

SENATE BILL NO. 73

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

1408S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 27.105, 572.010, 572.020, 572.070, and 572.100, RSMo, and to enact in lieu thereof thirteen new sections relating to gaming, with penalty provisions.

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

Section A. Sections 27.105, 572.010, 572.020, 572.070, and 572.100, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 27.105, 313.425, 313.427, 313.429, 313.431, 313.433, 313.434, 313.435, 313.437, 572.010, 572.020, 572.070, and 572.100, to read as follows:

27.105. **1.** The attorney general shall have a concurrent duty, **authority, and jurisdiction** to enforce the provisions of chapter 572, **to investigate, charge, and prosecute violations of chapter 572, and to seize and seek forfeiture of gambling devices pursuant to section 513.660.** The attorney general may coordinate investigation and enforcement efforts of the state lottery commission and shall have the concurrent authority to charge and prosecute alleged violations of chapter 572 brought by the state lottery commission.

2. There is hereby created in the state treasury the "Illegal Gaming Enforcement Fund", which shall consist of revenues received by the state lottery commission pursuant to sections 313.425 to 313.437. The state treasurer shall be custodian of the fund. In accordance with sections

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 30.170 and 30.180, the state treasurer may approve
17 disbursements. Moneys in the fund shall be used by the
18 attorney general to investigate, enforce, charge, and
19 prosecute violations of chapter 572. Notwithstanding the
20 provisions of section 33.080 to the contrary, any moneys
21 remaining in the fund at the end of the biennium shall not
22 revert to the credit of the general revenue fund. The state
23 treasurer shall invest moneys in the fund in the same manner
24 as other funds are invested. Any interest and moneys earned
25 on such investments shall be credited to the fund.

313.425. Sections 313.425 to 313.437 shall be known
2 and may be cited as the "Child Protection and Gaming
3 Regulation Act". The purpose of the act is to provide
4 additional funding for Missouri education programs and the
5 Missouri veterans commission by establishing a licensing and
6 regulatory framework for a system of video lottery terminals
7 to conduct lottery games.

313.427. As used in sections 313.425 to 313.437, the
2 following terms shall mean:

3 (1) "Adjusted gross gaming revenue", the amount of
4 revenue generated by a video lottery game terminal remaining:

5 (a) After payments of winnings to players; and

6 (b) After deduction by the commission of that amount
7 necessary to pay direct administrative costs for the
8 operation of the centralized computer system, but before
9 deduction of the adjusted gross gaming revenue tax;

10 (2) "Adjusted gross gaming revenue tax", a tax of
11 thirty-four percent imposed on adjusted gross gaming revenue;

12 (3) "Centralized computer system", a computerized
13 system developed or procured by the commission to which
14 video lottery game terminals are connected, 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 (4) "Commission" or "lottery commission", the state
20 lottery commission appointed by the governor to manage and
21 oversee the lottery under section 313.215;

22 (5) "Net terminal income", the amount of adjusted
23 gross gaming revenue remaining after deduction by the
24 commission of the adjusted gross gaming revenue tax;

25 (6) "Video lottery game", any game approved by the
26 commission for play on an approved video lottery game
27 terminal;

28 (7) "Video lottery game handler", a person who is
29 licensed by the commission and employed by a video lottery
30 game operator to handle, place, operate, and service video
31 lottery game terminals and associated equipment;

32 (8) "Video lottery game manufacturer" or "video
33 lottery game distributor", a person that is licensed by the
34 commission who:

35 (a) Manufactures video lottery games, video lottery
36 game terminals, or major parts and components for video
37 lottery game terminals as approved by the commission for
38 sale to video lottery game operators; or

39 (b) Distributes or services video lottery games, video
40 lottery game terminals, or major parts and components of
41 video lottery game terminals including buying, selling,
42 leasing, renting, or financing new, used, or refurbished
43 video lottery game terminals to and from licensed video
44 lottery game manufacturers and licensed video lottery game
45 operators;

46 (9) "Video lottery game retailer", a person that is
47 licensed by the commission to enter into agreements with

48 video lottery game operators for the placement and operation
49 of video lottery game terminals holds a valid lottery game
50 retailer license under section 313.260;

51 (10) "Video lottery game terminal", a player-activated
52 terminal that exchanges coins, currency, tickets, ticket
53 vouchers, or electronic payment methods approved by the
54 commission for credit to play video lottery games approved
55 by the commission. Video lottery game terminals shall:

56 (a) Use a video display and microprocessor capable of
57 randomly generating the outcome of video lottery games; and

58 (b) Be configured to print and issue a ticket at the
59 conclusion of any video lottery game play that may be
60 redeemed at a video lottery game ticket redemption terminal
61 or may be reinserted into a video lottery game terminal for
62 video lottery game credit and game plays. All video lottery
63 games approved by the commission for play on a video lottery
64 game terminal shall have a minimum theoretical payout of
65 eighty percent; and

66 (c) Meet the minimum requirements set forth in section
67 313.429;

68 (11) "Video lottery game terminal credit", credits
69 either purchased or won on a video lottery game terminal
70 that may be used to play video lottery games or converted
71 into a video lottery game ticket;

72 (12) "Video lottery game terminal operator", a person
73 that is licensed by the commission and owns, rents, or
74 leases and services or maintains video lottery game
75 terminals for operation and placement in licensed video
76 lottery retailer establishments;

77 (13) "Video lottery game ticket" or "ticket", a
78 document printed at the conclusion of any video lottery game
79 play or group of plays that is redeemable for cash,

80 utilizing a video lottery game ticket redemption terminal,
81 or may be reinserted into a video lottery game terminal
82 located in the video lottery game retailer from which such
83 ticket is issued for video lottery game terminal credit;

84 (14) "Video lottery game ticket redemption terminal",
85 the collective hardware, software, communications
86 technology, and other ancillary equipment used to facilitate
87 the payment of tickets cashed out by players as a result of
88 playing a video lottery game terminal;

89 (15) "Use agreement", a contract executed by and
90 between a video lottery terminal operator and a video
91 lottery terminal retailer on that form approved by the
92 commission establishing the right of the video lottery
93 terminal operator to place and operate video lottery
94 terminals on the premises of a video lottery terminal
95 retailer.

