

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 30, Page 1, Section A, Line 6,

2 by inserting after all of said line the following:

3 "313.425. Sections 313.425 to 313.437 shall be known
 4 and may be cited as the "Honoring Missouri Veterans and
 5 Supporting Missouri Education Act" and shall provide
 6 additional funding for Missouri education programs and the
 7 Missouri veterans commission by establishing a licensing and
 8 regulatory framework under the control of the commission for
 9 the use of video lottery terminals to conduct lottery games.

10 313.427. As used in sections 313.425 to 313.437, the
 11 following words and phrases shall mean:

12 (1) "Centralized computer system", a computerized
 13 system developed or procured by the commission that video
 14 lottery game terminals are connected to using standard
 15 industry protocols that can activate or deactivate a
 16 particular video lottery game terminal from a remote
 17 location and that is capable of monitoring and auditing
 18 video lottery game plays;

19 (2) "Commission" or "lottery commission", the body
 20 appointed by the governor to manage and oversee the lottery
 21 under section 313.215;

22 (3) "Fraternal organization", any organization within
 23 this state operating under the lodge system which exists for
 24 the common benefit, brotherhood, or other interest of its
 25 members, except college fraternities and sororities, of
 26 which no part of the net earnings inures to the benefit of

27 any private shareholder or any individual member of such
28 organization, which has been exempted from the payment of
29 federal income tax, and which derives its charter from a
30 national fraternal organization which regularly meets;

31 (4) "Truck stop", a location that provides parking and
32 is equipped for fueling commercial vehicles, that has sold
33 on average ten thousand gallons of diesel or biodiesel fuel
34 each month for the previous twelve months or is projected to
35 sell an average of ten thousand gallons of diesel or
36 biodiesel fuel each month for the next twelve months, and
37 that obtains and maintains a lottery game retailer license
38 issued by the commission;

39 (5) "Veterans' organization", a post or organization
40 of veterans, or an auxiliary unit or society of, or a trust
41 or foundation for, any such post or organization organized
42 in the United States or any of its possessions in which at
43 least seventy-five percent of the members are veterans of
44 the United States Armed Forces and substantially all of the
45 other members are individuals who are veterans or are
46 cadets, or are spouses, widows, or widowers of war veterans
47 of such individuals, in which no part of the net earnings
48 inures to the benefit of any private shareholder or
49 individual, and which has been exempted from payment of
50 federal income taxes;

51 (6) "Video lottery game", any lottery game approved by
52 the commission for play on an approved video lottery game
53 terminal using video lottery game terminal credits that have
54 been purchased with cash, cash equivalents, or with a
55 winning video lottery game terminal ticket;

56 (7) "Video lottery game adjusted gross receipts", the
57 total of cash or cash equivalents used for the play of a
58 video lottery game on a video lottery game terminal minus

59 cash or cash equivalent paid to players as a result of
60 playing video lottery games on a video lottery game terminal;

61 (8) "Video lottery game handler", a person employed by
62 a licensed video lottery game operator and who is licensed
63 by the commission to handle, place, operate, and service
64 video lottery game terminals and associated equipment;

65 (9) "Video lottery game manufacturer" or
66 "distributor", any person licensed by the commission that
67 manufactures video lottery game terminals or major parts and
68 components for video lottery game terminals as approved by
69 the commission for sale to licensed video lottery game
70 operators, or a person licensed by the commission to
71 distribute or service video lottery game terminals or major
72 parts and components of video lottery game terminals
73 including buying, selling, leasing, renting, or financing
74 new, used, or refurbished video lottery game terminals to
75 and from licensed video lottery game manufacturers and
76 licensed video lottery game operators;

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

81 (11) "Video lottery game retailer", a retail
82 establishment meeting the requirements of a lottery game
83 retailer under section 313.260, that secures and maintains a
84 license issued by the commission to conduct video lottery
85 games played on a video lottery game terminal or terminals
86 and that is a fraternal organization, veterans organization,
87 truck stop, or business entity licensed under chapter 311 to
88 sell liquor by the drink;

