by a sports governing body to the certificate holder unless disclosure is required by court**
76 **order, the commission, or any other provision of law.**

77 **7. A sports governing body may notify the commission that it desires to restrict,**
78 **limit, or exclude sports wagering on its sporting events by providing notice in the form and**
79 **manner as required by the commission. A sports governing body may request the**
80 **commission to restrict, limit, or exclude a type of wager based solely upon the actions of**
81 **a single player. To demonstrate good cause, the sports governing body shall provide**
82 **written information that indicates a credible threat to the integrity of sports wagering that**
83 **is beyond the control of the sports governing body to preemptively remedy or mitigate.**
84 **The commission shall promptly review the information provided and respond as**
85 **expeditiously as possible to the request. In making its determination, the commission may**
86 **consult with a sports betting operation, independent monitoring provider, and other**
87 **jurisdictions. No restrictions, limitations, or exclusions of wagers shall be conducted**
88 **without the express written approval of the commission. Certificate holders shall be**
89 **notified of any restrictions, limitations, or exclusions granted by the commission.**

313.1016. 1. A certificate holder shall, for bets and wagers that exceed ten
2 **thousand dollars in a twenty-four-hour period and that are placed in person by a patron,**
3 **maintain the following records for a period of at least three years after the sporting event**
4 **occurs:**

- 5 **(1) Personally identifiable information of the bettor;**
- 6 **(2) The amount and type of bet placed;**
- 7 **(3) The time and date the bet was placed;**
- 8 **(4) The location, including specific information pertaining to the betting window**
9 **or the limited mobile gaming system device, where the bet was placed;**
- 10 **(5) The outcome of the bet; and**
- 11 **(6) Any discernable pattern of abnormal betting activity by the patron.**

12 **2. A certificate holder, for all bets and wagers placed through an interactive sports**
13 **wagering platform, shall maintain the following records for a period of at least three years**
14 **after the sporting event occurs:**

- 15 **(1) Personally identifiable information of the bettor;**
- 16 **(2) The amount and type of bet placed;**
- 17 **(3) The time and date the bet was placed;**
- 18 **(4) The location, including specific information pertaining to the internet protocol**
19 **address, where the bet was placed;**
- 20 **(5) The outcome of the bet; and**

21 **(6) Any discernable pattern of abnormal betting activity by the patron.**

22 **3. A certificate holder shall make the records and data that it is required to**
23 **maintain under this section available for inspection upon request of the commission or as**
24 **required by court order.**

313.1018. 1. The performance of any act required, or the forbearance of any act
2 **prohibited, by sections 313.1000 to 313.1022, by an interactive sports wagering platform**
3 **provider is imputed to the certificate holder on behalf of which the platform is operating,**
4 **and vice versa.**

5 **2. A certificate holder is not liable under the laws of this state to any party,**
6 **including patrons, for disclosing information as required under sections 313.1000 to**
7 **313.1022 and is not liable for refusing to disclose information unless required under**
8 **sections 313.1000 to 313.1022.**

313.1021. 1. A wagering tax of six and three-fourths of one percent is imposed on
2 **the adjusted gross receipts received from sports wagering conducted by a certificate holder**
3 **under sections 313.1000 to 313.1022. If a third party is contracted with to conduct sports**
4 **wagering at a certificate holder's licensed facility, the third party contractor shall fulfill**
5 **the certificate holder's duties under this section.**

6 **2. A certificate holder shall remit the tax imposed by subsection 1 of this section to**
7 **the department before the close of the business day one day prior to the last business day**
8 **of each month for the wagering taxes collected for such month. Any taxes collected during**
9 **the month, but after the day on which the taxes are required to be paid to the department,**
10 **shall be paid to the department at the same time the following month's taxes are due.**

11 **3. The payment of the tax under this section shall be by an electronic funds transfer**
12 **by an automated clearinghouse.**

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

16 **5. (1) A certificate holder shall pay to the commission an annual administrative fee**
17 **of twenty thousand dollars. The fee imposed shall be due one year after the date on which**
18 **the certificate holder commences sports wagering operations under sections 313.1000 to**
19 **313.1022 and on each annual anniversary date thereafter. The commission shall deposit**
20 **the administrative fees received under this subdivision in the sports wagering fund**
21 **established in this subsection.**

22 **(2) In addition to the annual administrative fee required in this subsection, a**
23 **certificate holder shall pay to the commission a fee of ten thousand dollars to cover the**
24 **costs of a full reinvestigation of the certificate holder in the fifth year after the date on**

25 which the certificate holder commences sports wagering operations under sections
26 313.1000 to 313.1022 and on each fifth year thereafter. The commission shall deposit the
27 fees received under this subdivision in the sports wagering fund established in this
28 subsection.