313.429. 1. (1) The commission shall establish the
2 operation of lottery games via video lottery terminals as
3 provided for in sections 313.425 to 313.437, and in
4 connection therewith, shall promulgate such rules and
5 regulations to implement the establishment and operation of
6 gaming via video lottery terminals as provided for in
7 sections 313.425 to 313.437. The commission shall have
8 jurisdiction over and shall supervise the operation and
9 licensing of video lottery gaming as provided for in
10 sections 313.425 to 313.437, and the commission shall
11 establish criteria to preserve the integrity and security of
12 video lottery gaming in this state. The commission shall
13 adopt rules to ensure that all licensees are treated and all
14 licensees act in a non-discriminatory manner and develop
15 processes and penalties to enforce those rules. Such rules
16 and regulations shall be designed so that a lottery may be

17 initiated at the earliest feasible and practicable time.
18 Any rule or portion of a rule, as that term is defined in
19 section 536.010, that is created under the authority
20 delegated in this section shall become effective only if it
21 complies with and is subject to all of the provisions of
22 chapter 536 and, if applicable, section 536.028. This
23 section and chapter 536 are nonseverable and if any of the
24 powers vested with the general assembly pursuant to chapter
25 536 to review, to delay the effective date, or to disapprove
26 and annul a rule are subsequently held unconstitutional,
27 then the grant of rulemaking authority and any rule proposed
28 or adopted after August 28, 2025, shall be invalid and void.

29 (2) The commission shall implement a system of video
30 lottery game terminals and issue licenses to video lottery
31 game manufacturers, video lottery game distributors, video
32 lottery game operators, video lottery game handlers, and
33 video lottery game retailers; provided, however, that no
34 person licensed as a:

35 (a) Video lottery game manufacturer or a video lottery
36 game distributor shall be issued a license as a video
37 lottery game operator or a video lottery game retailer;

38 (b) Video lottery game operator shall be issued a
39 license as a video lottery game manufacturer, a video
40 lottery game distributor, or a video lottery game retailer;
41 and

42 (c) Video lottery game retailer shall be issued a
43 license as a video lottery game manufacturer, a video
44 lottery game distributor, or a video lottery game operator.

45 (3) Nothing in this subsection shall prevent a video
46 lottery game manufacturer from obtaining a video lottery
47 game manufacturer's license and a video lottery game
48 distributor's license and providing and operating the

49 centralized computer system for monitoring video lottery
50 game terminals.

51 (4) The commission shall not authorize or allow a
52 single vendor or licensee to implement the system of video
53 lottery game terminals.

54 2. (1) The commission shall ensure that the video
55 lottery game system authorized by sections 313.425 to
56 313.437 shall allow for multiple video lottery game
57 manufacturers, video lottery game distributors, and video
58 lottery game operators to encourage private sector
59 investment and job opportunities for Missouri citizens.

60 (2) All video lottery game terminals, video lottery
61 games, and redemption devices shall be tested and approved
62 pursuant to the rules adopted by the commission, and each
63 video lottery game terminal and each video lottery game
64 offered in this state for play shall conform to a model
65 approved by the commission. For the examination of video
66 lottery game terminals and associated equipment as required
67 by this section, the commission shall utilize the services
68 of independent outside testing laboratories that have been
69 accredited in accordance with ISO/IEC 17025 by an
70 accreditation body that is a signatory to the International
71 Laboratory Accreditation Cooperation Mutual Recognition
72 Agreement signifying they are qualified to perform such
73 examinations. Notwithstanding any law to the contrary, the
74 commission shall consider the licensing of independent
75 outside testing laboratory applicants in accordance with
76 procedures established by the commission by rule. The
77 commission shall not withhold its approval of an independent
78 outside testing laboratory license applicant that has been
79 accredited as required by this section and is licensed in
80 lottery jurisdictions comparable to Missouri. Upon the

81 finalization of required rules, the commission shall license
82 independent testing laboratories and accept the test reports
83 of any licensed testing laboratory of the video lottery
84 machine's or associated equipment manufacturer's choice,
85 notwithstanding the existence of contracts between the
86 commission and any independent testing laboratory. The
87 commission shall cause all keys and other required devices
88 to be provided to a video lottery game terminal operator
89 necessary to allow the video lottery game terminal operator
90 and video lottery game terminal handler access to the logic
91 door to the video lottery game terminal. Every video
92 lottery game terminal offered in this state for play shall
93 meet minimum standards approved by the commission. Each
94 approved model shall, at a minimum, meet the following
95 criteria:

96 (a) The video lottery game terminal shall conform to
97 all requirements of federal law and regulations, including
98 FCC Class A Emissions Standards;

99 (b) The video lottery game terminal shall
100 theoretically pay out a mathematically demonstrable
101 percentage during the expected lifetime of the machine of
102 all amounts played, which shall not be less than eighty
103 percent. The commission shall establish a maximum payout
104 percentage for approved models by rule. Video lottery game
105 terminals that may be affected by skill shall meet this
106 standard when using a method of play that will provide the
107 greatest return to the player over a period of continuous
108 play;

109 (c) The video lottery game terminal shall use a random
110 number generator computer, software, or similar random
111 selection process to generate and produce an independent and
112 random outcome of each play of a lottery game. The random

113 selection process shall meet ninety-nine percent confidence
114 limits using a standard chi-squared test for goodness of fit;

115 (d) The video lottery game terminal shall display an
116 accurate representation of the game outcome;

117 (e) The video lottery game terminal shall not
118 automatically alter pay tables or any function of the video
119 lottery game terminal based on internal computation of hold
120 percentage or have any means of manipulation that affects
121 the random selection process or probabilities of winning a
122 game;

123 (f) The video lottery game terminal shall not be
124 adversely affected by static discharge or other
125 electromagnetic interference;

126 (g) The video lottery game terminal shall be capable
127 of detecting and displaying the following conditions during
128 idle states or on demand: power reset; door open; and door
129 just closed;

130 (h) The video lottery game terminal shall have the
131 capacity to display complete play history, including
132 outcome, intermediate play steps, credits available, bets
133 placed, credits paid, and credits cashed out for the most
134 recent game played and ten games prior thereto;

135 (i) The theoretical payback percentage of a video
136 lottery game terminal shall not be capable of being changed
137 without making a hardware or software change in the video
138 lottery game terminal, either on site or via the central
139 communications system;

140 (j) The video lottery game terminal shall be designed
141 so that replacement of parts or modules required for normal
142 maintenance does not necessitate replacement of the
143 electromechanical meters;