89 (12) "Video lottery game terminal", a player-activated
90 terminal that exchanges coins, currency, tickets, ticket
91 vouchers, or electronic payment methods approved by the

92 commission for credit on a video lottery game terminal used
93 to play video lottery games approved by the commission.
94 Such video lottery game terminals shall use a video display
95 and may use a microprocessor capable of randomly generating
96 the outcome of such video lottery games and be capable of
97 printing and issuing a ticket at the conclusion of any video
98 lottery game play that may be redeemed at a video lottery
99 game ticket redemption terminal or may be reinserted into a
100 video lottery game terminal for video lottery game credit
101 and game plays. All video lottery games approved by the
102 commission for play on a video lottery game terminal shall
103 have a minimum theoretical payout of eighty-five percent;

104 (13) "Video lottery game terminal credit", credits
105 either purchased or won on a video lottery game terminal by
106 a player that may be used to play video lottery games and
107 that may be converted into a video lottery game ticket;

108 (14) "Video lottery game ticket" or "ticket", a
109 document printed at the conclusion of any video lottery game
110 play or group of plays on a video lottery game terminal that
111 is redeemable for cash, utilizing a video lottery game
112 ticket redemption terminal, or that may be reinserted into a
113 video lottery game terminal in the establishment from which
114 such ticket is issued for video lottery game terminal credit;

115 (15) "Video lottery game ticket redemption terminal",
116 the collective hardware, software, communications
117 technology, and other ancillary equipment used to facilitate
118 the payment of tickets cashed out by players as a result of
119 playing a video lottery game terminal.

120 313.429. 1. (1) Except as provided in subdivision
121 (2) of this subsection, the commission shall implement a
122 system of video lottery game terminals utilizing a licensing
123 structure for processing license applications and issuing
124 licenses to video lottery game manufacturers, video lottery

125 game distributors, video lottery game operators, video
126 lottery game handlers, and video lottery game retailers for
127 the conduct of lottery games utilizing video lottery game
128 terminals within the state.

129 (2) No person licensed as a:

130 (a) Video lottery game manufacturer or a video lottery
131 game distributor shall be issued a license as a video
132 lottery game operator or a video lottery game retailer;

133 (b) Video lottery game operator shall be issued a
134 license as a video lottery game manufacturer, a video
135 lottery game distributor, or a video lottery game retailer;
136 and

137 (c) Video lottery game retailer shall be issued a
138 license as a video lottery game manufacturer, a video
139 lottery game distributor, or a video lottery game operator.

140 (3) Nothing in this subsection shall prevent a video
141 lottery game manufacturer from obtaining a video lottery
142 game manufacturer's license and a video lottery game
143 distributor's license and providing and operating the
144 centralized computer system for monitoring video lottery
145 game terminals.

146 2. Under no circumstances shall the commission:

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

150 (2) Allow a single licensed video lottery game
151 operator to control or operate more than twenty-five percent
152 of video lottery game terminals in the state after December
153 31, 2027.

154 3. (1) The video lottery game system authorized by
155 this section shall allow for multiple video lottery game
156 manufacturers, video lottery game distributors, and video
157 lottery game operators to encourage private sector

158 investment and job opportunities for Missouri citizens.
159 Video lottery game terminals shall be connected to a
160 centralized computer system developed or procured by the
161 commission. The commission shall provide licensed video
162 lottery game operators with the necessary protocols to
163 connect the operators' video lottery game terminal or
164 terminals to the centralized computer system after such
165 terminal or terminals have been approved by the commission.
166 No video lottery game terminal shall be placed in operation
167 without first connecting to the centralized computer system
168 after such terminal or terminals have been approved by the
169 commission. A vendor that provides the centralized computer
170 system authorized under this subsection shall not be
171 eligible to be licensed as a video lottery game operator or
172 video lottery game retailer. The commission may impose an
173 initial nonrefundable license application fee to cover the
174 cost of investigating the background of the licensee,
175 including a criminal background check, as follows:

