

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 44

AN ACT

To repeal section 313.800, RSMo, and to enact in lieu thereof fifteen new sections relating to wagering on certain games, with penalty provisions.

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

1           Section A. Section 313.800, RSMo, is repealed and fifteen  
2 new sections enacted in lieu thereof, to be known as sections  
3 313.360, 313.425, 313.427, 313.429, 313.431, 313.433, 313.435,  
4 313.800, 313.855, 313.860, 313.865, 313.870, 313.875, 313.880,  
5 and 313.882, to read as follows:

6           313.360. Notwithstanding any other provision of law to the  
7 contrary, the commission may incur fees when accepting debit  
8 cards or other electronic payment methods, except credit cards,  
9 for the sale of lottery game plays.

10           313.425. Sections 313.425 to 313.435 shall be known and may  
11 be cited as the "Missouri Video Lottery Control Act" and shall  
12 establish the regulatory framework for the use of  
13 player-activated video terminals for the conduct of lottery  
14 games.

15           313.427. As used in sections 313.425 to 313.437, the  
16 following words and phrases shall mean:

1       (1) "Centralized computer system", a computerized system  
2 developed or procured by the commission that video lottery game  
3 terminals are connected to using standard industry protocols that  
4 can activate or deactivate a particular video lottery game  
5 terminal from a remote location, and that is capable of  
6 monitoring and auditing video lottery game plays;

7       (2) "Commission" or "lottery commission", the five-member  
8 body appointed by the governor to manage and oversee the lottery  
9 under section 313.215;

10       (3) "Establishment", any establishment registered to do  
11 business in this state by a person licensed as a video lottery  
12 game retailer that is or becomes licensed under chapter 311 to  
13 sell liquor at retail, and that is one or more of the following:

14       (a) A fraternal organization or veterans' organization that  
15 maintains a license issued under chapter 311 to sell intoxicating  
16 liquor, and that obtains and maintains a license issued by the  
17 commission to offer lottery games played on video lottery game  
18 terminals;

19       (b) A truck stop equipped for fueling commercial vehicles,  
20 that has sold on average ten thousand gallons of diesel or  
21 biodiesel fuel each month for the previous twelve months or is  
22 projected to sell an average of ten thousand gallons of diesel or  
23 biodiesel fuel each month for the next twelve months, that is  
24 situated on more than two acres of land adjacent to a major state  
25 or federal highway, that maintains a license issued under chapter  
26 311 to sell intoxicating liquor, and that obtains and maintains a  
27 license issued by the commission to offer lottery games played on  
28 video lottery game terminals;

1       (c) A convenience store that has sold on average ten  
2 thousand gallons of fuel each month for the previous twelve  
3 months or is projected to sell an average of ten thousand gallons  
4 of fuel each month for the next twelve months, that maintains a  
5 license issued under chapter 311 to sell intoxicating liquor, and  
6 that obtains and maintains a license issued by the commission to  
7 offer lottery games played on video lottery game terminals;

8       (d) A bar, tavern, or restaurant that maintains a license  
9 issued under chapter 311 to sell intoxicating liquor, and that  
10 obtains and maintains a license issued by the commission to offer  
11 lottery games played on video lottery game terminals;

12       (e) A liquor store that maintains a license issued under  
13 chapter 311 to sell intoxicating liquor, and that obtains and  
14 maintains a license issued by the commission to offer lottery  
15 games played on video lottery game terminals;

16       (f) A grocery store that maintains a license issued under  
17 chapter 311 to sell intoxicating liquor, and that obtains and  
18 maintains a license issued by the commission to offer lottery  
19 games played on video lottery game terminals;

20       (4) "Fraternal organization", any organization within this  
21 state operating under the lodge system which exists for the  
22 common benefit, brotherhood or other interest of its members,  
23 except college fraternities and sororities, of which no part of  
24 the net earnings inures to the benefit of any private shareholder  
25 or any individual member of such organization, which has been  
26 exempted from the payment of federal income tax, and which  
27 derives its charter from a national fraternal organization which  
28 regularly meets;

1       (5) "Veterans' organization", a post or organization of  
2 veterans, or an auxiliary unit or society of, or a trust or  
3 foundation for, any such post or organization organized in the  
4 United States or any of its possessions in which at least  
5 seventy-five percent of the members are veterans of the United  
6 States armed forces and substantially all of the other members  
7 are individuals who are veterans or are cadets, or are spouses,  
8 widows or widowers of war veterans of such individuals, in which  
9 no part of the net earnings inures to the benefit of any private  
10 shareholder or individual, and which has been exempted from  
11 payment of federal income taxes;

12       (6) "Video lottery game", any lottery game approved by the  
13 commission for play on a video lottery game terminal using video  
14 lottery game terminal credits that have been purchased with cash,  
15 cash equivalents, or by a winning video lottery game terminal  
16 ticket;

17       (7) "Video lottery game adjusted gross receipts", the total  
18 of cash or cash equivalents used for the play of a video lottery  
19 game on a video lottery game terminal minus cash or cash  
20 equivalent paid to players as a result of playing video lottery  
21 games on a video lottery game terminal;

22       (8) "Video lottery game distributor", a person licensed by  
23 the commission to buy, sell, lease, rent, finance or otherwise  
24 provide, distribute or service video lottery game terminals or  
25 major parts and components of video lottery game terminals,  
26 including used or refurbished video lottery game terminals to and  
27 from licensed video lottery game manufacturers and licensed video  
28 lottery game operators;

1       (9) "Video lottery game handler", a person employed by a  
2 licensed video lottery game operator to handle, place, operate,  
3 and service video lottery game terminals and associated  
4 equipment;

5       (10) "Video lottery game manufacturer", any person that  
6 manufactures video lottery game terminals or major parts and  
7 components for video lottery game terminals as approved by the  
8 lottery commission;

9       (11) "Video lottery game operator", a person licensed by  
10 the commission that owns, rents, or leases and services or  
11 maintains video lottery game terminals for placement in licensed  
12 video lottery retailer establishments;