144 (k) The video lottery game terminal shall have
145 nonresettable meters housed in a locked area of the video
146 lottery game terminal that keep a permanent record of all
147 cash inserted into the machine, all winnings made by the
148 terminal printer, credits played in for video lottery game
149 terminals, and credits won by video lottery players. The
150 video lottery game terminal shall provide the means for on-
151 demand display of stored information as determined by the
152 commission;

153 (l) Electronically stored meter information required
154 by this section shall be preserved for a minimum of one
155 hundred eighty days after a power loss to the service;

156 (m) The video lottery game terminal shall have one or
157 more mechanisms that accept cash in the form of bills. The
158 mechanisms shall be designed to prevent obtaining credits
159 without paying by stringing, slamming, drilling, or other
160 means. If such attempts at physical tampering are made, the
161 video lottery game terminal shall suspend itself from
162 operating until reset;

163 (n) The video lottery game terminal may be capable of
164 operating on a cashless basis pursuant to rules adopted by
165 the commission;

166 (o) The video lottery game terminal shall have
167 accounting software that keeps an electronic record which
168 includes, but is not limited to, the following: total cash
169 inserted into the video lottery game terminal, the value of
170 winning tickets claimed by players, the total credits
171 played, the total credits awarded by a video lottery game
172 terminal, and pay back percentage credited to players of
173 each video lottery game. The video lottery game terminal
174 shall be capable of issuing and accepting tickets for play;

175 (p) The video lottery game terminal shall be linked by
176 a central communications system to provide auditing program
177 information as approved by the commission. The central
178 communications system shall use a standard industry
179 protocol, as defined by the Gaming Standards Association,
180 and shall have the functionality to enable the commission or
181 its designee to activate or deactivate individual lottery
182 devices from the central communications system. In no event
183 may the communications system approved by the commission
184 limit participation to only one manufacturer of video
185 lottery game terminals by either the cost in implementing
186 the necessary program modifications to communicate or the
187 inability to communicate with the central communications
188 system;

189 (q) Video lottery game terminals and redemption
190 terminals shall be connected to a centralized computer
191 system developed or procured by the commission. The
192 commission shall provide licensed video lottery game
193 terminal operators with the necessary protocols to connect
194 video lottery game terminals to the central control system
195 after such video lottery game terminals have been approved
196 by the commission. No video lottery game terminal or
197 redemption terminal shall be placed in operation unless
198 connected to the central control system. A vendor that
199 provides the centralized computer system authorized under
200 this subsection shall not be eligible to be licensed as a
201 video lottery game operator or video lottery game retailer;

202 (r) Video lottery game terminals shall not directly
203 dispense anything of value except for tickets representing
204 credits purchased or won on a video lottery game terminal.
205 The ticket shall indicate the total amount of award, the
206 time of day in a twenty-four-hour format showing hours and

207 minutes, the date, the video lottery game terminal serial
208 number, the sequential number of the ticket, and an
209 encrypted validation number from which the validity of the
210 prize may be determined.

211 3. Video lottery game terminal operators and video
212 lottery game terminal retailers shall enter into a use
213 agreement for the placement of video lottery game terminals,
214 and such agreement shall at a minimum:

215 (1) Be on a form approved by the commission;

216 (2) Specify an equal division of net terminal income;

217 (3) Have a minimum term of five years and a maximum
218 term of ten years;

219 (4) Be renewable for a minimum term of five years and
220 a maximum term of ten years;

221 (5) Require the video lottery game terminal operator
222 to be responsible for collection, remittance, and
223 disbursement of gross gaming revenue tax and net terminal
224 income;

225 (6) Be only between:

226 (a) A video lottery game terminal operator licensed by
227 the commission on or before the date the use agreement is
228 signed; and

229 (b) Either a video lottery game terminal retailer
230 licensed by the commission on or before the date the use
231 agreement is signed; or

232 (c) A person that has filed an application with the
233 commission to be a licensed video lottery game terminal
234 retailer;

235 (7) If an applicant becomes licensed as a video
236 lottery game terminal retailer by the commission, a first-in-
237 time use agreement, and any amendments thereto, shall
238 control over and be superior to any other use agreement

239 executed on any date after the date of first-in-time use
240 agreement; provided, however, that a use agreement shall be
241 deemed null and void if either:

242 (a) The person executing the use agreement fails to
243 apply for a video lottery game terminal retailer's license
244 within one year of execution of the use agreement; or

245 (b) The person executing the use agreement is denied a
246 video lottery game terminal retailer's license by a final
247 decision of the commission;

248 (8) Contain an affirmative statement signed by the
249 video lottery game terminal operator that no inducement was
250 offered regarding the placement or operation of video
251 lottery game terminals at the video lottery terminal
252 retailer's location;

253 (9) Contain an affirmative statement signed by the
254 video lottery terminal retailer that no inducement was
255 accepted regarding the placement or operation of video
256 lottery terminals at the video lottery terminal retailer's
257 location;

258 (10) Contain an indemnity and hold harmless provision
259 on behalf of the state, the commission, and its agents
260 relative to any cause of action arising out of a use
261 agreement;

262 (11) Prohibit the assignment of the use agreement from
263 or to any person except from a video lottery game terminal
264 operator to another video lottery game terminal operator;

265 (12) Contain a provision that releases the video
266 lottery game terminal retailer from any continuing
267 contractual obligation to the video lottery game terminal
268 operator if the video lottery game terminal operator has its
269 license revoked or denied, has its renewal denied, or
270 surrenders its license;

271 (13) Identify any sales agent, if any, involved in the
272 solicitation or procurement of the use agreement on behalf
273 of the video lottery game terminal operator;

274 (14) Shall not provide for automatic renewal or
275 extension in the absence of cancellation prior to the
276 natural termination date of the use agreement;

277 (15) Contain a provision that the parties agree to
278 modify the use agreement to the extent necessary to comply
279 with a change in Missouri law or commission rules;

280 (16) The video lottery game terminal operator shall
281 provide a true and accurate copy of the executed use
282 agreement to the video lottery game terminal retailer within
283 ten days after execution by the parties.

284 4. (1) Video lottery game terminal operators and
285 their agents and affiliates shall not, directly or
286 indirectly, provide, offer, pay, promise, give, or transfer
287 anything of value to a video lottery game terminal retailer
288 or an applicant for a video lottery game terminal retailer
289 license in exchange for, or as an inducement to enter into a
290 use agreement for the placement of video lottery game
291 terminals at the video lottery game terminal retailer's
292 place of business. A video lottery game terminal operator
293 shall not, directly or indirectly, pay any portion of any
294 fee, permit, or tax imposed upon a video lottery game
295 terminal retailer except as expressly provided for in
296 sections 313.425 to 313.437.