176 (a) For video lottery game manufacturers, video
177 lottery game distributors, and video lottery game operators,
178 no more than twenty-five thousand dollars;

179 (b) For video lottery game retailer establishments, no
180 more than one thousand dollars; or

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

183 (2) The initial license shall be for a period of one
184 year. Thereafter, license renewal periods shall be four
185 years with the applicable renewal fee paid for each year of
186 such license renewal in advance. Annual license renewal
187 fees for anyone licensed pursuant to this subsection, and
188 subsequent to the initial one-year period, shall be as
189 follows:

190 (a) Five thousand dollars for video lottery game
191 manufacturers, video lottery game distributors, and video
192 lottery game operators;

193 (b) Fifty dollars for video lottery game handlers; and

194 (c) Five hundred dollars for each video lottery game
195 retailer's establishment.

196 (3) In addition to the license fees required in
197 subdivisions (1) and (2) of this subsection, an annual
198 administrative fee of three hundred dollars shall be paid
199 for each video lottery game terminal placed in service.
200 Such administrative fee shall be equally divided and paid by
201 the video lottery game operator and the video lottery game
202 retailer to the commission once a year and deposited in the
203 state lottery fund and distributed to the veterans'
204 commission capital improvement trust fund created in section
205 42.300.

206 (4) Nothing in this subsection shall be construed to
207 relieve the licensee of the affirmative duty to notify the
208 commission of any change relating to the status of the
209 license or to any other information contained in the
210 application materials on file with the commission.

211 4. No license shall be issued to any person, and no
212 person shall be allowed to serve as a sales agent, who has
213 been convicted of a felony or a crime involving illegal
214 gambling. Sales agents shall be registered with the
215 commission by a licensed video lottery game operator, and
216 shall not solicit or enter into any contract with a video
217 lottery game retailer prior to such retailer being licensed
218 to conduct video lottery games on video lottery game
219 terminals.

220 5. No license requirement, sticker fee, or tax shall
221 be imposed by any local jurisdiction upon a video lottery
222 game manufacturer, video lottery game distributor, video

223 lottery game operator, video lottery game retailer, video
224 lottery game handler, or video lottery game terminal or an
225 establishment relating to the operation of video lottery
226 games, video lottery game terminals, or associated equipment.

227 6. (1) Video lottery game terminals shall meet
228 independent testing standards approved by the commission, as
229 tested by one or more licensed independent test labs, and be
230 capable of randomly generating the outcome of video lottery
231 games approved by the commission. Video lottery game
232 terminals shall be capable of printing a ticket redeemable
233 for winning video lottery game plays. Such video lottery
234 game terminals shall be inspected and approved prior to
235 being sold, leased, or transferred.

236 (2) Licensed video lottery game manufacturers may buy,
237 sell, or lease new or refurbished video lottery game
238 terminals to and from licensed video lottery game
239 distributors.

240 (3) Licensed video lottery game distributors may buy,
241 sell, or lease new or refurbished video lottery game
242 terminals to or from licensed video lottery game
243 manufacturers or licensed video lottery game operators.

244 7. (1) Licensed video lottery game operators:

245 (a) May buy, lease, or rent video lottery game
246 terminals from licensed video lottery game manufacturers,
247 operators, or distributors;

248 (b) May handle, place, and service video lottery game
249 terminals;

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

253 (d) Shall, notwithstanding the provisions of section
254 313.321 to the contrary, pay all video lottery game winnings
255 using a video lottery game ticket redemption terminal. Such

256 video lottery ticket redemption terminal shall be located
257 within the video lottery game retailer's establishment in
258 direct proximity to such video lottery games. Video lottery
259 game operators shall pay the commission thirty-two percent
260 of any unclaimed cash prize associated with a winning ticket
261 that has not been redeemed within one hundred eighty days of
262 issue.

