

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE enacting section 5542., of Jackson County Code, 1984, related to the use of unlicensed gambling devices with severability clause.

ORDINANCE NO. 6007, August 4, 2025

INTRODUCED BY Manuel Abarca IV and Venessa Huskey, County Legislators

WHEREAS, Jackson County finds that unregulated entertainment devices offering monetary prizes, which constitute unlicensed gambling devices, are proliferating within the County; and,

WHEREAS, Jackson County finds that unlicensed gambling devices can result in detrimental impacts to the neighborhoods in which they are located; and,

WHEREAS, Jackson County finds that unlicensed gambling devices can result in detrimental impacts to the players of such devices, including financial hardships and increased reliance on public assistance; and,

WHEREAS, Jackson County finds that the regulation of unlicensed gambling devices is necessary for the protection of the public health, safety, and welfare; and,

WHEREAS, the Legislature desires to create four new subsections in Chapter 55 regarding unlicensed gambling devices; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 5542., of Jackson County Code, 1984, are hereby enacted, to read as follows:

5542. Use of Premises for Gambling.

5542.1 It shall be unlawful for any person to knowingly permit any gambling table or other unlicensed gambling device at which any unlawful game of chance may be played for money or property, to be set up, maintained or used in any room, house, building or other premises belonging to that person, in his possession, or under his control.

5542.2 Unlicensed Gambling Device.

a. No person shall maintain or offer for use by any person any unlicensed gambling device that offers a monetary prize to any person regardless of the frequency with which such monetary prize is conferred or the odds of any individual user realizing a monetary prize.

b. For purposes of this section, the term “unlicensed gambling device” shall mean any device which operates for the entertainment or amusement of the operator, whether or not manipulated by the operator, that comprises a game of chance. This includes, but is not limited to, any video game or electronic game, video poker game, digital slot machine, or digital lottery machine, regardless of the rules of play.

c. For purposes of this section, the term “monetary prize” means any prize in the form of cash, check, bank transfer, negotiable instrument, store credit, gift card or any ticket or other item that is redeemable for such.

d. Nothing in this section shall be deemed to prohibit lawful and licensed gambling devices at approved casinos or gambling establishments licensed under Missouri State Law.

e. Penalties

(1) Any violation of this section shall be punishable by a fine of not more than \$1,000 or by imprisonment in jail for a period not exceeding 180 days, or both.

(2) Each unlicensed gambling device maintained or offered for use in violation of this section shall constitute a separate offense. Where an individual is convicted of multiple violations of this section, the sentence for each violation must run consecutive to any other sentences.

(3) Any person found guilty of a violation of this section shall be subject to a minimum fine of \$500.00 per violation.

(4) Any person found guilty of a violation of this section, who has previously been found guilty of a violation of this section, shall be subject to a fine of \$1,000.00 per violation.

(5) Any person found guilty of a violation of this section who has previously been found guilty of two or more a violations of this section shall be subject to a fine of \$1,000 and a term of imprisonment of not less than 30 days per violation.

(6) No portion of the minimum sentences described in paragraphs (3), (4), and (5) above shall be eligible for a suspended execution of sentence and no person found guilty of a violation of this section shall be eligible for probation or parole until the minimum sentence described in paragraph (5) above have been served.

5542.3 Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action occurred or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

5542.4 Severability Clause.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The County hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Bryan Covinsky
Bryan Covinsky (Aug 4, 2025 11:14:51 CDT)
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 6007 introduced on August 4, 2025, was duly passed on _____, 2025 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 6007.

Date

Frank White, Jr., County Executive