

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses

PROPOSED RESCISSION

11 CSR 45-4.070 Competitiveness Standards. This rule established competitiveness standards.

PURPOSE: This rule is being rescinded because it duplicates standards set forth in sections 313.805(1) and 313.812, RSMo.

AUTHORITY: sections 313.004 and 313.805, RSMo 2000 and Supp. 2007. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed Dec. 3, 2007, effective May 30, 2008. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-4.070 Competitiveness Standards

PURPOSE: This rule establishes competitiveness standards.

(1) The commission will determine the number, location, and type of excursion gambling boat allowed each Class A licensee. The determination shall be based on the best interest of the state of Missouri.

*AUTHORITY: sections 313.004 and 313.800–313.850, RSMo 2000 and Supp. 2007. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed Dec. 3, 2007, effective May 30, 2008.*

Original authority: 313.004, RSMo 1993, amended 1994 and 313.800–313.850, RSMo (see **Revised Statutes of Missouri, 2000 and Supp. 2007).*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses

PROPOSED RESCISSION

11 CSR 45-4.430 Waiver of Requirements. This rule established the process for waiver of licensing requirements.

PURPOSE: This rule is being rescinded because it duplicates the authority granted in 11 CSR 45-1.100.

AUTHORITY: sections 313.004 and 313.805, RSMo 1994. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 20, 1994, effective Dec. 30, 1994, expired April 27, 1995. Amended: Filed Jan. 21, 1997, effective Aug. 30, 1997. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-4.430 Waiver of Requirements

PURPOSE: This rule establishes process for waiver of requirements.

(1) The commission may waive any licensing requirement or procedure for any type of license if it determines that the waiver is in the best interests of the public.

(2) Notwithstanding any other provisions of 11 CSR 45, if a licensee owns or operates two (2) or more riverboat gaming operations that are adjacent, the commission may, in its discretion, waive any regulatory requirement applicable to such operations to allow the licensee to combine functions of the operations, including, but not limited to, allowing occupational licensees to perform licensed functions on any of the adjacent operations.

*AUTHORITY: sections 313.004 and 313.805, RSMo 1994. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Dec. 20, 1994, effective Dec. 30, 1994, expired April 27, 1995. Amended: Filed Jan. 21, 1997, effective Aug. 30, 1997.*

**Original authority: 313.004, RSMo 1993, amended 1944 and 313.805, RSMo (1991), amended 1993, 1994.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming

PROPOSED RESCISSION

11 CSR 45-5.280 Forfeiture of Illegal Winnings. This rule established the procedure under section 313.832, RSMo for the commission to seize winnings won by excluded persons under section 313.805(7), RSMo, including disassociated persons under 11 CSR 45-17; in exchange for a bribe intended to affect the outcome of a gambling game under 313.832.1(1), RSMo; or in violation of sections 313.800 to 313.840, RSMo

PURPOSE: This rule is being rescinded because it duplicates authority granted by and procedures authorized by sections 313.832, and sections 513.600–513.660, RSMo.

AUTHORITY: section 313.832, RSMo 1994. Emergency rule filed Nov. 10, 1997, effective Nov. 20, 1997, expired May 18, 1998. Original rule filed Nov. 10, 1997, effective June 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-5.280 Forfeiture of Illegal Winnings

PURPOSE: This rule establishes the procedure under section 313.832, RSMo for the commission to seize winnings won by excluded persons under section 313.805(7), RSMo, including disassociated persons under 11 CSR 45-17; in exchange for a bribe intended to affect the outcome of a gambling game under 313.832.1(1), RSMo; or in violation of sections 313.800 to 313.840, RSMo.

(1) Any Class A licensee or other person shall forfeit anything of value, including all traceable proceeds, including but not limited to, real and personal property, moneys, negotiable instruments, securities, and conveyances, if the item was used for any of the following:

(A) In exchange for a bribe intended to affect the outcome of a gambling game; or

(B) In exchange for or to facilitate a violation of sections 313.800 to 313.840, RSMo, including, but not limited to:

1. As amounts wagered by and claimed to be won by excluded persons under section 313.805(7), RSMo, and 11 CSR 45-15;

2. As amounts wagered by and claimed to be won by disassociated persons under sections 313.805(7), RSMo, and 11 CSR 45-17; or

3. As amounts wagered in or claimed to be won from illegal gambling, including, but not limited to, underage gambling as defined in section 313.817.4, RSMo, occurring on excursion gambling boats.

(2) All moneys, coin, and currency found in close proximity of wagers, or of records of wagers are presumed forfeited. The burden of proof is upon the claimant of the property to rebut this presumption.