263 (2) Rents or leases for video lottery game terminals
264 shall be written at a flat rate and shall not include
265 revenue splitting as a method used in the calculation of the
266 lease or rent.

267 (3) Licensed video lottery game operators and licensed
268 video lottery game retailers shall enter into a written
269 agreement for the placement of video lottery game
270 terminals. The agreement shall be on a form approved by the
271 commission and shall specify an equal division of adjusted
272 gross receipts after adjustments for taxes and
273 administrative fees are made, shall have a minimum term of
274 five years and a maximum term of ten years, and shall be
275 renewable for a term of a minimum of five additional years.
276 A video lottery game operator shall be responsible for
277 remitting to the commission and the video lottery game
278 retailer its share of adjusted gross receipts. Nothing in
279 this subdivision shall prohibit a licensed video lottery
280 game operator from entering into an agreement with a sales
281 agent for retailer agreements, provided such agreement is in
282 writing and approved by the commission prior to beginning
283 sales activities and prior to the start date established
284 pursuant to section 313.431. Video lottery game operators
285 and their sales agents and affiliates and video lottery game
286 retailers are specifically prohibited from offering anything
287 of value, other than the percentage of adjusted gross
288 receipts provided under this subsection, or entering into an

289 agreement with a retailer prior to the start date for the
290 initial or continued placement of video lottery game
291 terminals, except that a video lottery game operator may pay
292 for construction of a video lottery game terminal area
293 inside the premises of a video lottery game retailer.
294 Contract agreements entered into prior to the start date
295 established pursuant to section 313.431 between a
296 prospective video lottery game terminal operator or sales
297 agent with a prospective video lottery game retailer shall
298 be invalid.

299 (4) To combat problem gambling, video lottery game
300 operators shall allow players to be self-excluded from video
301 lottery game play. Operators shall provide the commission
302 with a list of players that have elected to be excluded from
303 video lottery game play within thirty days of such election
304 and shall update such list periodically as required by the
305 commission. Such self-excluded list shall be considered
306 confidential information and shall not be released to the
307 public. The commission shall issue such self-exclusion
308 procedures by rule.

309 (5) Nothing in this section shall be construed to
310 prevent a video lottery game operator or a video lottery
311 game retailer from using a player rewards system as approved
312 by the commission. No player shall be required to enroll in
313 a rewards program offered by a video lottery game operator
314 or video lottery game retailer as a condition to play video
315 lottery games.

316 8. No licensed video lottery game operator shall:

317 (1) Offer video lottery gaming terminals that directly
318 dispense anything of value except for tickets for winning
319 plays. Tickets shall be dispensed by pressing the ticket
320 dispensing button on the video lottery gaming terminal at
321 the end of any video lottery game play. The ticket shall

322 indicate the total amount of video lottery game terminal
323 credits and the cash award, the time of day in a twenty-four-
324 hour format showing hours and minutes, the date, the
325 terminal serial number, the sequential number of the ticket,
326 and an encrypted validation number from which the validity
327 of the prize may be determined. The price of video lottery
328 game terminal credits shall be determined by the
329 commission. The maximum wager played per video lottery game
330 shall not exceed five dollars. The maximum prize payoff for
331 a winning maximum wager for a single game play shall be no
332 more than one thousand one-hundred dollars, or the maximum
333 amount allowable by federal law before tax withholding is
334 required for a single game-winning play;

335 (2) Operate more than three video lottery game
336 terminals per location on the premises of a fraternal
337 organization, veterans organization, or truck stop that has
338 secured and maintains a video lottery game retailer's
339 license;

340 (3) Operate more than three video lottery game
341 terminals per location on the premises of any business
342 entity licensed as a video lottery game retailer that is not
343 a fraternal organization, veterans organization, or truck
344 stop;