29 (3) (a) There is hereby created in the state treasury the "Sports Wagering Fund",
30 which shall consist of moneys collected under this subsection. The state treasurer shall be
31 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
32 may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,
33 moneys in the fund shall be used solely as provided in this subsection.

34 (b) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
35 remaining in the fund at the end of the biennium shall not revert to the credit of the
36 general revenue fund.

37 (c) The state treasurer shall invest moneys in the fund in the same manner as other
38 funds are invested. Any interest and moneys earned on such investments shall be credited
39 to the fund.

313.1022. All sports wagers authorized under sections 313.1000 to 313.1022 shall
2 be deemed initiated, received, and otherwise made on the property of an excursion
3 gambling boat within this state. Consistent with the intent of the United States Congress
4 as articulated in the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C.
5 Sections 5361 to 5367, as amended, the intermediate routing of electronic data relating to
6 lawful intrastate sports wagers authorized under sections 313.1000 to 313.1022 shall not
7 determine the location or locations in which such wager is initiated, received, or otherwise
8 made.

313.1200. 1. The state of Missouri, acting by and through duly elected and
2 qualified members of the general assembly, does declare and proclaim that the state is
3 exempt from the provisions of 15 U.S.C. Section 1172, as provided for therein.

4 2. All shipments of gambling devices used to conduct interactive gaming under
5 sections 313.1200 to 313.1220 to a licensed owner or a permit holder in Missouri, the
6 registering, recording, and labeling of which have been completed by the manufacturer or
7 dealer thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, are legal
8 shipments of gambling devices into Missouri.

9 3. The commission shall regulate and administer interactive gaming conducted by
10 an interactive gaming licensee or an interactive gaming management service provider
11 under the provisions of sections 313.1200 to 313.1220.

12 **4. The commission shall have the following powers and duties for the purpose of**
13 **administering, regulating, and enforcing the system of interactive gaming authorized under**
14 **sections 313.1200 to 313.1220:**

15 **(1) All powers and duties specified under sections 313.1200 to 313.1220;**

16 **(2) All powers necessary and reasonable to fully and effectively execute the**
17 **provisions of sections 313.1200 to 313.1220;**

18 **(3) Jurisdiction and supervision over:**

19 **(a) All interactive gaming operations in Missouri; and**

20 **(b) All persons engaged in offering, conducting, or participating in interactive**
21 **gaming under sections 313.1200 to 313.1220;**

22 **(4) Any power specified in this chapter concerning the supervision of persons**
23 **conducting gambling games, patrons wagering on gambling games, and the facilities in**
24 **which gambling games are conducted;**

25 **(5) The power to investigate and reinvestigate applicants, interactive gaming**
26 **licensees, interactive gaming management service providers, and other licensees involved**
27 **with interactive gaming conducted under sections 313.1200 to 313.1220;**

28 **(6) The power to investigate alleged violations of sections 313.1200 to 313.1220;**

29 **(7) The power to revoke, suspend, or renew licenses under sections 313.1200 to**
30 **313.1220; and**

31 **(8) The power to take any reasonable or appropriate action to enforce the**
32 **provisions of sections 313.1200 to 313.1220.**

33 **5. The commission is hereby authorized to:**

34 **(1) Take appropriate administrative enforcement or disciplinary action against a**
35 **person who violates any provision of sections 313.1200 to 313.1220;**

36 **(2) Conduct hearings;**

37 **(3) Issue subpoenas for the attendance of witnesses and subpoenas duces tecum for**
38 **the production of books, records, and other relevant documents; and**