(3) Seizure may be effected by a law enforcement officer authorized to enforce the criminal laws of this state prior to the filing of a petition and without a writ of seizure if the seizure is incident to a lawful arrest, search, or inspection and the officer has cause to believe the property is subject to forfeiture. Within four (4) days of the date of seizure, such seizure shall be reported by said officer to the attorney general; and if in the opinion of the attorney general forfeiture is warranted, the attorney general shall, within ten (10) days after receiving notice of seizure, file a petition for forfeiture with the circuit court of the county in which the property is located or seized. The petition shall state the date and place of seizure. The burden of proof will be on the commission to prove all allegations contained in the petition.

*AUTHORITY: section 313.832, RSMo 1994. * Emergency rule filed Nov. 10, 1997, effective Nov. 20, 1997, expired May 18, 1998. Original rule filed Nov. 10, 1997, effective June 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998.*

**Original authority 1991.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 6—Operation of the Riverboat**

PROPOSED RESCISSION

11 CSR 45-6.050 Limited License. This rule established requirements for limited licenses.

PURPOSE: This rule is being rescinded because it duplicates the provisions of section 313.807, RSMo.

AUTHORITY: sections 313.004, 313.805 and 313.807, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-6.050 Limited License

PURPOSE: This rule establishes requirements for limited licenses.

- (1) A Class A licensee may be granted a limited license to operate at a dock other than its home dock. The licensee must file a separate Class A application for this limited license.
- (2) A limited license will be effective for only so long as the commission approves.
- (3) The fee for a limited license shall be the same as a Class A license.

*AUTHORITY: sections 313.004, 313.805 and 313.807, RSMo Supp. 1993. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo (1993) and 313.805 and 313.807, RSMo (1991), amended 1993.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7--Security and Surveillance

PROPOSED RESCISSION

11 CSR 45-7.140 Requests for Exemptions. This rule established the procedures for requests for exemptions.

PURPOSE: This rule is being rescinded because it duplicates the authority granted in 11 CSR 45-1.100.

AUTHORITY: sections 313.004, 313.805, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-7.140 Requests for Exemptions

PURPOSE: This rule establishes the procedures for requests for exemptions.

(1) Upon request and at its discretion, the commission may exempt a licensee from compliance with any casino surveillance rule in this chapter. All requests for exemption must be in writing and state the reasons for the request and the alternative measures, if any, the licensee will undertake to accomplish the objectives of the casino surveillance rules in this chapter. The licensee must comply with the casino surveillance rules in this chapter while the request for exemption is pending. Any request for exemption that is not granted, in writing, within ninety (90) days after it is received by the commission will be deemed denied.

AUTHORITY: sections 313.004, 313.800, 313.805 and 313.824, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo 1993 and 313.800, 313.805 and 313.824, RSMo 1991, amended 1993.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 8—Accounting Records and
Procedures; Audits

PROPOSED RESCISSION

11 CSR 45-8.160 Extension of Time for Reporting. This rule established procedures for requesting an extension of time for filing reports.

PURPOSE: This rule is being rescinded because it duplicates the authority granted in 11 CSR 45-1.100.

AUTHORITY: sections 313.004 and 313.805, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-8.160 Extension of Time for Reporting

PURPOSE: This rule establishes procedures for requesting an extension of time for filing reports.

(1) The commission, in its sole and absolute discretion, may extend the time for filing any report or document required by this chapter.

*AUTHORITY: sections 313.004, 313.800 and 313.805, RSMo Supp. 1993. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo 1993 and 313.800 and 313.805, RSMo 1991, amended 1993.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee’s Responsibilities**

PROPOSED RESCISSION

11 CSR 45-10.070 Effect of Another Jurisdiction’s Orders. This rule established procedures for review of other jurisdiction’s orders.

PURPOSE: This rule is being rescinded because it duplicates the authority granted in section 313.812, RSMo.

AUTHORITY: sections 313.004, 313.805, and 313.812 RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission’s Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-10.070 Effect of Another Jurisdiction's Orders

PURPOSE: This rule establishes procedures for review of other jurisdiction's orders.

(1) The commission may take appropriate action against a licensee or other person who has been disciplined in another jurisdiction for gaming related activity.

*AUTHORITY: sections 313.004, 313.800 and 313.805, RSMo Supp. 1993. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo 1993, 313.800 and 313.805, RSMo 1991, amended 1993.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee’s Responsibilities**

PROPOSED RESCISSION

11 CSR 45-10.115 List of Barred Persons. This rule established the procedures to bar persons for life from excursion gambling boats who had committed any of the acts listed under section 313.830(4), RSMo.