345 (4) Advertise video lottery games outside of a
346 licensed video lottery game retailer's establishment through
347 any media outlets or direct mail or telephone
348 solicitations. The advertising prohibition contained in
349 this subdivision shall apply to all licensees including, but
350 not limited to, video lottery game manufacturers, video
351 lottery game distributors, video lottery game operators,
352 video lottery game retailers, and video lottery game
353 handlers; except that, a video lottery game retailer or
354 operator may participate in an advertising program that is

355 promoted through and sponsored by the state lottery and may
356 advertise in or on the outside of the establishment's
357 building and parking lot. A video lottery game operator may
358 pay no more than two thousand dollars annually for the cost
359 of such advertising at a retailer establishment; or

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

363 9. (1) No person under twenty-one years of age shall
364 play video lottery games, and such video lottery game
365 terminals shall be under the supervision of a person that is
366 at least twenty-one years of age to prevent persons under
367 twenty-one years of age from playing video lottery games.

368 Video lottery game terminals shall be placed in a fully
369 enclosed room that is continually monitored by video
370 surveillance and where access to persons under twenty-one
371 years of age is denied by a procedure approved by the
372 commission. A warning sign shall be posted in a conspicuous
373 location where such video lottery game terminals are
374 located, containing in red lettering at least one-half inch
375 high on a white background the following:

376 "YOU MUST BE AT LEAST 21 YEARS OF AGE TO PLAY
377 VIDEO LOTTERY GAMES".

378 (2) In addition to the placement and supervision
379 requirements of this subsection, video surveillance footage
380 in the immediate area of the video lottery game retailer's
381 establishment where video lottery game terminals are located
382 shall be reviewed by video lottery game operators as
383 required by the commission for any violation of law, rules,
384 or regulations governing the conduct of video lottery games
385 and shall be made available to the commission upon request.
386 A video lottery game operator that fails to report any known
387 violation of law, rules, or regulations governing the

388 conduct of video lottery games in conformance with
389 established commission procedures may be subject to an
390 administrative fine not to exceed five thousand dollars.
391 Any video lottery game retailer that fails to report any
392 known violation of law, rules, or regulations governing the
393 conduct of video lottery games in conformance with
394 established commission procedures may be subject to an
395 administrative fine not to exceed five thousand dollars. In
396 the event a video lottery game operator or retailer is found
397 to have knowingly committed a violation governing the
398 conduct of video lottery games, the commission may impose an
399 administrative fine not to exceed five thousand dollars,
400 suspend such operator's or retailer's license for up to
401 thirty days, or, in the case of repeated violations, revoke
402 such operator's or retailer's license for a period of one
403 year. Any video lottery game operator or retailer aggrieved
404 by the commission's decision in any disciplinary action that
405 results in the suspension or revocation of such operator's
406 or retailer's video lottery game license may appeal such
407 decision by filing an action in circuit court.

408 (3) Video lottery game retailers shall provide an
409 intrusion detection system capable of detecting unauthorized
410 entrance of the video lottery game retailer's establishment
411 during nonbusiness hours and shall report to the commission
412 any unauthorized entrance of the video lottery game
413 retailer's establishment. Such surveillance and intrusion
414 detection system shall meet specifications as defined by the
415 commission.

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

421 10. (1) Video lottery game operators shall pay the
422 commission thirty-six percent of the video lottery game
423 adjusted gross receipts, which shall be deposited in the
424 state lottery fund. The commission shall transfer, subject
425 to appropriation, the amount received from the operator from
426 the lottery fund to the lottery proceeds fund after
427 administrative expenses equal to four percent of the video
428 lottery game adjusted gross receipts are paid to the
429 municipality where a licensed video lottery game retailer
430 maintains an establishment licensed for the operation of
431 video lottery game terminals, or if such licensed
432 establishment is not located within the corporate boundaries
433 of a municipality, then to the county where such licensed
434 establishment is located to reimburse such municipality or
435 county for administrative expenses, and any administrative
436 expenses for the commission that are not covered by
437 reimbursements from operators are deducted. Net proceeds
438 transferred to the lottery proceeds fund shall be
439 appropriated equally to public elementary and secondary
440 education and public institutions of higher education with
441 an emphasis on funding early childhood education and care
442 programs and public institutions of higher education
443 workforce development programs, and programs benefitting
444 Missouri military veterans.