39 **(4) Administer oaths and affirmations to witnesses.**

313.1202. 1. Except as otherwise provided, the definitions provided under sections
2 **313.800 and 313.1000 shall also apply to the provisions of sections 313.1200 to 313.1220.**

3 **2. As used in sections 313.1200 to 313.1220, the following terms mean:**

4 **(1) "Adjusted gross receipts", the total of all cash and property, including checks**
5 **received by an interactive gaming licensee, whether collected or not, that is received by an**
6 **interactive gaming licensee from interactive gaming; minus the total of:**

7 **(a) All cash paid out as winnings to interactive gaming patrons, including the cash**
8 **equivalent of any merchandise or thing of value awarded as a prize; and**

- 9 **(b) Uncollectible gaming receivables, not to exceed the lesser of:**
10 **a. A reasonable provision for uncollectible patron checks received from interactive**
11 **games; or**
12 **b. Two percent of the total of all sums including checks, whether collected or not,**
13 **less the amount paid out as winnings to interactive gaming patrons.**
14
- 15 **The term "adjusted gross receipts" does not include any receipts received under sections**
16 **313.800 to 313.850;**
- 17 **(2) "Interactive game", an internet-based version or substantial equivalent of a**
18 **gambling game as defined under section 313.800, in which an individual wagers moneys**
19 **or something of monetary value for the opportunity to win moneys or something of**
20 **monetary value, and which is accessed by an internet-connected computer or mobile**
21 **device. The term "interactive game" includes gaming tournaments conducted online in**
22 **which players compete against one another or in one or more of the games authorized**
23 **under sections 313.1200 to 313.1220. The term "interactive game" shall not include paid**
24 **fantasy sports games conducted under sections 313.900 to 313.955;**
- 25 **(3) "Interactive gaming", offering or conducting interactive games;**
- 26 **(4) "Interactive gaming licensee", any person holding an interactive gaming license**
27 **issued under sections 313.1200 to 313.1220 or any person holding an owner's license issued**
28 **under sections 313.800 to 313.850;**
- 29 **(5) "Interactive gaming management service provider", a licensed business entity**
30 **that operates an interactive gaming platform pursuant to an agreement with an interactive**
31 **gaming licensee;**
- 32 **(6) "Interactive gaming operator", an interactive gaming licensee that operates an**
33 **interactive gaming platform or, if an interactive management services provider operates**
34 **the interactive gaming platform, the interactive management services provider;**
- 35 **(7) "Interactive gaming platform", the combination of hardware and software or**
36 **other technology designed and used to manage, conduct, and record interactive gaming**
37 **and the wagers associated with interactive gaming;**
- 38 **(8) "Interactive gaming skin", a distinctly branded interactive gaming platform**
39 **operated by an interactive gaming operator, which may encompass a website, mobile**
40 **application, or other portal to the interactive gaming platform. The brand may be that of**
41 **the interactive gaming licensee or its affiliate, the interactive management service provider,**
42 **or another brand as agreed upon by the interactive gaming licensee and its interactive**
43 **management service provider;**

44 (9) "Interactive wagering", the placing of wagers with an interactive gaming
45 operator by persons who are either physically present in Missouri when placing the wager
46 or otherwise permitted to place a wager by law;

47 (10) "Interactive wagering account", a financial record established and accessible
48 through an interactive gaming platform for an individual participant in which the
49 participant may deposit and withdraw funds for interactive gaming and other authorized
50 purchases and to which the interactive gaming operator may credit winnings or other
51 amounts due to that participant or authorized by that participant;

52 (11) "Permissible jurisdiction", a jurisdiction from which wagers may be accepted
53 under rules adopted by the commission;

54 (12) "Person", an individual, sole proprietorship, partnership, association,
55 fiduciary, corporation, limited liability company, or any other business entity.

313.1204. 1. The commission shall have the same powers and duties with respect
2 to the offering of interactive gaming as it has with respect to noninteractive gaming
3 conducted under sections 313.800 to 313.850. If the exercise of a power or duty described
4 under sections 313.800 to 313.850 is incompatible with the offering of gambling games over
5 the internet or with the provisions of sections 313.1200 to 313.1220, the provisions of
6 313.1200 to 313.1220 shall prevail.