13       (12) "Video lottery game retailer", a person meeting the  
14 requirements of a lottery game retailer under section 313.260,  
15 possessing a video lottery game retailer's license, and  
16 possessing a license to sell liquor with whom a licensed video  
17 lottery game operator has contracted for the placement of a video  
18 lottery game terminal or terminals;

19       (13) "Video lottery game terminal", player-activated  
20 terminal that exchanges coins, currency, tickets, ticket vouchers  
21 or other electronic payment methods approved by the commission  
22 for video lottery game terminal credits used to play video  
23 lottery games approved by the commission. Such video lottery  
24 game terminals shall use a video display and microprocessor  
25 capable of randomly generating the outcome of video lottery games  
26 and be capable of printing a ticket at the conclusion of any  
27 video lottery game play that is redeemable at a video lottery  
28 game ticket redemption terminal or reinserted into a video

1 lottery game terminal for video lottery game credit. All video  
2 lottery games approved by the commission for play on a video  
3 lottery game terminal shall have a minimum theoretical payout of  
4 eighty-five percent;

5 (14) "Video lottery game terminal credit", one cent, five  
6 cents, ten cents, or twenty-five cents either won or purchased by  
7 a player on a video lottery game terminal that is used to play  
8 video lottery games and that may be converted into a video  
9 lottery game ticket;

10 (15) "Video lottery game ticket" or "ticket", a document  
11 printed at the conclusion of any lottery game play or group of  
12 plays on a video lottery game terminal that is redeemable for  
13 cash utilizing a video lottery game ticket redemption terminal or  
14 that may be reinserted into a video lottery game terminal in the  
15 establishment for which it was issued for video lottery terminal  
16 game play credit;

17 (16) "Video lottery game ticket redemption terminal", the  
18 collective hardware, software, communications technology, and  
19 other ancillary equipment used to facilitate the payment of  
20 tickets cashed out by players as a result of playing a video  
21 lottery game terminal.

22 313.429. 1. The commission shall implement a system of  
23 video lottery game terminals utilizing a licensing structure for  
24 processing license applications and issuing licenses to video  
25 lottery game manufacturers, video lottery game distributors,  
26 video lottery game operators, video lottery game handlers, and  
27 video lottery game retailers for the conduct of lottery games  
28 utilizing video lottery game terminals within the state; except

1 that, a person licensed as a:

2 (1) Video lottery game manufacturer or a video lottery game  
3 distributor shall not be issued a license as a video lottery game  
4 operator or a video lottery game retailer;

5 (2) Video lottery game operator shall not be issued a  
6 license as a video lottery game manufacturer, a video lottery  
7 game distributor, or video lottery game retailer; and

8 (3) Video lottery game retailer shall not be issued a  
9 license as a video lottery game manufacturer, a video lottery  
10 game distributor, or video lottery game operator.

11  
12 Nothing in this subsection shall prevent a video lottery game  
13 manufacturer from obtaining a video lottery game manufacturer's  
14 license and a video lottery game distributor's license and  
15 providing and operating the centralized computer system for  
16 monitoring video lottery game terminals.

17 2. Under no circumstances shall the commission:

18 (1) Authorize or allow a single vendor or licensee to  
19 implement the system of video lottery game terminals created  
20 under this section; or

21 (2) Allow a single licensed video lottery game operator to  
22 control or operate more than twenty-five percent of video lottery  
23 game terminals in the state.

24 3. (1) The video lottery game system authorized by this  
25 section shall allow for multiple video lottery game  
26 manufacturers, video lottery game distributors, and video lottery  
27 game operators to encourage private sector investment and job  
28 opportunities for Missouri citizens. Video lottery game

1 terminals shall be connected to a centralized computer system  
2 developed or procured by the commission. The commission shall  
3 provide licensed video lottery game operators with the necessary  
4 protocols to connect the operators' video lottery game terminal  
5 or terminals to the centralized computer system after such  
6 terminal or terminals have been approved by the commission. No  
7 video lottery game terminal shall be placed in operation without  
8 first connecting to the centralized computer system after such  
9 terminal or terminals have been approved by the commission. A  
10 vendor that provides the centralized computer system authorized  
11 under this subsection shall not be eligible to be licensed as a  
12 video lottery game operator or video lottery game retailer. The  
13 commission may impose an initial nonrefundable license  
14 application fee as follows:

15 (a) For video lottery game manufacturers, video lottery  
16 game distributors, and video lottery game operators, no more than  
17 fifty thousand dollars;

18 (b) For video lottery game retailer establishments, no more  
19 than five hundred dollars; or

20 (c) For video lottery game handlers, no more than one  
21 hundred dollars.

22 (2) The initial license and first subsequent license  
23 renewal shall be for a period of one year. Thereafter, license  
24 renewal periods shall be four years with the applicable annual  
25 renewal fee paid for each year such license is renewed. Annual  
26 license renewal fees for anyone licensed pursuant to this  
27 subsection shall be as follows:

28 (a) Five thousand dollars for video lottery game



1 manufacturers and video lottery game distributors;

2 (b) Five thousand dollars for video lottery game operators;

3 (c) Fifty dollars for video lottery game handlers; and

4 (d) Five hundred dollars for each video lottery game  
5 retailer's establishment.

6 (3) In addition to the license fees required in  
7 subdivisions (1) and (2) of this subsection, video lottery game  
8 operators shall pay the commission an annual license fee of two  
9 hundred dollars for each video lottery game terminal placed in  
10 service. Such video lottery game terminal license shall be  
11 renewed each year and cost two hundred dollars. A license issued  
12 under this subsection is nontransferable.

13 (4) Nothing in this subsection shall be construed to  
14 relieve the licensee of the affirmative duty to notify the  
15 commission of any change relating to the status of the license or  
16 to any other information contained in the application materials  
17 on file with the commission.