445 (2) Video lottery game operators shall retain the
446 remainder of the video lottery game adjusted gross receipts
447 as compensation after the payment required in subdivision
448 (1) of this subsection has been made to the state lottery
449 fund, and shall pay video lottery game retailers a
450 commission equal to one-half of the adjusted gross receipts
451 retained by the video lottery game operator as compensation
452 based on video lottery game plays at such retailer's
453 establishment.

454 11. All revenues received by the commission from
455 license fees and any reimbursements associated with the
456 administration of the provisions of sections 313.425 to
457 313.437, and all interest earned thereon, shall be
458 considered administrative expenses and shall be deposited in
459 the state lottery fund. Moneys deposited into the state
460 lottery fund from license fees and any reimbursements of
461 commission administrative expenses to administer sections
462 313.425 to 313.437 shall be considered administrative
463 expenses and shall not be considered net proceeds pursuant
464 to Article III, Section 39(b) of the Missouri Constitution.
465 Subject to appropriation, up to one percent of such license
466 fees shall be deposited to the credit of the compulsive
467 gamblers fund created under section 313.842. The remainder
468 of the money deposited in the state lottery fund from video
469 lottery game license fees and any reimbursements of
470 commission administrative expenses to enforce sections
471 313.425 to 313.437 shall, subject to appropriation, be used
472 for administrative expenses associated with supervising and
473 enforcing the provisions of sections 313.425 to 313.437.

474 12. The commission shall contract with the Missouri
475 gaming commission and with a state law enforcement entity to
476 assist in conducting background investigations of video
477 lottery game applicants, and for the administration and
478 enforcement of sections 313.425 to 313.437.

479 13. A video lottery game licensee suspected of a
480 violation of sections 313.425 to 313.437 shall be afforded
481 an administrative hearing by the director of the state
482 lottery on the record, and an appeal of any action taken to
483 impose a fine on such licensee shall be to the commission.
484 Any such administrative suspension or revocation upheld by
485 the commission may be appealed by the video lottery game
486 licensee in a state court of competent jurisdiction.

487 14. The commission shall adopt rules for the
488 implementation of the video lottery game system authorized
489 under sections 313.425 to 313.437, including, but not
490 limited to, the placement of video lottery terminals within
491 a retail establishment and for the active oversight of the
492 conduct of video lottery games. Any rule or portion of a
493 rule, as that term is defined in section 536.010, that is
494 created under the authority delegated in this section shall
495 become effective only if it complies with and is subject to
496 all of the provisions of chapter 536 and, if applicable,
497 section 536.028. This section and chapter 536 are
498 nonseverable and if any of the powers vested with the
499 general assembly pursuant to chapter 536 to review, to delay
500 the effective date, or to disapprove and annul a rule are
501 subsequently held unconstitutional, then the grant of
502 rulemaking authority and any rule proposed or adopted after
503 August 28, 2023, shall be invalid and void.

504 313.431. In order to expedite the orderly
505 implementation of the video lottery game system authorized
506 under sections 313.425 to 313.437, the commission shall:

507 (1) Contract for the supply and operation of a
508 centralized computer system for video lottery games no later
509 than one hundred eighty days after the effective date of
510 this act;

511 (2) Make license applications for video lottery game
512 manufacturers, video lottery game distributors, video
513 lottery game operators, video lottery game retailers, and
514 video lottery game handlers available to applicants and
515 accept such applicants and promulgate any emergency or
516 regular rules and regulations needed for the implementation
517 of the video lottery system authorized under sections
518 313.425 to 313.437 no later than one hundred eighty days
519 after the effective date of this act;