297 (2) Video lottery game terminal retailers and their
298 agents and affiliates shall not, directly or indirectly,
299 accept anything of value offered by a video lottery game
300 terminal operator in exchange for, or as an inducement to
301 enter into a use agreement for, the placement of video

302 lottery game terminals at the video lottery game terminal
303 retailer's place of business.

304 5. (1) The commission may impose an initial
305 nonrefundable license application fee as follows:

306 (a) For video lottery game manufacturers and video
307 lottery game distributors, twenty-five thousand dollars;

308 (b) For video lottery game terminal operators, five
309 hundred thousand dollars;

310 (c) For video lottery game retailer establishments,
311 two thousand dollars;

312 (d) For video lottery game handlers, no more than one
313 hundred dollars.

314 (2) The initial license shall be for a period of one
315 year. Thereafter, license renewal periods shall be four
316 years with the applicable renewal fee paid for each year of
317 such license renewal in advance. Annual license renewal
318 fees for anyone licensed pursuant to this subsection, and
319 subsequent to the initial one-year period, shall be as
320 follows:

321 (a) Five thousand dollars for video lottery game
322 manufacturers and video lottery game distributors;

323 (b) Two hundred fifty thousand dollars for video
324 lottery game terminal operators;

325 (c) One hundred dollars for video lottery game
326 handlers;

327 (d) One thousand dollars for each video lottery game
328 retailer.

329 (3) In addition to any other fees imposed by sections
330 313.425 to 313.437, an annual administrative fee of one
331 thousand dollars shall be paid for each video lottery game
332 terminal placed in service. Such administrative fee shall
333 be equally divided between the video lottery game operator

334 and the video lottery game retailer; provided, however, that
335 the administrative fee shall be paid by the video lottery
336 game operator to the commission once per year and deposited
337 in the state lottery fund. After payment of the
338 administrative fee, the video lottery game operator shall
339 deduct the video lottery game retailer's portion of said
340 administrative fee from the video lottery game retailer's
341 share of net terminal income. All fees or administrative
342 charges imposed on the operation and placement of video
343 lottery game terminals shall be divided equally between the
344 video lottery game terminal operator and the video lottery
345 game terminal retailer.

346 (4) The commission shall:

347 (a) Deposit three hundred dollars of the
348 administrative fee in the state lottery fund for use by the
349 commission in the administration of sections 313.425 to
350 313.437;

351 (b) Deposit two hundred dollars of the administrative
352 fee for use by the Missouri state highway patrol for
353 investigations and enforcement of sections 313.425 to
354 313.437;

355 (c) Deposit one hundred dollars of the administrative
356 fee in the Missouri attorney general's gaming enforcement
357 fund created in section 27.105;

358 (d) Deposit one hundred dollars of the administrative
359 fee in the veterans' commission capital improvement trust
360 fund created pursuant to section 42.300.

361 (e) Deposit two hundred dollars of the administrative
362 fee to the municipality or county in which the video lottery
363 game terminal is located;

364 (f) Deposit one hundred dollars of the administrative
365 fee to the compulsive gamblers fund created pursuant to
366 section 313.842.

367 (5) No license shall be issued to any person who has
368 been convicted of a felony or any crime involving illegal
369 gambling.

370 (6) A licensee shall notify the commission of any
371 change relating to the status of its license or any other
372 information contained in the application materials on file
373 with the commission.

374 6. No license requirement, permit fee, license fee,
375 sticker fee, or tax shall be imposed by any municipality,
376 county, or other political subdivision or unit of local
377 government upon a video lottery game manufacturer, video
378 lottery game distributor, video lottery game operator, video
379 lottery game retailer, video lottery game handler, or video
380 lottery game terminal or any other business establishment
381 relating to the operation of video lottery games, video
382 lottery game terminals, or associated equipment. All
383 licensees remain subject to all income taxes, sales taxes
384 and use taxes lawfully assessed by this state, or any
385 municipality, county, or other political subdivision of this
386 state; provided, however, that a municipality, county, or
387 other political subdivision of this state shall not impose,
388 levy, collect, or assess any license requirement, tax or
389 fee, including but not limited to any permit tax or fee,
390 sticker fee, occupation tax or fee, amusement tax or fee,
391 property tax, or taxes or fees upon the play, use,
392 ownership, lease, placement, operation, repair, service,
393 transportation, or storage of any video lottery game
394 terminal, video lottery game, video lottery game terminal
395 manufacturer, video lottery game terminal distributor, video

396 lottery game terminal operator, or video lottery game
397 terminal retailer. Notwithstanding the provisions of
398 section 32.057 to the contrary, the department of revenue
399 may furnish to the commission and the commission may receive
400 tax information to determine if applicants or licensees are
401 complying with the tax laws of this state; however, any tax
402 information acquired by the commission shall not become
403 public record and shall be used exclusively for commission
404 business.

405 7. Video lottery game manufacturers, video lottery
406 game distributors, video lottery game operators, video
407 lottery game retailers, video lottery game handlers, or any
408 other business establishment involved with the operation of
409 video lottery games, video lottery game terminals, or
410 associated equipment shall not be required to pay any state
411 or local personal property tax on any video lottery game
412 terminals, video lottery games, redemption terminals, or
413 associated equipment.

414 8. (1) Video lottery game terminals shall be
415 inspected and approved by the commission prior to being
416 transferred by the video lottery game terminal operator to
417 the video lottery game retailer's location.

418 (2) Video lottery game manufacturers may buy, sell, or
419 lease new or refurbished video lottery game terminals to and
420 from video lottery game distributors and video lottery game
421 terminal operators.

422 (3) Video lottery game distributors may buy, sell, or
423 lease new or refurbished video lottery game terminals to or
424 from video lottery game manufacturers or video lottery game
425 operators.

426 (4) Video lottery game ticket redemption terminals
427 shall meet independent testing standards approved by the

428 commission. Notwithstanding any other provision of the law
429 to the contrary, any video lottery game terminal operator
430 which owns or leases video lottery ticket redemption
431 terminals or Class III video gaming terminals which
432 otherwise comply with the minimum requirements for video
433 lottery gaming terminals as set forth in sections 313.425 to
434 313.437 prior to the operational date established in
435 subdivision (6) of subsection 1 of section 313.431, may use
436 or sell such video lottery ticket redemption terminals or
437 Class III video gaming terminals pursuant to the terms of
438 sections 313.425 to 313.437. The commission shall approve
439 for use and sale any ticket redemption terminal or Class III
440 video gaming terminal that is in operation and meets the
441 requirements of sections 313.425 to 313.437.