7 2. The commission shall adopt emergency rules not more than sixty days after the
8 effective date of this section, to enable the expedient offering of interactive gaming by
9 interactive gaming licensees.

10 3. In adopting rules and regulating the conduct of interactive gaming, the
11 commission shall, to the greatest extent possible, use existing rules applicable to the
12 offering of gambling games in Missouri and shall amend existing rules and adopt new rules
13 or standards only as reasonably necessary to implement interactive gaming. The
14 commission shall look to the interactive gaming rules of other regulated jurisdictions in the
15 United States and implement consistent rules to the greatest extent possible.

313.1206. 1. A person holding an interactive gaming license issued under this
2 chapter is authorized to conduct interactive gaming beginning September 1, 2021.

3 2. Beginning July 1, 2021, the commission may accept applications for interactive
4 gaming licenses from any licensed owner that wishes to conduct interactive wagering under
5 sections 313.1200 to 313.1220. The commission shall prescribe the form of the application.

6 3. A licensed owner, operating agent, or permit holder that wishes to offer
7 interactive gaming under this article shall:

8 (1) Submit an application to the commission in the manner prescribed by the
9 commission; and

10 **(2) Pay an initial fee of fifty thousand dollars.**

11 **4. (1) Upon receiving the application and fee required under subsection 3 of this**
12 **section and approving such submitted application, the commission shall issue an interactive**
13 **gaming license to a licensed operator authorizing the licensed operator to conduct**
14 **interactive gaming under the provisions of sections 313.1200 to 313.1220.**

15 **(2) An interactive gaming license shall be renewed annually upon the payment of**
16 **an annual administrative fee of fifty thousand dollars. The fee imposed by this subdivision**
17 **shall be due one year after the date on which the interactive gaming licensee commences**
18 **interactive gaming operations and on each annual anniversary date thereafter.**

19 **(3) The commission shall deposit the administrative fees received under this section**
20 **in the interactive gaming fund established in subsection 7 of this section.**

21 **5. The commission shall deposit the fees received under subsections 3 and 4 of this**
22 **section in the interactive gaming fund established under subsection 7 of this section.**

23 **6. When considering a person's application for an interactive gaming license, the**
24 **commission may issue the person a temporary license to conduct business if:**

25 **(1) The person has filed with the commission:**

26 **(a) A completed application; or**

27 **(b) A substantially completed application, as determined by the commission; and**

28 **(2) The person agrees, in writing, to the following conditions of the temporary**
29 **license:**

30 **(a) That the temporary license does not create a right or privilege to continue**
31 **conducting business under sections 313.1200 to 313.1220 if the person's application for an**
32 **interactive gaming license to conduct interactive gaming is rejected by the commission; and**

33 **(b) That the commission may rescind the person's temporary license to do business**
34 **under sections 313.1200 to 313.1220 at any time, with or without notice to the person, if:**

35 **a. The commission is informed that the suitability of the person may be at issue;**
36 **and**

37 **b. The person fails to cooperate with the commission in the commission's**
38 **investigation into the qualifications and suitability of the person.**

39 **7. (1) There is hereby created in the state treasury the "Interactive Gaming Fund",**
40 **which shall consist of moneys collected under subsections 3 and 4 of this section and any**
41 **other fees collected under the provisions of sections 313.1200 to 313.1220.**

42 **(2) The state treasurer shall be custodian of the fund. In accordance with sections**
43 **30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a**
44 **dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the**
45 **commission for the administration of sections 313.1200 to 313.1220.**

46 (3) Expenses relating to fund administration shall be paid from assets of the fund.

47 (4) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
48 remaining in the fund at the end of the biennium shall not revert to the credit of the
49 general revenue fund.

50 (5) The state treasurer shall invest moneys in the fund in the same manner as other
51 funds are invested. Any interest and moneys earned on such investments shall be credited
52 to the fund.

53 8. An interactive gaming licensee may offer no more than three individually
54 branded interactive gaming skins. The interactive gaming licensee may operate the
55 platforms or contract with up to three interactive management service providers to
56 conduct interactive gaming in accordance with the rules of the commission and the
57 provisions of sections 313.1200 to 313.1220.