520 (3) Issue an approved form for persons applying for a
521 video lottery game terminal operator's license available for
522 use in contracting with a video lottery game retailer no
523 later than one hundred eighty days after the effective date
524 of this act;

525 (4) Establish a start date no later than July 1, 2024,
526 once applications and the approved form contract are made
527 available, whereby any person seeking a license as a video
528 lottery game operator that has applied for a license to be a
529 video lottery game terminal operator, has paid the initial
530 license fee, and satisfactorily completed a background
531 investigation, may begin soliciting contracts with
532 prospective video lottery game retailers for the placement
533 of video lottery game terminals. Such start date shall be
534 set no more than sixty days after applications are made
535 available; and

536 (5) Approve or deny any completed video lottery game
537 retailer establishment application no more than ninety days
538 after such an application has been received.

539 The system of video lottery games authorized pursuant to
540 sections 313.425 to 313.437 shall commence no earlier than
541 January 15, 2025, and no later than July 1, 2025.

542 313.433. 1. Notwithstanding any other provision of
543 law to the contrary, participation by a person, firm,
544 corporation, or organization in any aspect of the state
545 lottery under sections 313.425 to 313.437 shall not be
546 construed to be a lottery or gift enterprise in violation of
547 Section 39 of Article III of the Constitution of Missouri.

548 2. The sale of lottery tickets, shares, or lottery
549 game plays using a video lottery game terminal under
550 sections 313.425 to 313.437 shall not constitute a valid
551 reason to refuse to issue or renew or to revoke or suspend

552 any license or permit issued under the provisions of chapter
553 311.

554 313.434. 1. The state of Missouri shall be exempt
555 from the provisions of 15 U.S.C. Section 1172, as amended.

556 2. All shipments of gaming devices used to conduct
557 pull-tab games or video lottery games authorized under
558 sections 313.425 to 313.437 to licensees, the registering,
559 recording, and labeling of which have been completed by the
560 manufacturer or distributor thereof in accordance with 15
561 U.S.C. Sections 1171 to 1178, as amended, shall be legal
562 shipments of gambling devices into this state.

563 313.435. 1. A municipality may adopt an ordinance
564 prohibiting video lottery game terminals within the limits
565 of such municipality within one hundred eighty days from the
566 effective date of this act.

567 2. A county commission may, for the unincorporated
568 area of the county, adopt an ordinance prohibiting video
569 lottery game terminals within the unincorporated area of
570 such county within one hundred eighty days from the
571 effective date of this act.

572 3. Any municipality or county adopting an ordinance
573 that disallows the licensing of video lottery game retailers
574 shall notify the commission of such action and provide a
575 certified copy of such ordinance to the commission. Upon
576 receiving such notification and ordinance, the commission
577 shall not license video lottery game retailers within such
578 area covered by such municipal or county ordinance.

579 4. Any such municipality or county that has opted to
580 prohibit the use of video lottery game terminals to play
581 video lottery games may repeal such ordinance, and upon such
582 repeal and notification of such repeal, the commission may
583 license video lottery game retailers within such
584 municipality or county to conduct video lottery games.

585 313.437. If any provision of sections 313.425 to
586 313.437 or the application thereof to anyone or to any
587 circumstance is held invalid, the remainder of those
588 sections and the application of such provisions to others or
589 other circumstances shall not be affected thereby."; and

590 Further amend said bill, page 35, section 313.1022,
591 line 18, by inserting after all of said line the following:

592 "572.015. Nothing in this chapter prohibits
593 constitutionally authorized activities under Article III,
594 Sections 39(a) to 39(f) of the Missouri Constitution,
595 including a raffle using tickets, a device, or a machine
596 where a person buys chances from a finite number of draws
597 for a prize; provided that it can be proved by an
598 engineering opinion from an independent testing laboratory
599 accredited under ISO standard 17025 that the determination
600 of a winner by the electronic device or machine is from
601 draws of numbered tickets in electronic form from a finite
602 deal thereof."; and

603 Further amend the title and enacting clause accordingly.