442 9. (1) Pursuant to rules adopted by the commission,
443 video lottery game terminal operators:

444 (a) May buy, lease, or rent video lottery game
445 terminals from licensed video lottery game manufacturers or
446 distributors;

447 (b) May handle, place, and service video lottery game
448 terminals;

449 (c) Shall connect such video lottery game terminals to
450 the centralized computer system.

451 (2) Notwithstanding any other provision of law to the
452 contrary, all video lottery game tickets shall be redeemed
453 using a video lottery game ticket redemption terminal. Such
454 video lottery ticket redemption terminal shall be located
455 within the video lottery game retailer's establishment in
456 direct proximity to such video lottery game terminals.
457 Unredeemed video lottery game tickets shall expire one
458 hundred eighty days after the issuance date of such video
459 lottery game ticket.

460 (3) A video lottery game terminal operator shall not
461 be, directly or indirectly, a landlord or lessor of real
462 property to a video lottery game retailer. No lease of real
463 property may contain a provision requiring any sharing or
464 splitting of net terminal income, or any method of rent
465 calculation using a percentage of net terminal income, or
466 any other similar provision or method for the determination
467 or calculation of any rent, concession, or other charge by a
468 lessee to a lessor.

469 (4) Pursuant to rules adopted by the commission, a
470 video lottery game operator shall be responsible for:

471 (a) Payments to winning players;

472 (b) Collecting all funds from video lottery game
473 terminals;

474 (c) Depositing all funds so collected into a separate
475 bank account maintained by the video lottery game terminal
476 operator to allow for electronic fund transfers by the
477 commission on a monthly basis of all applicable adjusted
478 gross gaming tax and all direct administrative costs of
479 operating the centralized computer system payment pursuant
480 to rules adopted by the commission; and

481 (d) After such transfer by the commission, remitting
482 to the video lottery game retailer its share of net terminal
483 income on not less than a monthly basis. The video lottery
484 game operator may thereafter transfer its share of net
485 terminal income to its business operations account.

486 (5) (a) Only a video lottery game operator or its
487 employee may negotiate and enter into a use agreement with a
488 video lottery game retailer for the placement and operation
489 of video lottery game terminals.

490 (b) No video lottery game operator or video lottery
491 game retailer shall pay a commission or any other valuable

492 consideration to any third party for the solicitation,
493 procurement, execution, or delivery of any use agreement.

494 (6) A video lottery game operator shall not enter into
495 a use agreement with a video lottery game retailer prior to
496 the start date. Use agreements entered into prior to the
497 start date established pursuant to section 313.431 shall be
498 invalid.

499 (7) Subject to rules adopted by the commission, a
500 video lottery game operator may, as part of the agreement
501 with a video lottery game retailer, pay for a portion of the
502 construction or renovation of a video lottery game terminal
503 gaming area in an amount not to exceed ten thousand dollars.

504 10. (1) Notwithstanding any other provision of law to
505 the contrary, pursuant to rules adopted by the commission, a
506 video lottery game operator may establish a player rewards
507 system. No player shall be required to enroll in a rewards
508 program offered by a video lottery game operator as a
509 condition to play video lottery games.

510 11. No licensed video lottery game operator shall:

511 (1) Offer video lottery gaming terminals that directly
512 dispense anything of value except for video lottery game
513 tickets. Tickets shall be dispensed by pressing the ticket
514 dispensing button on the video lottery gaming terminal at
515 the end of any video lottery game play. The ticket shall
516 indicate the total amount of video lottery game terminal
517 credits and the cash award, the time of day in a twenty-four-
518 hour format showing hours and minutes, the date, the
519 terminal serial number, the sequential number of the ticket,
520 and an encrypted validation number from which the validity
521 of the prize may be determined. The price of video lottery
522 game terminal credits shall be determined by the
523 commission. The maximum wager played per video lottery game

524 shall not exceed four dollars. The maximum prize for a
525 single game play shall be no more than one thousand one
526 hundred ninety-nine dollars, or one dollar less than the
527 threshold amount requiring reporting of gambling winnings
528 from slot machines under IRS FORM W2G and 5754;

529 (2) Place and operate more than twelve video lottery
530 game terminals per video lottery game retailer location;

531 (3) Except as expressly set forth in sections 313.425
532 to 313.437, advertise or market to the public through any
533 means, including but not limited to, social media, radio,
534 television or other media outlets, direct mail, telephone or
535 text message, billboards, or other signage, the
536 availability, location, play, operation, or any other aspect
537 of video lottery terminals. The commission may by rule
538 allow limited on-site signage identifying the availability
539 of video lottery game terminals at a video lottery game
540 terminal retailer location. Notwithstanding any other
541 provision of law to the contrary, video lottery game
542 manufacturers, video lottery game distributors, video
543 lottery game operators, video lottery game retailers, and
544 video lottery game handlers may engage in direct or indirect
545 marketing of their respective products and services by and
546 between one another; or

547 (4) Allow video lottery games to be played at any time
548 when the video lottery game retailer's establishment is
549 closed for business or for hours of operation not disclosed
550 to the commission.

551 12. (1) No person under twenty-one years of age shall
552 play video lottery game terminals. The video lottery gaming
553 area shall be under observation at all times during
554 operating hours of the video lottery game retailer. Such
555 observation may be accomplished through direct visual

556 observation or via closed captioned video system. Video
557 lottery game terminals shall be under the supervision,
558 either through direct observations or through means of
559 electronic surveillance, of a person who is at least twenty-
560 one years of age to prevent persons under twenty-one years
561 of age from playing video lottery terminals. The video
562 lottery game retailer shall be responsible for preventing
563 persons under the age of twenty-one from playing video
564 lottery game terminals, and shall check the identification
565 of any person playing a video lottery game terminal that
566 appears to be under the age of twenty-one.

567 (2) The commission may adopt rules regarding
568 surveillance of the video lottery game terminals and gaming
569 area, and for checking of identification of persons playing
570 a video lottery game terminal that appear to be under the
571 age of twenty-one.

572 (3) Pursuant to rules adopted by the commission, the
573 commission shall implement and enforce the provisions of
574 sections 313.425 to 313.437 and may impose discipline,
575 including the imposition of fines, license suspension, and
576 license revocation, for failure of a licensee to comply with
577 sections 313.425 to 313.437 or the rules of the commission.