18 4. No license shall be issued to any person, and no person  
19 shall be allowed to serve as a sales agent, who has been  
20 convicted of a felony or a crime involving illegal gambling.

21 5. No license requirement, sticker fee, or tax shall be  
22 imposed by any local jurisdiction upon a video lottery game  
23 manufacturer, video lottery game distributor, video lottery game  
24 operator, video lottery game retailer, video lottery game  
25 handler, or video lottery game terminal or an establishment  
26 relating to the operation of video lottery games, video lottery  
27 game terminals, or associated equipment.

28 6. (1) Video lottery game terminals shall meet independent

1 testing standards approved by the commission, as tested by one or  
2 more approved independent test labs, and be capable of randomly  
3 generating the outcome of video lottery games approved by the  
4 commission. Video lottery game terminals shall be capable of  
5 printing a ticket redeemable for winning video lottery game  
6 plays. Such video lottery game terminals shall be inspected and  
7 approved by the commission prior to being sold, leased, or  
8 transferred.

9 (2) Licensed video lottery game manufacturers may buy,  
10 sell, or lease new or refurbished video lottery game terminals to  
11 and from licensed video lottery game distributors.

12 (3) Licensed video lottery game distributors may buy, sell,  
13 or lease new or refurbished video lottery game terminals to or  
14 from licensed video lottery game manufacturers or licensed video  
15 lottery game operators.

16 7. (1) Licensed video lottery game operators:

17 (a) May buy, lease, or rent video lottery game terminals  
18 from licensed video lottery game manufacturers, operators, or  
19 distributors;

20 (b) May handle, place, and service video lottery game  
21 terminals;

22 (c) Shall connect such video lottery game terminals to the  
23 centralized computer system approved by the commission; and

24 (d) Shall pay winning tickets using a video lottery game  
25 ticket redemption terminal, except that a ticket with winnings in  
26 excess of six hundred dollars shall be redeemed at a Missouri  
27 lottery office. Such video lottery ticket redemption terminal  
28 shall be located within the video lottery game retailer's

1 establishment in direct proximity of where such video lottery  
2 games are offered. Video lottery game operators shall pay the  
3 commission thirty-two percent of any unclaimed cash prize  
4 associated with a winning ticket that has not been redeemed  
5 within one hundred eighty days of issue.

6  
7 Rents or leases for video lottery game terminals shall be written  
8 at a flat rate and shall not include revenue splitting as a  
9 method used in the calculation of the lease or rent.

10 (2) Licensed video lottery game operators and licensed  
11 video lottery game retailers shall enter into a written agreement  
12 for the placement of video lottery game terminals. The agreement  
13 shall be on a form approved by the commission and shall specify  
14 an equal division of adjusted gross receipts between the video  
15 lottery game operator and the video lottery game retailer after  
16 adjustments for taxes and administrative fees are made. A video  
17 lottery game operator shall be responsible for remitting to the  
18 commission and the video lottery game retailer its share of  
19 adjusted gross receipts. Nothing in this subdivision shall  
20 prohibit a licensed video lottery game operator from entering  
21 into an agreement with a sales agent for retailer agreements  
22 provided such agreement is in writing and approved by the  
23 commission. Video lottery game operators and their sales agents  
24 and affiliates and video lottery game retailers are specifically  
25 prohibited from offering anything of value, other than the  
26 percentage of adjusted gross receipts provided under this  
27 subsection, for the initial or continued placement of video  
28 lottery game terminals. An agreement for the placement of video

1 lottery game terminals, or any similar agreement, entered into  
2 prior to the enactment of sections 313.425 to 313.435 shall be  
3 invalid and unenforceable. Persons violating this subdivision  
4 are subject to the suspension or revocation of their video  
5 lottery game operator's license.

6 (3) To combat problem gambling, video lottery game  
7 operators shall allow players to be self-excluded from video  
8 lottery game play. Operators shall provide the commission with a  
9 list of players that have elected to be excluded from video  
10 lottery game play within thirty days of such election and shall  
11 update such list periodically as required by the commission.  
12 Such self-excluded list shall be considered confidential  
13 information and shall not be released to the public. The  
14 commission shall issue such self-exclusion procedures by rule.

15 (4) Nothing in this section shall be construed to prevent a  
16 video lottery game operator or a video lottery retailer from  
17 using a player rewards system as approved by the commission. No  
18 player shall be required to enroll in a rewards program offered  
19 by a video lottery game operator or video lottery game retailer  
20 as a condition to play video lottery games.

21 8. No licensed video lottery game operator shall:

22 (1) Offer video lottery gaming terminals that directly  
23 dispense anything of value except for tickets for winning plays.  
24 Tickets shall be dispensed by pressing the ticket dispensing  
25 button on the video lottery gaming terminal at the end of any  
26 video lottery game play. The ticket shall indicate the total  
27 amount of video lottery game terminal credits and the cash award,  
28 the time of day in a 24-hour format showing hours and minutes,

1 the date, the terminal serial number, the sequential number of  
2 the ticket, and an encrypted validation number from which the  
3 validity of the prize may be determined. The cost of the video  
4 lottery game terminal credits shall be one cent, five cents, ten  
5 cents, or twenty-five cents, and the maximum wager played per  
6 video lottery game shall not exceed five dollars. No cash award  
7 for the maximum wager played on any individual video lottery game  
8 shall exceed one thousand dollars;

9 (2) Operate in a retail establishment that is not also  
10 licensed to sell liquor, except if the business of the  
11 establishment is a truck stop where any state or local ordinance  
12 prohibits the sale of intoxicating liquor;

13 (3) Operate more than five video lottery game terminals at  
14 one video lottery game retailer establishment; except if the  
15 establishment is a veterans' organization, fraternal  
16 organization, or truck stop, such establishment may operate up to  
17 ten video lottery game terminals as approved by the commission;

18 (4) Advertise video lottery games outside of a licensed  
19 video lottery game retailer's establishment through any media  
20 outlets or direct mail or telephone solicitations. The  
21 advertising prohibition contained in this subdivision shall apply  
22 to all licensees including, but not limited to, video lottery  
23 game manufacturers, video lottery game distributors, video  
24 lottery game operators, video lottery game retailers, and video  
25 lottery game handlers, except that a video lottery retailer may  
26 participate in an advertising program that is promoted through  
27 and sponsored by the state lottery and may advertise in or on the  
28 outside of the establishment's building and parking lot;

1       (5) Allow video lottery games to be played at any time when  
2 the video lottery game retailer's establishment is closed for  
3 business.