58 9. The primary server or servers for an interactive gaming platform shall be located
59 within a facility that is secure and inaccessible to the public. The primary server or servers
60 may be located anywhere in the United States, to the extent that such a location complies
61 with applicable federal law; however, the interactive gaming licensee or its management
62 service provider shall locate a secondary server within the interactive gaming licensee's
63 excursion gambling boat. Wagers placed on an interactive gaming platform shall be
64 construed to take place within the licensee's excursion gambling boat regardless of where
65 the patron is located at the time the wager is made. The intermediate routing of electronic
66 data in connection with interactive gaming, including the routing of data across state lines,
67 shall not determine the location or locations in which a wager is initiated, received, or
68 otherwise made.

69 10. An interactive gaming licensee, and any interactive management service
70 providers conducting interactive gaming under an agreement with the interactive gaming
71 licensee, shall offer only an interactive game that is an interactive-based version or
72 substantial equivalent of a gambling game that the interactive gaming licensee is
73 authorized to offer at its riverboat location under the provisions of sections 313.800 to
74 313.850.

313.1208. 1. An interactive gaming operator may accept wagers on an interactive
2 gaming platform only if:

3 (1) The wager is placed directly with the interactive gaming operator through an
4 interactive wagering account; and

5 (2) The interactive gaming operator has verified that the person placing the wager
6 is:

7 (a) At least twenty-one years of age;

- 8 **(b) The holder of the interactive wagering account; and**
9 **(c) Physically located within Missouri or a permissible jurisdiction using technology**
10 **that meets the requirements of sections 313.1200 to 313.1220.**
- 11 **2. (1) An interactive gaming platform shall include age and location verification**
12 **mechanisms and requirements that are designed to prevent an individual who is:**
13 **(a) Under twenty-one years of age;**
14 **(b) Not physically located within Missouri or a permissible jurisdiction; or**
15 **(c) Otherwise excluded from interactive gaming from establishing an interactive**
16 **wagering account or from engaging in interactive gaming.**
- 17 **(2) The internal controls of an interactive gaming platform shall include**
18 **mechanisms to:**
19 **(a) Verify that an interactive gaming patron is at least twenty-one years of age;**
20 **(b) Ensure that wagering on interactive games is limited to transactions that are**
21 **initiated and received within Missouri or a permissible jurisdiction; and**
22 **(c) Verify that an interactive gaming patron is physically located within Missouri**
23 **or a permissible jurisdiction.**
- 24 **(3) The interactive gaming platform's age, location, and eligibility detection**
25 **mechanisms shall monitor attempts to access the system and shall use commercially**
26 **reasonable attempts to block unauthorized attempts to access the system.**
- 27 **3. An interactive gaming operator shall implement appropriate data security**
28 **standards to prevent unauthorized access by any person whose identity has not been**
29 **verified or cannot be verified, in accordance with rules adopted by the commission. The**
30 **interactive gaming platform's identity verification mechanisms shall monitor attempts to**
31 **access the system and shall use commercially reasonable attempts to block unauthorized**
32 **attempts to access the system by any person seeking access to a wagering account held by**
33 **another person.**
- 34 **4. An interactive gaming operator shall implement appropriate standards to protect**
35 **the privacy and security of participants to a reasonable degree of certainty. Interactive**
36 **gaming operators shall establish and offer participants the option to protect the**
37 **participants' accounts with multifactor authentication or authentication features such as**
38 **personal identification numbers or biometric data.**
- 39 **5. An interactive gaming licensee shall establish internal and accounting controls**
40 **applicable to interactive gaming and shall ensure that the security and integrity of all**
41 **financial transactions in connection with interactive gaming complies with the provisions**
42 **of sections 313.1200 to 313.1220 and any rules promulgated by the commission.**
- 43 **6. An interactive gaming licensee shall:**

44 **(1) Collect, report, and pay all applicable taxes and fees; and**
45 **(2) Maintain all books, records, and documents pertaining to the licensee's**
46 **interactive gaming operations in a manner and at a location within Missouri and approved**
47 **by the commission.**

