

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 226, Page 3, Section 144.142, Line 26, by inserting  
2 after all of said section and line the following:

3  
4 "313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise,  
5 the following terms mean:

6 (1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less  
7 winnings paid to wagerers. "Adjusted gross receipts" shall not include adjusted gross receipts from sports  
8 wagering as defined in section 313.1000;

9 (2) "Applicant", any person applying for a license authorized under the provisions of sections  
10 313.800 to 313.850;

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

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

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

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

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

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

40 (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on

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1 which gambling games are allowed;

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

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

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

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

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

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

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

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

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

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

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

29 2. (1) In addition to the games of skill defined in this section, the commission may approve other  
30 games of skill upon receiving a petition requesting approval of a gambling game from any applicant or  
31 licensee. The commission may set the matter for hearing by serving the applicant or licensee with written  
32 notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a  
33 public notice at each commission office. The commission shall require the applicant or licensee to pay the  
34 cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or  
35 county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The  
36 petitioner shall have the affirmative responsibility of establishing ~~[his or her]~~ the petitioner's case by a  
37 preponderance of evidence including:

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

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

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

48 313.1000. As used in sections 313.1000 to 313.1022, the following terms mean:

49 (1) "Adjusted gross receipts":

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

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

53 b. The actual costs paid by a sports wagering operator for any personal property or services

distributed to sports wagering patrons as prizes;

c. Voided or cancelled wagers;

d. Free play or promotional credits; and

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

(i) A reasonable provision for uncollectible patron checks, ACHs, debit cards, and credit cards received from sports wagering operations; or

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

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

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

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

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

(5) "Department", the department of revenue;

(6) "Excursion gambling boat", the same meaning as defined under section 313.800;

(7) "Gross receipts", the total amount of cash and cash equivalents paid by sports wagering patrons to a sports wagering operator to participate in sports wagering;

(8) "Interactive sports wagering platform" or "platform", a person that offers sports wagering over the internet, including on internet websites and mobile devices, on behalf of a certificate holder;

(9) "Licensed applicant", a person holding a license issued under section 313.807 to operate an excursion gambling boat;

(10) "Licensed facility", an excursion gambling boat licensed under this chapter;

(11) "Licensed supplier", a person holding a supplier's license issued by the commission;

(12) "Occupational license", a license issued by the commission;

(13) "Person", an individual, sole proprietorship, partnership, association, fiduciary, corporation, limited liability company, or any other business entity;

(14) "Sports wagering", wagering conducted under sections 313.1000 to 313.1022 on athletic and sporting events involving human competitors or on other events as approved by the commission. "Sports wagering" shall not include moneys spent to participate in paid fantasy sports under sections 313.900 to 313.955;

(15) "Sports wagering device", a mechanical, electrical, or computerized contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the commission for conducting sports wagering under sections 313.1000 to 313.1022. "Sports wagering device" shall not include a device used by a sports wagering patron to access an interactive sports wagering platform;

(16) "Sports wagering operator" or "operator", a certificate holder or an interactive sports wagering platform offering sports wagering on behalf of a certificate holder;

(17) "Supplier's license", a license issued by the commission under section 313.807.

313.1002. 1. The state of Missouri shall be exempt from the provisions of 15 U.S.C. Section 1172, as amended.

2. All shipments of gambling devices used to conduct sports wagering under sections 313.1000 to 313.1022 to licensed applicants or certificate holders, the registering, recording, and labeling of which have been completed by the manufacturer or dealer thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal shipments of gambling devices into this state.

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

2. A licensed facility may offer sports wagering:

(1) In person at the licensed facility; and

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

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

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

9        (1) Standards and procedures to govern the conduct of sports wagering, including the manner in  
 10 which:

11        (a) Wagers are received;

12        (b) Payouts are paid; and

13        (c) Point spreads, lines, and odds are disclosed;

14        (2) Standards governing how a certificate holder offers sports wagering over the internet through an  
 15 interactive sports wagering platform to patrons physically located in Missouri;

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

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

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

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

24        (2) Ensure the security and integrity of sports wagers accepted through an interactive sports  
 25 wagering platform;

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

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

31        (a) Ensure maximum security of the counting and storage of the sports wagering revenue received by  
 32 the certificate holder;

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

34        (c) Receive complaints from the public;

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

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

41        4. The commission may enter into agreements with other jurisdictions to facilitate, administer, and  
 42 regulate multi-jurisdictional sports wagering by sports wagering operators to the extent that entering into the  
 43 agreement is consistent with state and federal laws and if the sports wagering agreement is conducted only in  
 44 the United States.

45        313.1006. 1. A licensed applicant who seeks to offer sports wagering under sections 313.1000 to  
 46 313.1022 shall:

47        (1) Submit an application to the commission in the manner prescribed by the commission for each  
 48 licensed facility in which the licensed applicant seeks to conduct sports wagering; and

49        (2) Pay an initial application fee of twenty-five thousand dollars, which shall be deposited in the  
 50 gaming commission fund and distributed according to section 313.835.

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

1 sports wagering platform.

2 313.1008. 1. The commission shall test new sports wagering devices and new forms, variations, or  
 3 composites of sports wagering under the terms and conditions that the commission considers appropriate  
 4 prior to authorizing a certificate holder to offer a new sports wagering device or a new form, variation, or  
 5 composite of sports wagering.