4       9. (1) A person under twenty-one years of age shall not  
5 play video lottery games, and such video lottery game terminals  
6 shall be under the supervision of a person that is at least  
7 twenty-one years of age to prevent persons under twenty-one years  
8 of age from playing video lottery games. Video lottery game  
9 terminals shall not be placed in areas normally occupied by  
10 minors and shall be placed within the unobstructed line of sight  
11 of the sales counter unless placed in an enclosed or partially  
12 enclosed area that is continually monitored by video  
13 surveillance. A warning sign shall be posted in a conspicuous  
14 location where such video lottery game terminals are located,  
15 containing in red lettering at least one-half inch high on a  
16 white background the following:

17       "YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY VIDEO LOTTERY  
18 GAMES"

19  
20 In addition to the placement and supervision requirements of this  
21 subsection, a video lottery game operator shall provide video  
22 surveillance in the immediate area of the video lottery game  
23 retailer's establishment where video lottery game terminals are  
24 located. Recorded video from such surveillance system shall be  
25 made available to the commission upon request and shall be  
26 reviewed by video lottery game operators as reasonably and  
27 specifically requested by the commission for any violation of  
28 law, rules or regulations governing the conduct of video lottery

1 games. A video lottery game operator that fails to review such  
2 surveillance video and report any known violation of law, rules  
3 or regulations governing the conduct of video lottery games in  
4 conformance with established commission procedures may be subject  
5 to an administrative fine not to exceed five thousand dollars.  
6 Any video lottery game retailer that fails to report any known  
7 violation of law, rules or regulations governing the conduct of  
8 video lottery games in conformance with established commission  
9 procedures may be subject to an administrative fine not to exceed  
10 five thousand dollars. In the event a video lottery game  
11 operator or retailer is found to have knowingly committed a  
12 violation governing the conduct of video lottery games the  
13 commission may impose an administrative fine not to exceed five  
14 thousand dollars, suspend such operator's or retailer's license  
15 for up to thirty days, or in the case of repeated violations  
16 revoke such operator's or retailer's license for a period of one  
17 year. Any video lottery game operator or retailer aggrieved by  
18 the commission's decision in any disciplinary action that results  
19 in the suspension or revocation of such operator's or retailer's  
20 video lottery game license may appeal such decision by filing an  
21 action in circuit court. The commission shall refer a violation  
22 of the criminal code, with any evidence thereof, to the  
23 appropriate law enforcement officials. Video lottery game  
24 retailers shall provide an intrusion detection system capable of  
25 detecting unauthorized entrance of the video lottery game  
26 retailer's establishment during nonbusiness hours and shall  
27 report to the commission any unauthorized entrance of the video  
28 lottery game retailer's establishment. Such surveillance and

1 intrusion detection system shall meet specifications as defined  
2 by the commission.

3 (2) A video lottery game operator shall post a sign in a  
4 conspicuous location where such video lottery game terminals are  
5 located, containing in red lettering at least one-half inch high  
6 on a white background a telephone contact number (1-888-BETSOFF)  
7 for the problem gambling helpline.

8 10. (1) Video lottery game operators shall pay the  
9 commission thirty-six percent of the video lottery game adjusted  
10 gross receipts, which shall be deposited in the state lottery  
11 fund. The commission shall transfer, subject to appropriation,  
12 the amount received from the operator from the lottery fund to  
13 the lottery proceeds fund after administrative expenses equal to  
14 four percent of the video lottery game adjusted gross receipts  
15 are paid to the municipality where a licensed video lottery game  
16 retailer maintains an establishment licensed for the operation of  
17 video lottery game terminals, or if such licensed establishment  
18 is not located within the corporate boundaries of a municipality,  
19 then the county where such licensed establishment is located to  
20 reimburse such municipality or county for administrative  
21 expenses, and any administrative expenses for the commission that  
22 are not covered by reimbursements from operators are deducted.  
23 Net proceeds transferred to the lottery proceeds fund shall be  
24 appropriated to public elementary and secondary education and  
25 public institutions of higher education with an emphasis on  
26 programs to promote science, technology, engineering, and  
27 mathematics (STEM), and programs to promote workforce  
28 development.



1       (2) Video lottery game operators shall retain the remainder  
2 of the video lottery game adjusted gross receipts, a portion of  
3 which shall be utilized to pay for administrative expenses which  
4 shall include the cost of the centralized computer system, which  
5 cost shall be paid by video lottery game operators in proportion  
6 to the number of video lottery game terminals operated. Fifty  
7 percent of the costs of the centralized computer system shall be  
8 apportioned by the video lottery game operator among video  
9 lottery game retailers to which it provides operations based on  
10 the number of video lottery game terminals located at the video  
11 lottery game retailer's establishment. The remainder of adjusted  
12 gross receipts retained by the video lottery game operator, after  
13 the cost of the centralized computer system and administrative  
14 costs are paid and apportioned, shall be divided equally between  
15 the video lottery game operator and video lottery game retailer  
16 as agreed under subdivision (2) of subsection 6 of this section.