48 **7. All books, records, and documents concerning interactive gaming shall be**
49 **available for inspection upon commercially reasonable notice by the commission during**
50 **ordinary business hours in accordance with the commission's regulations, and shall be**
51 **maintained in a manner and during periods of time as the commission requires.**

313.1210. 1. A person who is less than twenty-one years of age shall not wager
2 **under the provisions of sections 313.1200 to 313.1220.**

3 **2. (1) An eligible person may establish an interactive wagering account:**

4 **(a) In person, at a riverboat; or**

5 **(b) Over the internet, without appearing in person.**

6 **(2) An interactive gaming operator shall adopt reasonable procedures to ensure**
7 **that an eligible person establishes no more than one interactive wagering account with the**
8 **interactive gaming operator.**

9 **3. An interactive gaming patron may deposit and withdraw funds from the patron's**
10 **interactive wagering account:**

11 **(1) In person, at a riverboat;**

12 **(2) Over the internet, through electronic means, including through the use of:**

13 **(a) Debit or credit cards;**

14 **(b) Automated clearing house transfers; or**

15 **(c) Wire transfers;**

16 **(3) Through the use of deposits and withdrawals of cash or gaming chips at**
17 **cashiering locations approved by the commission;**

18 **(4) Through the use of reliable prepaid cards, cash credits, complimentary credits,**
19 **promotional credits, or bonus credits; or**

20 **(5) Through any other means approved by the commission.**

21 **4. An interactive gaming operator shall maintain within its internal controls**
22 **mechanisms and procedures for detecting unauthorized access to interactive wagering**
23 **accounts, unauthorized attempts to access interactive wagering accounts, and suspicious**
24 **interactive wagering activity constituting cheating, theft, embezzlement, collusion, money**
25 **laundering, or other illegal activity.**

313.1212. 1. A person shall not obtain any of the following licenses required for
2 **conducting business under sections 313.1200 to 313.1220 unless the person meets the**
3 **suitability requirements determined by the commission:**

4 **(1) An interactive gaming license;**

5 **(2) An interactive management service provider license;**

6 **(3) A supplier's license; or**

7 **(4) An occupational license.**

8 **2. (1) A person may apply for an interactive gaming management service provider**
9 **license in the form required by the commission. The commission may provide an**
10 **abbreviated application for a person that holds or has a pending application for a**
11 **management service provider license for interactive gaming, or an equivalent license, in**
12 **another jurisdiction. To obtain an interactive gaming management service provider license**
13 **under this section, an applicant shall pay to the commission a license fee of fifty thousand**
14 **dollars.**

15 **(2) An interactive management service provider license issued under this section**
16 **is valid for one year and may be renewed by paying a renewal fee of twenty-five thousand**
17 **dollars.**

18 **(3) The commission shall deposit the fees received under this section in the**
19 **interactive gaming fund established under subsection 7 of section 313.1206.**

20 **3. (1) An interactive gaming platform and all technology used to conduct**
21 **interactive gaming shall be:**

22 **(a) Approved by the commission; and**

23 **(b) Acquired by an interactive gaming operator from a person holding a supplier's**
24 **license or an interactive gaming management service provider license.**

25 **(2) The commission shall determine whether other supplies and equipment used to**
26 **conduct gaming operations require an interactive gaming licensee to acquire the supplies**
27 **and equipment from a person holding a supplier's license or an interactive gaming**
28 **management service provider license. The commission shall deposit any license fees**
29 **collected under this section in the interactive gaming fund established under subsection 7**
30 **of section 313.1206.**

31 **(3) The provisions of this subsection apply only to the conduct of interactive gaming**
32 **under sections 313.1200 to 313.1220 and to the acquisition of the technology, equipment,**
33 **and supplies necessary to conduct interactive gaming.**

34 **4. The commission shall determine the occupations related to interactive gaming**
35 **that shall require an occupational license. The commission shall deposit any license fees**
36 **collected under this subsection in the interactive gaming fund established under subsection**
37 **7 of section 313.1206.**

38 **5. An interactive gaming operator shall conduct:**

39 **(1) Background checks on newly hired employees engaged in activities related to**
40 **the conducting of interactive gaming; and**

41 **(2) Annual background checks on all existing employees engaged in activities**
42 **related to the conducting of interactive gaming.**