6 2. (1) A certificate holder shall designate an area or areas within the certificate holder's licensed  
 7 facility for conducting sports wagering.

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

10 3. (1) Sports wagering may be conducted with chips, tokens, electronic cards, cash, cash  
 11 equivalents, debit or credit cards, other negotiable currency, online payment services, automated clearing  
 12 houses, promotional funds, or any other means approved by the commission.

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

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

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

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

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

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

29 313.1010. 1. An interactive sports wagering platform provider may offer sports wagering on behalf  
 30 of a certificate holder only if the interactive sports wagering platform holds an interactive sports wagering  
 31 platform license issued by the commission.

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

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

35 (2) Pay an initial application fee of twenty-five thousand dollars.

36 3. Each year on or before the anniversary date of the payment of the initial application fee under this  
 37 section, an interactive sports wagering platform provider holding a license issued under this section shall pay  
 38 to the commission an annual license renewal fee of ten thousand dollars.

39 4. Notwithstanding any other provision of law to the contrary, the following information shall be  
 40 confidential and shall not be disclosed to the public unless required by court order or by any other provisions  
 41 of sections 313.1000 to 313.1022:

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

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

46 313.1012. 1. A certificate holder shall verify that a person placing a wager is of the legal minimum  
 47 age for placing a wager under sections 313.1000 to 313.1022.

48 2. The commission shall adopt rules and regulations for a sports wagering self-exclusion program  
 49 consistent with those adopted under sections 313.800 to 313.850. Any rule or portion of a rule, as that term is  
 50 defined in section 536.010, that is created under the authority delegated in this section shall become effective  
 51 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
 52 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general  
 53 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are

subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. Any individual placing a wager as an agent or proxy;

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

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

d. A person under the age of twenty-one;

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

f. A person identified by any lists provided by the commission.

(2) The direct or indirect legal or beneficial owner of five percent or more of a sports governing body or any of its member teams shall not place or accept any wager on a sports event in which any member team of that sports governing body participates. Any violation of this subdivision shall constitute disorderly conduct. Disorderly conduct under this subdivision shall be a class C misdemeanor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (5) Suspicious or illegal wagering activities.

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

21 7. A sports governing body may notify the commission that it desires to restrict, limit, or exclude  
 22 sports wagering on its sporting events by providing notice in the form and manner as required by the  
 23 commission. A sports governing body may request the commission to restrict, limit, or exclude a type of  
 24 wager based solely upon the actions of a single player. To demonstrate good cause, the sports governing  
 25 body shall provide written information that indicates a credible threat to the integrity of sports wagering that  
 26 is beyond the control of the sports governing body to preemptively remedy or mitigate. The commission  
 27 shall promptly review the information provided and respond as expeditiously as possible to the request. In  
 28 making its determination, the commission may consult with a sports wagering operation, independent  
 29 monitoring provider, and other jurisdictions. No restrictions, limitations, or exclusions of wagers shall be  
 30 conducted without the express written approval of the commission. Certificate holders shall be notified of  
 31 any restrictions, limitations, or exclusions granted by the commission.

32 313.1016. 1. A certificate holder shall, for bets and wagers that exceed ten thousand dollars in a  
 33 twenty-four-hour period and that are placed in person by a patron, maintain the following records for a period  
 34 of at least three years after the sporting event occurs:

35 (1) Personally identifiable information of the bettor;

36 (2) The amount and type of bet placed;

37 (3) The time and date the bet was placed;

38 (4) The location, including specific information pertaining to the betting window or the limited  
 39 mobile gaming system device, where the bet was placed;

40 (5) The outcome of the bet; and

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

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

45 (1) Personally identifiable information of the bettor;

46 (2) The amount and type of bet placed;

47 (3) The time and date the bet was placed;

48 (4) The location, including specific information pertaining to the internet protocol address, where the  
 49 bet was placed;

50 (5) The outcome of the bet; and

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

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

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

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

7 313.1021. 1. A wagering tax of six percent is imposed on the adjusted gross receipts received from  
 8 sports wagering conducted by a certificate holder under sections 313.1000 to 313.1022. If a third party is  
 9 contracted with to conduct sports wagering at a certificate holder's licensed facility, the third party contractor  
 10 shall fulfill the certificate holder's duties under this section.

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

16 3. The payment of the tax under this section shall be by an electronic funds transfer by an automated  
 17 clearinghouse.

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

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

26 (2) In addition to the annual administrative fee required in this subsection, a certificate holder shall  
 27 pay to the commission a fee of five thousand dollars to cover the costs of a full reinvestigation of the  
 28 certificate holder in the fifth year after the date on which the certificate holder commences sports wagering  
 29 operations under sections 313.1000 to 313.1022 and on each fifth year thereafter. The commission shall  
 30 deposit the fees received under this subdivision in the sports wagering fund established in this subsection.

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

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

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

40 313.1022. All sports wagers authorized under sections 313.1000 to 313.1022 shall be deemed  
 41 initiated, received, and otherwise made on the property of an excursion gambling boat within this state.  
 42 Consistent with the intent of the United States Congress as articulated in 31 U.S.C. Sections 5361 to 5367, as  
 43 amended, the intermediate routing of electronic data relating to lawful intrastate sports wagers authorized  
 44 under sections 313.1000 to 313.1022 shall not determine the location or locations in which such wager is  
 45 initiated, received, or otherwise made."; and

46  
 47 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.