17       11. All revenues received by the commission from license  
18 fees and any reimbursements associated with the administration of  
19 the provisions of sections 313.425 to 313.435, and all interest  
20 earned thereon, shall be considered administrative expenses and  
21 shall be deposited in the state lottery fund. Moneys deposited  
22 into the state lottery fund from license fees and any  
23 reimbursements of commission administrative expenses to  
24 administer sections 313.425 to 313.435 shall be considered  
25 administrative expenses and shall not be considered net proceeds  
26 pursuant to Article III, Section 39(b) of the Missouri  
27 Constitution. Subject to appropriation, up to one percent of  
28 such license fees may be deposited to the credit of the

1 compulsive gamblers fund created under section 313.842. The  
2 remainder of the money deposited in the state lottery fund from  
3 video lottery game license fees and any reimbursements of  
4 commission administrative expenses to enforce sections 313.425 to  
5 313.435 shall, subject to appropriation, be used for  
6 administrative expenses associated with supervising and enforcing  
7 the provisions of sections 313.425 to 313.435.

8 12. The commission may contract with a state law  
9 enforcement entity to assist in conducting investigations into  
10 applicants for any video lottery game license and to investigate  
11 violations by any video lottery game licensee of any of the  
12 provisions of sections 313.425 to 313.435 or state law regulating  
13 illegal gambling activities. A video lottery game licensee  
14 suspected of a violation shall be afforded an administrative  
15 hearing on the record and any action taken to impose a fine on  
16 such licensee, or to suspend or revoke the ability of a licensee  
17 to offer lottery game products for sale, shall be appealed to the  
18 commission. Any such administrative suspension or revocation  
19 upheld by the commission may be appealed by the video lottery  
20 game licensee in a state court of competent jurisdiction.

21 13. The possession or use of any video lottery game  
22 terminal not authorized by the commission under the provisions of  
23 sections 313.425 to 313.437 may be prosecuted under the  
24 provisions of chapter 572. The commission shall have the power  
25 to investigate suspected violations by any video lottery license  
26 holder and to refer any violations or suspected violations to the  
27 appropriate law enforcement authority. The commission shall  
28 suspend a license issued under this section and, if applicable, a

1 lottery game retailer's license issued under sections 313.200 to  
2 313.351, during an investigation conducted under the provisions  
3 of this subsection, and shall permanently revoke any such license  
4 of a person who is convicted of or pleads guilty to a violation  
5 prosecuted under the provisions of this subsection.

6 14. The commission shall adopt rules for the implementation  
7 of the video lottery game system authorized under sections  
8 313.425 to 313.435, including, but not limited to, the placement  
9 of video lottery terminals within a retail establishment and for  
10 the active oversight of the conduct of video lottery games. Any  
11 rule or portion of a rule, as that term is defined in section  
12 536.010 that is created under the authority delegated in this  
13 section shall become effective only if it complies with and is  
14 subject to all of the provisions of chapter 536, and, if  
15 applicable, section 536.028. This section and chapter 536 are  
16 nonseverable and if any of the powers vested with the general  
17 assembly pursuant to chapter 536, to review, to delay the  
18 effective date, or to disapprove and annul a rule are  
19 subsequently held unconstitutional, then the grant of rulemaking  
20 authority and any rule proposed or adopted after August 28, 2019,  
21 shall be invalid and void.

22 313.431. In order to expedite the orderly implementation of  
23 the video lottery game system authorized under sections 313.425  
24 to 313.435, the commission shall:

25 (1) Issue a request for proposal for the supply and  
26 operation of a centralized computer system for video lottery  
27 games within one hundred twenty days of the effective date of  
28 this section;

1           (2) Make license applications for video lottery game  
2 manufacturers, video lottery game distributors, video lottery  
3 game operators, video lottery game retailers, and video lottery  
4 game handlers available to applicants and promulgate any  
5 emergency or regular rules and regulations needed for the  
6 implementation of the video lottery system authorized under  
7 sections 313.425 to 313.435 within one hundred twenty days of the  
8 effective date of this section.

9           313.433. 1. Notwithstanding any other provision of law to  
10 the contrary, participation by a person, firm, corporation, or  
11 organization in any aspect of the state lottery under sections  
12 313.425 to 313.435 shall not be construed to be a lottery or gift  
13 enterprise in violation of section 39 of article III of the  
14 Constitution of Missouri.

15           2. The sale of lottery tickets, shares, or lottery game  
16 plays using a video lottery game terminal under sections 313.425  
17 to 313.435 shall not constitute a valid reason to refuse to issue  
18 or renew or to revoke or suspend any license or permit issued  
19 under the provisions of chapter 311.

20           313.435. A municipality may adopt an ordinance prohibiting  
21 video lottery game terminals within the corporate limits of such  
22 municipality within one hundred twenty days from the effective  
23 date of this act. A county commission may, for the  
24 unincorporated area of the county, adopt an ordinance prohibiting  
25 video lottery game terminals within the unincorporated area of  
26 the county within one hundred twenty days from the effective date  
27 of this act. The commission shall not license video lottery game  
28 retailers within such area covered by such ordinance. Any such

1 municipality or county that has opted to prohibit the use of  
2 video lottery game terminals to play video lottery games may  
3 repeal such ordinance and upon such repeal the commission may  
4 license video lottery game retailers within such municipality or  
5 county to conduct video lottery games.

6 313.800. 1. As used in sections 313.800 to [313.850]  
7 313.882, unless the context clearly requires otherwise, the  
8 following terms mean:

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

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

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

17 (4) "Capital, cultural, and special law enforcement purpose  
18 expenditures" shall include any disbursement, including  
19 disbursements for principal, interest, and costs of issuance and  
20 trustee administration related to any indebtedness, for the  
21 acquisition of land, land improvements, buildings and building  
22 improvements, vehicles, machinery, equipment, works of art,  
23 intersections, signing, signalization, parking lot, bus stop,  
24 station, garage, terminal, hanger, shelter, dock, wharf, rest  
25 area, river port, airport, light rail, railroad, other mass  
26 transit, pedestrian shopping malls and plazas, parks, lawns,  
27 trees, and other landscape, convention center, roads, traffic  
28 control devices, sidewalks, alleys, ramps, tunnels, overpasses