43

44 **Any background check conducted under this subsection shall include a search for criminal**
45 **history and for any charges or convictions involving corruption, identity theft, the**
46 **manipulation of sporting events, or any association with organized crime.**

47 **6. The commission may require a background investigation of any officer, director,**
48 **or shareholder that holds five percent of the equity interests of an applicant for a license**
49 **described in this section. The commission may recover the actual costs of an investigation**
50 **conducted under this section from the applicant. The commission may accept any**
51 **background investigation conducted by another state with licensing standards similar to**
52 **those established under this section and by the rules of the commission.**

313.1214. 1. (1) The commission shall develop responsible interactive gaming
2 **measures including, but not limited to, a statewide responsible gaming database,**
3 **identifying individuals who are prohibited from establishing an interactive wagering**
4 **account or from participating in interactive gaming offered by an interactive gaming**
5 **operator. The commission shall adopt rules for the establishment and maintenance of the**
6 **responsible gaming database.**

7 **(2) The commission shall maintain the responsible gaming database in a**
8 **confidential manner. Notwithstanding any provision of law to the contrary, an individual's**
9 **self-exclusion election and all other information contained in the responsible gaming**
10 **database shall be confidential.**

11 **2. (1) The commission shall adopt rules to establish and implement a voluntary**
12 **exclusion program for interactive gaming under sections 313.1200 to 313.1220 that meets**
13 **the requirements provided in subdivision (2) of this subsection.**

14 **(2) The voluntary exclusion program shall, in its rules, provide that:**

15 **(a) Except as otherwise provided by a rule of the commission, a person who**
16 **participates in the voluntary exclusion program agrees to refrain from participating in**
17 **interactive gaming offered by any person authorized to conduct interactive gaming under**
18 **sections 313.1200 to 313.1220;**

19 **(b) The name of a person participating in the program is included on a list of**
20 **persons excluded from all interactive gaming platforms under the jurisdiction of the**
21 **commission;**

22 (c) Except as otherwise provided by a rule of the commission, a person who
23 participates in the voluntary exclusion program shall not petition the commission for
24 permission to participate in interactive gaming on any interactive gaming platform under
25 the jurisdiction of the commission;

26 (d) The list of patrons entering the voluntary exclusion program and the personal
27 information of the program participants are confidential and may be disseminated only by
28 the commission to an interactive gaming operator under the jurisdiction of the commission
29 for the purpose of enforcement and may be distributed only to other entities upon request
30 by the participant and agreement by the commission;

31 (e) An interactive gaming operator under the jurisdiction of the commission shall
32 make all reasonable attempts as determined by the commission to cease all direct
33 marketing efforts to any person participating in the program; and

34 (f) An interactive gaming operator under the jurisdiction of the commission shall
35 not cash the check of a person participating in the program, deposit moneys in an
36 interactive wagering account belonging to such a person, or extend credit to such a person,
37 in any manner. However, the voluntary exclusion program shall not preclude an owner
38 from seeking the payment of a debt accrued by a person before such person entered the
39 program.

40 3. (1) The commission may authorize the ejection or exclusion of a person from an
41 interactive gaming platform if:

42 (a) The person's name is on the list of persons voluntarily excluding themselves
43 from interactive gaming in a program established under the rules of the commission;

44 (b) The person violates any of the provisions of sections 313.1200 to 313.1220; or

45 (c) The commission determines that the person's conduct or reputation is such that
46 the person's presence on an interactive gaming platform may:

47 a. Call into question the honesty and integrity of the gambling operations; or

48 b. Interfere with the orderly conduct of the gambling operations.

49 (2) A person, other than a person participating in a voluntary exclusion program,
50 may petition the commission for a hearing on such person's ejection or exclusion under this
51 subsection.

52 4. Every interactive gaming platform shall conspicuously display the number of a
53 toll free problem gambling helpline so that it is accessible to any person visiting or initially
54 logging onto the interactive gaming platform and to any account holders who log onto the
55 interactive gaming platform.