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

583 13. (1) An adjusted gross gaming revenue tax of
584 thirty-four percent is hereby imposed on adjusted gross
585 gaming revenue. The revenue generated by the tax imposed by
586 this section shall be in addition to and shall supplement,

587 and shall not supplant, any education funding otherwise
588 appropriated by the general assembly.

589 (2) On a quarterly basis, the commission shall
590 transfer an amount equal to four percent of the adjusted
591 gross gaming revenue tax to the state lottery fund for
592 administrative expenses.

593 (3) The commission shall adopt rules to identify the
594 location, by city and county, of each video lottery game
595 terminal being operated in the state and connected to the
596 central control system. Such city or county so identified
597 shall receive ten percent of the gross gaming revenue tax
598 collected, remitted, and assessed on the gross gaming
599 revenue generated by those video lottery game terminals
600 located within the jurisdiction of such identified city or
601 county for use in providing services necessary for the
602 safety of the public visiting a video lottery game terminal
603 retailer's location. All revenues owed to such city or
604 county shall be deposited and distributed to such city or
605 county in accordance with rules adopted by the commission.
606 All revenues provided for in this section to be transferred
607 to the governing body of any city or county shall not be
608 considered state funds and shall be deposited in such city
609 or county general revenue fund to be expended as provided
610 for in this section.

611 14. All revenues received by the commission from
612 license fees and any reimbursements associated with the
613 administration of the provisions of sections 313.425 to
614 313.437, and all interest earned thereon, shall be
615 considered administrative expenses and shall be deposited in
616 the state lottery fund. Moneys deposited into the state
617 lottery fund from license fees and any reimbursements of
618 commission administrative expenses to administer sections

619 313.425 to 313.437 shall be considered administrative
620 expenses and shall not be considered net proceeds pursuant
621 to Article III, Section 39(b) of the Missouri Constitution.
622 The remainder of the money deposited in the state lottery
623 fund from video lottery game license fees and any
624 reimbursements of commission administrative expenses to
625 enforce sections 313.425 to 313.437 shall be used for
626 administrative expenses associated with supervising and
627 enforcing the provisions of sections 313.425 to 313.437.

628 15. The commission shall contract with a state law
629 enforcement entity to assist in conducting background
630 investigations of video lottery game applicants and for the
631 enforcement of sections 313.425 to 313.437.

632 16. The commission shall adopt rules for the
633 implementation of the video lottery game system authorized
634 under sections 313.425 to 313.437, including, but not
635 limited to, the placement of video lottery game terminals
636 within a retail establishment and for the active oversight
637 of the conduct of video lottery games. Any rule or portion
638 of a rule, as that term is defined in section 536.010, that
639 is created under the authority delegated in this section
640 shall become effective only if it complies with and is
641 subject to all of the provisions of chapter 536 and, if
642 applicable, section 536.028. This section and chapter 536
643 are nonseverable and if any of the powers vested with the
644 general assembly pursuant to chapter 536 to review, to delay
645 the effective date, or to disapprove and annul a rule are
646 subsequently held unconstitutional, then the grant of
647 rulemaking authority and any rule proposed or adopted after
648 August 28, 2025, shall be invalid and void.

313.431. 1. In order to expedite the orderly
2 implementation of the video lottery game system authorized
3 under sections 313.425 to 313.437, the commission shall:

4 (1) Procure and implement a centralized computer
5 system for video lottery game terminals no later than one
6 hundred eighty days after the effective date of sections
7 313.425 to 313.437;

8 (2) Make a form use agreement and form license
9 applications for video lottery game manufacturers, video
10 lottery game distributors, video lottery game operators,
11 video lottery game retailers, and video lottery game
12 handlers available to applicants and accept such
13 applications within sixty days after the effective date of
14 sections 313.425 to 313.437;

15 (3) Promulgate any emergency or regular rules and
16 regulations needed for the implementation of the video
17 lottery game system authorized under sections 313.425 to
18 313.437 no later than one hundred eighty days after the
19 effective date of sections 313.425 to 313.437;

20 (4) Establish a start date for when video lottery game
21 terminal operators may begin soliciting use agreements with
22 video lottery game retailers. Video lottery game terminal
23 operators shall not solicit use agreements prior to the
24 established start date. Such start date shall be set no
25 more than one hundred eighty days after the last video
26 lottery game operator's application is received in the first
27 year of the implementation of sections 313.425 to 313.437
28 and is approved by the commission;

29 (5) Approve or deny any completed video lottery game
30 retailer applications or video lottery game operator
31 applications no more than ninety days after an application
32 has been received. For all such applications received in

33 the first year of the implementation of sections 313.425 to
34 313.437, applications shall be approved or denied at least
35 thirty days prior to the start date established in
36 subdivision (4) of this subsection; and

37 (6) Establish an operational date by which the system
38 of video lottery game terminals shall be operational. The
39 operational date shall be set no more than one hundred
40 eighty days after the start date.

41 2. The commission shall implement sections 313.425 to
42 313.437. Any person seeking to be licensed pursuant to
43 sections 313.425 to 313.437 shall have a private right of
44 action if the commission fails to meet the deadlines
45 pursuant to sections 313.425 to 313.437. Such person shall
46 initiate an action in the circuit court of Cole County no
47 more than thirty days after the commission's failure to meet
48 such deadlines.

313.433. Notwithstanding any other provision of law to
2 the contrary, participation by a person, firm, corporation,
3 or organization in any aspect of the state lottery under
4 sections 313.425 to 313.437 shall not be construed to be a
5 lottery or gift enterprise in violation of Section 39 of
6 Article III of the Constitution of Missouri.

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

3 2. All shipments of video lottery gaming terminals
4 authorized under sections 313.425 to 313.437 to licensees,
5 the registering, recording, and labeling of which have been
6 completed by the manufacturer or distributor thereof in
7 accordance with 8 U.S.C. Sections 1171 to 1178, as amended,
8 shall be legal shipments of gambling devices into this state.

313.435. 1. Any municipal or county ordinance
2 implemented prior to August 28, 2025, prohibiting or

3 restricting video lottery game terminals is deemed invalid
4 and shall not be enforced to prohibit or restrict video
5 lottery terminals in such municipality or county.

6 2. A municipality is prohibited from adopting any
7 ordinance prohibiting or restricting video lottery game
8 terminals within the limits of such municipality until one
9 year after the operational date as set forth in subdivision
10 (6) of subsection 1 of section 313.431.