1 and underpasses, utilities, streetscape, lighting, trash  
2 receptacles, marquees, paintings, murals, fountains, sculptures,  
3 water and sewer systems, dams, drainage systems, creek bank  
4 restoration, any asset with a useful life greater than one year,  
5 cultural events, and any expenditure related to a law enforcement  
6 officer deployed as horse-mounted patrol, school resource or drug  
7 awareness resistance education (D.A.R.E) officer;

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

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

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

24 (8) "Dock", the location in a city or county authorized  
25 under subsection 10 of section 313.812 which contains any natural  
26 or artificial space, inlet, hollow, or basin, in or adjacent to a  
27 bank of the Mississippi or Missouri Rivers, next to a wharf or  
28 landing devoted to the embarking of passengers on and

1 disembarking of passengers from a gambling excursion but shall  
2 not include any artificial space created after May 20, 1994, and  
3 is located more than one thousand feet from the closest edge of  
4 the main channel of the river as established by the United States  
5 Army Corps of Engineers;

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

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

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

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

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

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

27 (15) "Games of skill", any gambling game in which there is  
28 an opportunity for the player to use his or her reason,

1 foresight, dexterity, sagacity, design, information or strategy  
2 to favorably increase the player's expected return; including,  
3 but not limited to, the gambling games known as "poker",  
4 "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow  
5 poker", "Texas hold'em", "double down stud", and any video  
6 representation of such games;

7 (16) "Gaming facility", a licensee offering gaming on an  
8 excursion gambling boat under sections 313.800 to 313.850;

9 (17) "Gross receipts", the total sums wagered by patrons of  
10 licensed gambling games;

11 [(17)] (18) "Holder of occupational license", a person  
12 licensed by the commission to perform an occupation within  
13 excursion gambling boat operations which the commission has  
14 identified as requiring a license;

15 (19) "Interactive sports wagering platform" or "platform",  
16 a person or entity that offers sports wagering over the internet,  
17 including on websites and mobile devices, on behalf of a gaming  
18 facility;

19 [(18)] (20) "Licensee", any person licensed under sections  
20 313.800 to 313.850;

21 [(19)] (21) "Mississippi River" and "Missouri River", the  
22 water, bed and banks of those rivers, including any space filled  
23 by the water of those rivers for docking purposes in a manner  
24 approved by the commission but shall not include any artificial  
25 space created after May 20, 1994, and is located more than one  
26 thousand feet from the closest edge of the main channel of the  
27 river as established by the United States Army Corps of  
28 Engineers;



1       (22) "Sports governing body", the organization that  
2 prescribes final rules and enforces codes of conduct with respect  
3 to a sporting event and participants therein;

4       (23) "Sports wagering", the acceptance of wagers on  
5 sporting events or portions of sporting events, or on the  
6 individual performance statistics of athletes in a sporting event  
7 or combination of sporting events, by any system or method of  
8 wagering, including but not limited to in-person, or over the  
9 internet through websites and on mobile devices. "Sports  
10 wagering" shall include, but shall not be limited to, single-game  
11 bets, teaser bets, parlays, over-under, moneyline, pools,  
12 exchange wagering, in-game wagering, in-play bets, proposition  
13 bets, and straight bets;

14       (24) "Sports wagering operator" or "operator", a gaming  
15 facility that offers sports wagering or an interactive sports  
16 wagering platform that offers sports wagering on behalf of a  
17 gaming facility;

18       [(20)] (25) "Supplier", a person who sells or leases  
19 gambling equipment and gambling supplies to any licensee;

20       (26) "Wager" or "bet", the staking or risking by a person  
21 of something of value upon an agreement or understanding that the  
22 person will receive something of value in the event of a certain  
23 outcome. "Wager" or "bet" shall not include:

24       (a) Any activity governed by the securities laws of the  
25 United States or this state;

26       (b) Any contract of indemnity or guarantee;

27       (c) Any contract for insurance; or

28       (d) Participation in any game or contest in which the

1 participants do not stake or risk anything of value other than  
2 personal efforts of the participants in playing the game or  
3 contest or obtaining access to the internet, or points or credits  
4 that the sponsor of the game or contest provides to participants  
5 free of charge and that can be used or redeemed only for  
6 participation in games or contests offered by the sponsor.

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

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

24             (2) Is the gambling game a game of chance or a game of  
25 skill?  
26

27 All testimony shall be given under oath or affirmation. Any  
28 citizen of this state shall have the opportunity to testify on

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

13 313.855. 1. Sports wagering shall not be offered in this  
14 state except by a gaming facility under sections 313.800 to  
15 313.882.

16 2. Gaming facilities may offer sports wagering:

17 (1) In-person at the gaming facility; and

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

20 3. (1) A gaming facility may contract with interactive  
21 sports wagering platforms to administer sports wagering over the  
22 internet on its behalf only if it holds a platform license issued  
23 by the commission.

24 (2) Applicants for interactive sports wagering platform  
25 licenses shall:

26 (a) Submit an application to the commission in the manner  
27 prescribed by the commission under the provisions of section  
28 313.810 to verify the platform's eligibility under sections

1 313.855 to 313.882; and

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

3 (3) (a) Each year on or before the anniversary date of the  
4 payment of the initial application fee made under subdivision (2)  
5 of this subsection, if such platform license has been issued, a  
6 platform shall pay to the commission an annual license renewal  
7 fee of five thousand dollars.

8 (b) All license fees imposed under this subdivision and  
9 subdivision (2) of this subsection shall be deposited in the  
10 gaming commission fund and distributed according to section  
11 313.835.

12 (4) Notwithstanding any provision of law to the contrary, a  
13 platform license application and all documents, reports, and data  
14 submitted by an interactive sports wagering platform to the  
15 commission containing proprietary information, trade secrets,  
16 financial information, or personal information about any person  
17 shall be treated by the commission as closed records and shall  
18 not be disclosed to the public unless required by court order or  
19 any other provision of sections 313.855 to 313.882.