56 5. (1) Every interactive gaming platform shall include mechanisms for temporary
57 and permanent self-exclusion from interactive gaming, including the following:

58 (a) A mechanism for the termination of the interactive wagering account of an
59 interactive gaming patron;

60 (b) A deposit limit offered on a daily, weekly, and monthly basis that allows an
61 interactive gaming patron to specify the maximum amount of moneys the patron may
62 deposit into the patron's interactive wagering account during the particular time period;
63 and

64 (c) A spending limit offered on daily, weekly, and monthly bases that allows an
65 interactive gaming patron to specify the maximum amount of the deposits that the patron
66 may put at risk during the particular time period.

67 (2) Self-imposed wagering or deposit limits shall take effect immediately. However,
68 if an interactive gaming patron makes an increase to a previously imposed limit, such
69 increase shall not take effect until the expiration of the previously imposed limit, per the
70 terms of the participant's original election.

71 (3) An interactive gaming licensee shall not knowingly mail or otherwise forward
72 any gaming-related promotional materials or email to an interactive wagering account
73 holder during any period in which the account holder has elected to temporarily or
74 permanently suspend or terminate interactive gaming through the account.

75 6. An individual holding an interactive wagering account shall continue to have
76 access to the interactive wagering account and shall have the ability to withdraw funds
77 from the account, regardless of any temporary or permanent suspension or limits placed
78 upon the account under this section.

313.1216. 1. An interactive gaming tax is hereby imposed on the adjusted gross
2 receipts received from authorized interactive gaming offered by an interactive gaming
3 licensee under sections 313.1200 to 313.1220, at a rate of twelve percent.

4 2. An interactive gaming licensee shall be required to do the following:

5 (1) Remit the daily amount of interactive gaming taxes imposed under subsection
6 1 of this section to the department on the twenty-fourth calendar day of each month. Any
7 taxes collected during the month but after the day on which the taxes are required to be
8 paid shall be paid to the commission at the same time that the following month's taxes are
9 due; and

10 (2) Report gaming activity information to the commission, daily, on forms
11 prescribed by the commission.

12 3. (1) As used in this subsection, the term "qualified wagering" refers to wagers
13 made by patrons using noncashable vouchers, coupons, electronic credits, or electronic
14 promotions provided by the interactive gaming licensee.

15 (2) An interactive gaming licensee may at any time during a state fiscal year deduct
16 from the adjusted gross receipts reported by the interactive gaming licensee the adjusted
17 gross receipts attributable to qualified wagering. An interactive gaming licensee shall take
18 a deduction under this section on a form and in the manner prescribed by the commission.

19 4. The commission shall deposit the tax revenue collected under this section as
20 follows:

21 (1) Five-sixths of the amount collected from each interactive gaming licensee shall
22 be deposited in the gaming proceeds for education fund, established under section 313.822;
23 and

24 (2) One-sixth of the amount collected from each interactive gaming licensee shall
25 be deposited in the veterans commission capital improvement trust fund, established under
26 section 42.300.

27 5. The commission may suspend or revoke the interactive gaming license of an
28 interactive gaming licensee that does not submit the payment or the tax return form within
29 the required time.

30 6. The payment of the tax imposed under this section shall be on a form and in a
31 manner prescribed by the department.

 313.1218. Notwithstanding any provision of law to the contrary, wagers may be
2 accepted under sections 313.1200 to 313.1220 from persons who are not physically present
3 in Missouri if the commission has determined that:

4 (1) Accepting the wagers is not inconsistent with federal law or the law of the
5 jurisdiction in which the person placing the wagers is located; or

6 (2) The wagering is conducted pursuant to a reciprocal agreement to which
7 Missouri is a party that is not inconsistent with federal law.

 313.1220. All interactive gaming wagers authorized under sections 313.1200 to
2 313.1220 shall be deemed initiated, received, and otherwise made on the property of an
3 excursion gambling boat within this state. Consistent with the intent of the United States
4 Congress as articulated in the federal Unlawful Internet Gambling Enforcement Act of
5 2006, 31 U.S.C. Sections 5361 to 5367, as amended, the intermediate routing of electronic
6 data relating to interactive gaming authorized under sections 313.1200 to 313.1220 shall
7 not determine the location or locations in which a wager is initiated, received, or otherwise
8 made.

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