11 3. A county commission, for the unincorporated area of
12 the county, is prohibited from adopting any ordinance
13 prohibiting or restricting video lottery game terminals
14 within the unincorporated area until two years after the
15 operational date established pursuant to subdivision (6) of
16 subsection 1 of section 313.431.

17 4. Any municipality or county adopting an ordinance
18 that prohibits or restricts the licensing of video lottery
19 game retailers shall notify the commission of such action
20 and provide a certified copy of such ordinance to the
21 commission. Upon receiving such notification and ordinance,
22 the commission shall not license video lottery game
23 retailers within such area covered by such municipal or
24 county ordinance.

25 5. If any such municipality or county that has opted
26 to prohibit or restrict the use of video lottery game
27 terminals to play video lottery games repeals such
28 ordinance, the municipality or county shall notify the
29 commission and upon notification of the repeal the
30 commission may license video lottery game retailers within
31 such municipality or county to conduct video lottery games.

313.437. 1. Notwithstanding any other provision of
2 law to the contrary, any contract, agreement, or otherwise,
3 whether oral or written, for the sale, use, license, or

4 operation of no chance game machines shall continue in force
5 and shall not be invalidated by the provisions of sections
6 313.425 to 313.437 if the owner or operator of such no
7 chance game machines, within thirty days after the effective
8 date of sections 313.425 to 313.437:

9 (a) Registers such no chance game machine with the
10 commission disclosing the serial number, location, and owner
11 of such no chance game machine;

12 (b) Pays a registration fee of twenty-five dollars to
13 the commission; and

14 (c) Affixes a permit sticker issued by the commission
15 to such no chance game machine. No permit stickers shall be
16 issued by the commission after sixty days from the effective
17 date of sections 313.425 to 313.437, and no additional no
18 chance game machines may be placed or operated in the state
19 of Missouri thereafter. Such permit sticker shall be valid
20 for three hundred sixty-five days after the operational date
21 as set forth in subdivision (6) of subsection 1 of section
22 313.431. No chance game machines shall not be placed or
23 operated in the state of Missouri unless said permit sticker
24 is affixed thereto, and shall not be placed or operated in
25 the state of Missouri after the expiration of the permit
26 sticker as set forth in this section. Any person owning,
27 operating, placing, or playing a no chance game machine in
28 violation of this section shall not be issued a video
29 lottery game license pursuant to sections 313.425 to
30 313.437, and if already holding a video lottery game license
31 pursuant to sections 313.425 to 313.437, shall have such
32 license revoked by the commission.

33 2. Nothing in sections 313.425 to 313.437 shall be
34 construed to prohibit or bar the issuance of any license
35 described therein to an applicant on the basis of that

36 applicant's operation, handling, leasing, licensing,
37 servicing, or placing of no chance game machines during that
38 period of time before that date which is three hundred sixty-
39 five days after the operational date as set forth in
40 subdivision (6) of subsection 1 of section 313.431.

41 3. If any provision of sections 313.425 to 313.437 or
42 the application thereof to anyone or to any circumstance is
43 held invalid, the remainder of those sections and the
44 application of such provisions to others or other
45 circumstances shall not be affected thereby.

46 4. (1) For purposes of sections 313.425 to 313.437,
47 the term "family entertainment center" means a business
48 establishment that:

49 (a) Has as its primary purpose the providing of
50 amusement and entertainment to the public;

51 (b) Offers for play amusement games operated by the
52 insertion of coins, currency, tickets, vouchers, or
53 electronic equivalent thereof; and

54 (c) Markets its business to families with children
55 under the age of eighteen.

56 (2) A person operating a family entertainment center
57 shall not offer, operate, or place any video lottery game
58 terminal on its premises. The commission shall not issue a
59 video lottery game retailer license to any family
60 entertainment center. A family entertainment center may
61 make amusement games available for play if the prize won or
62 distributed to a player from any device, machine, or game
63 located on the premises of the family entertainment center
64 is a noncash, merchandise prize or a voucher, billet,
65 ticket, token, or electronic credit redeemable only for a
66 noncash, merchandise prize:

67 (a) That does not include an alcoholic beverage;

68 **(b) That is not eligible for repurchase; and**

69 **(c) That is not exchangeable for cash, cash**

70 **equivalents, or anything of value whatsoever.**

572.010. As used in this chapter the following terms
2 mean:

3 (1) "Advance gambling activity", a person advances
4 gambling activity if, acting other than as a player, he or
5 she engages in conduct that materially aids any form of
6 gambling activity. Conduct of this nature includes but is
7 not limited to conduct directed toward the creation or
8 establishment of the particular game, lottery, contest,
9 scheme, **gambling** device or activity involved, toward the
10 acquisition or maintenance of premises, paraphernalia,
11 equipment or apparatus therefor, toward the solicitation or
12 inducement of persons to participate therein, toward the
13 actual conduct of the playing phases thereof, toward the
14 arrangement or communication of any of its financial or
15 recording phases, or toward any other phase of its
16 operation. A person advances gambling activity if, having
17 substantial proprietary control or other authoritative
18 control over premises being used with his or her knowledge
19 for purposes of gambling activity, he or she permits that
20 activity to occur or continue or makes no effort to prevent
21 its occurrence or continuation. The supplying, servicing
22 and operation of a licensed excursion gambling boat under
23 sections 313.800 to 313.840 does not constitute advancing
24 gambling activity. **The owning, operating, supplying, or**
25 **servicing of video lottery game terminals pursuant to**
26 **sections 313.425 to 313.437 does not constitute advancing**
27 **gambling activity;**

28 (2) "Bookmaking", advancing gambling activity by
29 unlawfully accepting bets from members of the public as a

30 business, rather than in a casual or personal fashion, upon
31 the outcomes of future contingent events;

32 (3) "Contest of chance", any contest, game, gaming
33 scheme or gaming device in which the outcome depends in a
34 material degree upon an element of chance, notwithstanding
35 that the skill of the contestants may also be a factor
36 therein;

37 (4) "Gambling", a person engages in gambling when he
38 or she **operates, plays, or participates in the operation of**
39 **a gambling device**, stakes or risks something of value upon
40 the outcome of a contest of chance or a future contingent
41 event not under his or her control or influence, upon an
42 agreement or understanding that he or she will receive
43 something of value in the event of a certain outcome.