20 (5) An interactive sports wagering platform may enter into  
21 agreements to offer sports wagering on behalf of one or more  
22 gaming facilities without limitation. Such agreements shall not  
23 be prerequisites to obtaining an interactive sports wagering  
24 platform license.

25 4. The commission shall investigate any person or entity  
26 providing interactive sports wagering platform services on behalf  
27 of a gaming facility and that is not currently licensed by the  
28 commission. Such investigation shall be conducted in a manner

1 consistent with the provisions of section 313.810, and may  
2 include conducting an investigation of the sports wagering  
3 platform services applicant's employees, officers, directors,  
4 trustees, and principal salaried executive staff officers. The  
5 applicant shall be responsible for the total cost of the  
6 investigation. If the cost of the investigation exceeds the  
7 application fee imposed in subsection 3 of this section, the  
8 applicant shall remit to the commission the total cost of the  
9 investigation prior to any license being issued. The total cost  
10 of the investigation shall not exceed fifty thousand dollars.

11 5. Notwithstanding the provisions of section 313.822 to the  
12 contrary, except for the initial and subsequent license renewal  
13 fees imposed by subsection 3 of this section and the  
14 administrative fee required under subsection 3 of section  
15 313.870, wagering on sporting events shall only be subject to the  
16 following taxes and administrative fees:

17 (1) A tax is imposed on the adjusted gross receipts  
18 received from wagers on sporting events at the rate of twelve  
19 percent. Such tax shall be the only tax assessed upon the  
20 adjusted gross receipts derived from wagers on sporting events  
21 and shall be remitted in the same manner as adjusted gross  
22 receipts taxes are remitted pursuant to 313.822.

23 (2) In addition to the tax imposed on adjusted gross  
24 receipts, an administrative fee is imposed on adjusted gross  
25 receipts received from wagers on sporting events authorized  
26 pursuant to this section at the rate of two and one-half percent.  
27 Such administrative fee shall be deposited in the gaming  
28 commission fund created pursuant to section 313.835, and eighty

1 percent of such administrative fee shall be transferred to the  
2 veterans' commission capital improvement trust fund created in  
3 section 42.300.

4 6. Nothing in this section shall relieve a licensee from  
5 any administrative action or penalty assessed by the commission  
6 for a violation of the law or any regulations promulgated by the  
7 commission for the conduct of wagering on sporting events.

8 313.860. 1. Sports wagering operators shall take  
9 commercially reasonable steps to verify that a person placing a  
10 wager is of the legal minimum age under section 313.817 for  
11 placing such a wager.

12 2. Sports wagering operators shall allow individuals to  
13 restrict themselves from placing wagers with the operator,  
14 including wager limits, and shall take reasonable steps to  
15 prevent such individuals from placing such wagers, including upon  
16 request of such individual to share the request with the  
17 commission for the sole purpose of disseminating the request to  
18 other sports wagering operators.

19 3. The commission shall promulgate rules to ensure that an  
20 operator's advertisements for sports wagering:

21 (1) Do not target minors or other persons who are  
22 ineligible to place wagers, problem gamblers, or other vulnerable  
23 persons, which may include limitations on the form, content,  
24 quantity, timing, and location of advertisements;

25 (2) Disclose the identity of the sports wagering operator;

26 (3) Provide information about or links to resources  
27 relating to gambling addiction; and

28 (4) Are not false, misleading, or deceptive to a reasonable

1 consumer.

2  
3 Any rule or portion of a rule, as that term is defined in section  
4 536.010 that is created under the authority delegated in this  
5 section shall become effective only if it complies with and is  
6 subject to all of the provisions of chapter 536, and, if  
7 applicable, section 536.028. This section and chapter 536 are  
8 nonseverable and if any of the powers vested with the general  
9 assembly pursuant to chapter 536, to review, to delay the  
10 effective date, or to disapprove and annul a rule are  
11 subsequently held unconstitutional, then the grant of rulemaking  
12 authority and any rule proposed or adopted after August 28, 2019,  
13 shall be invalid and void.

14 313.865. 1. The commission shall conduct background checks  
15 on newly hired employees of a sports wagering operator, and  
16 annual background checks on all existing employees of a sports  
17 wagering operator. Background checks shall be consistent with  
18 the provisions of section 313.810, and search for criminal  
19 history, and any charges or convictions involving corruption or  
20 manipulation of sporting events and association with organized  
21 crime.

22 2. Sports wagering operators shall employ commercially  
23 reasonable methods to:

24 (1) Prohibit the operator, directors, officers, owners, and  
25 employees of the operator, and any relative living in the same  
26 household as such persons, from placing bets with the operator;

27 (2) Prohibit athletes, coaches, referees, team owners,  
28 employees of a sports governing body or its member teams, and

1 player and referee union personnel from wagering on any sporting  
2 event overseen by their sport's governing body. In determining  
3 which persons are excluded from placing wagers under this  
4 subsection, operators shall use publicly available information  
5 and any lists of such persons that the sports governing body may  
6 provide to the commission;

7 (3) Prohibit any individual with access to nonpublic  
8 confidential information held by the operator from placing wagers  
9 with the operator;

10 (4) Prohibit persons from placing wagers as agents or  
11 proxies for others; and

12 (5) Maintain the security of wagering data, customer data,  
13 and other confidential information from unauthorized access and  
14 dissemination; provided, however, that nothing in sections  
15 313.855 to 313.882 shall preclude the use of internet or  
16 cloud-based hosting of such data and information or disclosure as  
17 required by court order or any other provision of law.

18 3. A sports governing body may notify the commission that  
19 it desires to restrict, limit, or exclude wagers not determined  
20 solely by the final score or final outcome of the sporting event  
21 by providing notice in the form and manner as the commission may  
22 require, including, without limitation, restrictions on the  
23 sources of data and associated video upon which an operator may  
24 rely in offering and paying wagers and the bet types that may be  
25 offered. Upon receiving such notice, the commission shall only  
26 deny a request if it deems such request arbitrary and capricious.  
27 If the commission denies a request, the sports governing body  
28 shall be afforded notice and the right to be heard and offer



1 proof in opposition to such determination in accordance with the  
2 regulations of the commission. Offering or taking wagers  
3 contrary to such published restrictions shall be a violation of  
4 the provisions of sections 313.855 to 313.882. In the event that  
5 a request is submitted in relation to an emergency situation, the  
6 executive director of the commission may temporarily grant the  
7 request of the sports governing body until the commission makes a  
8 final determination as to whether such request is arbitrary and  
9 capricious. The provisions of this subsection shall not apply to  
10 wagers determined solely by the final score or final outcome of  
11 the sporting event.

12 4. The commission shall designate a state law enforcement  
13 entity to have primary responsibility for conducting, or  
14 assisting the commission in conducting, investigations into  
15 abnormal betting activity, match fixing, and other conduct that  
16 corrupts a betting outcome of a sporting event or events for  
17 purposes of financial gain.

18 5. The commission and sports wagering operators shall  
19 cooperate with investigations conducted by sports governing  
20 bodies or law enforcement agencies, including but not limited to  
21 providing or facilitating the provision of account-level betting  
22 information and audio or video files relating to persons placing  
23 wagers.

24 6. Sports wagering operators shall immediately report to  
25 the commission any information relating to:

26 (1) Criminal or disciplinary proceedings commenced against  
27 the sports wagering operator in connection with its operations;

28 (2) Abnormal betting activity or patterns that may indicate

1 a concern with the integrity of a sporting event or events;

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

5 (4) Any other conduct that corrupts a betting outcome of a  
6 sporting event or events for purposes of financial gain,  
7 including match fixing; and

8 (5) Suspicious or illegal wagering activities, including  
9 use of funds derived from illegal activity, wagers to conceal or  
10 launder funds derived from illegal activity, using agents to  
11 place wagers, and using false identification.

12  
13 Sports wagering operators shall also immediately report  
14 information relating to conduct described in subdivisions (2),  
15 (3), and (4) of this subsection to the relevant sports governing  
16 body.

17 7. Sports wagering operators shall maintain the  
18 confidentiality of information provided by a sports governing  
19 body to the sports wagering operator, unless disclosure is  
20 required by the commission, court order, or any other provision  
21 of law.

22 8. Sports wagering operators shall use in all sports  
23 wagering only statistics, results, outcomes, and other data  
24 relating to a sporting event that have been obtained from the  
25 relevant sports governing body or an entity expressly authorized  
26 by the sports governing body to provide such information to  
27 sports wagering operators.

28 313.870. 1. Sports wagering operators shall maintain

1 records of all bets and wagers placed, including personally  
2 identifiable information of the bettor, amount and type of bet,  
3 time the bet was placed, location of the bet, including internet  
4 protocol (IP) address if applicable, the outcome of the bet,  
5 records of abnormal betting activity, and video camera recordings  
6 in the case of in-person wagers for at least three years after  
7 the sporting event occurs and make such data available for  
8 inspection upon request of the commission, or as required by  
9 court order.

10 2. If a sports governing body has notified the commission  
11 that real-time information sharing for wagers placed on its  
12 sporting events is necessary and desirable, sports wagering  
13 operators shall share in real time and in anonymized form the  
14 information required to be retained under subsection 1 of this  
15 section, excluding video files, with the sports governing body or  
16 its designee with respect to wagers on its sporting events.

17 3. (1) In addition to all other fees authorized under  
18 sections 313.855 to 313.882, at least once per calendar quarter,  
19 a sports wagering operator shall remit to the commission an  
20 administrative fee of one-half of one percent of the gross amount  
21 wagered on its sporting events during the previous calendar  
22 quarter.

23 (2) The commission shall deposit all administrative fees  
24 collected under this subsection in the "Entertainment Facilities  
25 Infrastructure Fund", which is hereby created in the state  
26 treasury. The state treasurer shall be custodian of the fund.  
27 In accordance with sections 30.170 and 30.180, the state  
28 treasurer may approve disbursements. Notwithstanding the

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

17 4. The commission shall cooperate with a sports governing  
18 body and operators to ensure the timely, efficient, and accurate  
19 sharing of information.

20 313.875. Any person, firm, corporation, association, agent,  
21 or employee who knowingly violates any procedure implemented  
22 under sections 313.855 to 313.882 shall be liable for a civil  
23 penalty of not more than five thousand dollars for each  
24 violation, not to exceed fifty thousand dollars for violations  
25 arising out of the same transaction or occurrence, which shall  
26 accrue to the state and may be recovered in a civil action  
27 brought by the commission. Any licensee who violates any  
28 provision under sections 313.855 to 313.882 shall be subject to

1 the actions and penalties provided under subdivision (6) of  
2 section 313.805, excluding any financial penalties in excess of  
3 those provided under this section.

4 313.880. 1. Any person, firm, corporation, association,  
5 agent, or employee who:

6 (1) Places, or causes to be placed, a bet or wager on the  
7 basis of material nonpublic information relating to that bet or  
8 wager; or

9 (2) Knowingly engages in, facilitates, or conceals conduct  
10 that intends to improperly influence a betting outcome of a  
11 sporting event for purposes of financial gain, in connection with  
12 betting or wagering on a sporting event,

13  
14 shall be guilty of a class E felony.

15 2. A bet or wager shall be "on the basis of material  
16 nonpublic information" if the person placing the bet or wager, or  
17 causing it to be placed, was aware of the material nonpublic  
18 information when such person placed the bet or wager or caused it  
19 to be placed.

20 3. Any person or gaming facility in violation of  
21 subdivision (2) of subsection 1 of this section shall be liable  
22 to the relevant sports governing body, which sports governing  
23 body may sue either at law or in equity in any court of competent  
24 jurisdiction.

25 313.882. The commission shall promulgate rules to implement  
26 the provisions of sections 313.855 to 313.882. Any rule or  
27 portion of a rule, as that term is defined in section 536.010  
28 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.