44 Gambling does not include bona fide business transactions
45 valid under the law of contracts, including but not limited
46 to contracts for the purchase or sale at a future date of
47 securities or commodities, and agreements to compensate for
48 loss caused by the happening of chance, including but not
49 limited to contracts of indemnity or guaranty and life,
50 health or accident insurance; nor does gambling include
51 playing an amusement device that confers only an immediate
52 right of replay not exchangeable for something of value.

53 Gambling does not include any licensed activity, or persons
54 participating in such games which are covered by sections
55 313.800 to 313.840. **Gambling does not include any activity,**
56 **or persons participating in such activity, video lottery**
57 **game terminals or video lottery games licensed pursuant to**
58 **sections 313.425 to 313.437;**

59 (5) ["Gambling device", any device, machine,
60 paraphernalia or equipment that is used or usable in the
61 playing phases of any gambling activity, whether that

62 activity consists of gambling between persons or gambling by
63 a person with a machine. However, lottery tickets, policy
64 slips and other items used in the playing phases of lottery
65 and policy schemes are not gambling devices within this
66 definition;

67 [(6)] "Gambling record", any article, instrument,
68 record, receipt, ticket, certificate, token, slip or
69 notation used or intended to be used in connection with
70 unlawful gambling activity;

71 [(7)] (6) "Lottery" or "policy", an unlawful gambling
72 scheme in which for a consideration the participants are
73 given an opportunity to win something of value, the award of
74 which is determined by chance;

75 [(8)] (7) "Player", a person who engages in any form
76 of gambling solely as a contestant or bettor, without
77 receiving or becoming entitled to receive any profit
78 therefrom other than personal gambling winnings, and without
79 otherwise rendering any material assistance to the
80 establishment, conduct or operation of the particular
81 gambling activity. A person who gambles at a social game of
82 chance on equal terms with the other participants therein
83 does not otherwise render material assistance to the
84 establishment, conduct or operation thereof by performing,
85 without fee or remuneration, acts directed toward the
86 arrangement or facilitation of the game, such as inviting
87 persons to play, permitting the use of premises therefor and
88 supplying cards or other equipment used therein. A person
89 who engages in "bookmaking" as defined in subdivision (2) of
90 this section is not a player;

91 [(9)] (8) "Professional player", a player who engages
92 in gambling for a livelihood or who has derived at least

93 twenty percent of his or her income in any one year within
94 the past five years from acting solely as a player;

95 [(10)] (9) "Profit from gambling activity", a person
96 profits from gambling activity if, other than as a player,
97 he or she accepts or receives money or other property
98 pursuant to an agreement or understanding with any person
99 whereby he participates or is to participate in the proceeds
100 of gambling activity;

101 [(11)] (10) "Slot machine"[, a gambling device that as
102 a result of the insertion of a coin or other object
103 operates, either completely automatically or with the aid of
104 some physical act by the player, in such a manner that,
105 depending upon elements of chance, it may eject something of
106 value. A device so constructed or readily adaptable or
107 convertible to such use is no less a slot machine because it
108 is not in working order or because some mechanical act of
109 manipulation or repair is required to accomplish its
110 adaptation, conversion or workability. Nor is it any less a
111 slot machine because apart from its use or adaptability as
112 such it may also sell or deliver something of value on a
113 basis other than chance]or "gambling device", an electronic,
114 computerized, or mechanical machine, terminal, or other
115 similar device that:

116 (a) Requires the direct or indirect insertion of any
117 form of consideration, coin, currency, ticket, token,
118 electronic token or currency, or other similar object, or
119 the depositing any form of consideration with the owner or
120 operator of such slot machine or gambling device to operate
121 the device;

122 (b) Offers, operates, or plays a contest or game,
123 either completely automatically or with the aid of some
124 physical act by the player, the outcome of which is

125 determined by any element of chance, regardless of whether
126 the outcome may also be partially or predominately
127 determined by the skill of the player, and regardless of
128 whether the outcome may be disclosed or revealed to the
129 player in advance of play; and

130 (c) Which may award to the player an award, prize, or
131 something of value, whether the payoff is made automatically
132 from the gambling device or manually.

133 A device so constructed or readily adaptable or convertible
134 to such use is no less a slot machine because it is not in
135 working order or because some mechanical act of manipulation
136 or repair is required to accomplish its adaptation,
137 conversion, or workability. Nor is it any less a slot
138 machine because apart from its use or adaptability as such
139 it may also sell or deliver something of value on a basis
140 other than chance;

141 [(12)] (11) "Something of value", any money or
142 property, any token, object or article exchangeable for
143 money or property, or any form of credit or promise directly
144 or indirectly contemplating transfer of money or property or
145 of any interest therein or involving extension of a service,
146 entertainment or a privilege of playing at a game or scheme
147 without charge;

148 [(13)] (12) "Unlawful", not specifically authorized by
149 law.

572.020. 1. A person commits the offense of gambling
2 if he or she knowingly engages in gambling.

3 2. The offense of gambling is a class [C misdemeanor
4 unless:

5 (1) It is committed by a professional player, in which
6 case it is a class A misdemeanor; or

7 (2) The person knowingly engages in gambling with a
8 child less than seventeen years of age, in which case it is
9 a class B misdemeanor] **E felony.**

572.070. 1. A person commits the offense of
2 possession of a gambling device if, with knowledge of the
3 character thereof, he or she manufactures, sells,
4 transports, places or possesses, **owns, operates, offers for**
5 **play,** or conducts or negotiates any transaction affecting or
6 designed to affect ownership, custody or use of:

7 (1) A slot machine **or gambling device;** or

8 (2) Any other gambling device, knowing or having
9 reason to believe that it is to be used in the state of
10 Missouri in the advancement of unlawful gambling activity.

11 2. The offense of possession of a gambling device is a
12 class [A misdemeanor]**E felony.**

572.100. 1. The general assembly by enacting this
2 chapter intends to preempt any other regulation of the area
3 covered by this chapter. No governmental subdivision or
4 agency may enact or enforce a law that regulates or makes
5 any conduct in the area covered by this chapter an offense,
6 or the subject of a criminal or civil penalty or sanction of
7 any kind.

8 2. The term "gambling", as used in this chapter, does
9 not include licensed activities under sections 313.800 to
10 313.840, **and does not include activities licensed pursuant**
11 **to sections 313.425 to 313.437.**

12 3. **The state lottery commission shall have concurrent**
13 **authority and jurisdiction to investigate and enforce**
14 **violations of this chapter, and to seek prosecution of**
15 **violations of this chapter by the attorney general pursuant**
16 **to section 27.105.**

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