PURPOSE: This rule is being rescinded because it duplicates the provisions of Title 11 CSR 45-15.

AUTHORITY: sections 313.004, 313.805, and 313.830(4), RSMo 2000. Original rule filed July 2, 1997, effective Feb. 28, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission’s Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-10.115 List of Barred Persons

PURPOSE: This rule establishes the procedure to bar persons for life from excursion gambling boats who have committed any of the acts listed under section 313.830(4), RSMo.

(1) There is hereby created a “List of Barred Persons” which shall consist of those persons who have been convicted of an act under section 313.830(4), RSMo or have been placed on such list by the commission.

(2) Any Class A or Class B licensee or its agent or employee that identifies a person present on an excursion gambling boat and has knowledge that such person is included on the List of Barred Persons shall immediately notify or cause to notify the commission and the Class A or Class B licensee’s senior security officer on duty. Once it is confirmed that the person is on the list, the Class A or Class B licensee shall remove the person from the excursion gambling boat. After the Class A or Class B licensee has removed the barred person from the excursion gambling boat, the licensee shall report the incident to a prosecutor having jurisdiction over the matter and request charges be filed for criminal trespassing. A Class A or Class B licensee or its agent(s) or employee(s) may be disciplined by the commission if it can be shown by a preponderance of the evidence that the Class A or Class B licensee or its employee(s) or agent(s) knew a person on the List of Barred Persons was present on the excursion gambling boat and despite such knowledge, failed to follow the procedures required by this rule.

(3) The commission may place a person on the List of Barred Persons if the person has been determined by the commission to have been convicted of an act under section 313.830(4), RSMo.

(4) The commission shall maintain a list of persons to be barred from an excursion gambling boat. The list shall be distributed to each riverboat gaming operation. In addition, the Class A licensee shall notify the barred person by United States mail that s/he is no longer welcome on the premises of the riverboat gaming operation and, if discovered on the premises the person will be removed and a criminal complaint will be filed against the person for trespassing. The list may also be distributed to law enforcement agencies. The following information, to the extent known, shall be provided for each barred person:

- (A) The full name and all known aliases, and date of birth;
- (B) A physical description;
- (C) The effective date the person’s name was placed on the list;
- (D) A photograph, if available;
- (E) The person’s occupation and current home and business address; and
- (F) Other information as deemed necessary by the commission.

(5) Any person who has been placed on the List of Barred Persons shall remain on the list permanently in compliance with section 313.830(4), RSMo.

*AUTHORITY: sections 313.004, 313.805, and 313.830(4), RSMo 2000. * Original rule filed July 2, 1997, effective Feb. 28, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Dec. 3, 2007, effective May 30, 2008.*

**Original authority: 313.004, RSMo 1993, amended 1994; 313.805, RSMo 1991, amended 1993, 1994, 2000; and 313.830, RSMo 1991, amended 1993, 2000.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee’s Responsibilities**

PROPOSED RESCISSION

11 CSR 45-11.170 Exemptions. This rule established tax exemptions.

PURPOSE: This rule is being rescinded because it duplicates the provisions of section 144.030, RSMo.

AUTHORITY: sections 313.004 and 313.805, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission’s Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-11.170 Exemptions

PURPOSE: This rule establishes exemptions.

(1) Any exemption to tax provided in section 144.030, RSMo otherwise applicable shall not be inapplicable by virtue of the licensee's participation in excursion gambling activity.

*AUTHORITY: sections 313.004, 313.800 and 313.805, RSMo Supp. 1993. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo 1993 and 313.800 and 313.805, RSMo 1991, amended 1993.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED RESCISSION

11 CSR 45-11.180 Estoppel. This rule established estoppel theory.

PURPOSE: This rule is being rescinded because it is unnecessary, in that it restates legal principles established by case law.

AUTHORITY: sections 313.004, 313.805 and 313.830, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-11.180 Estoppel

PURPOSE: This rule establishes estoppel theory.

(1) Representation, both oral and written, by employees or representatives of the commission interpreting the status of the gaming taxes, the admission fees or the provisions of section 144.010, RSMo are merely for informational purposes and cannot be relied upon to establish any claim, or to substantiate or defend a position in litigation before any forums.

*AUTHORITY: sections 313.004, 313.800, 313.805 and 313.830, RSMo Supp. 1993. * Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

**Original authority: 313.004, RSMo 1993 and 313.800, 313.805 and 313.830, RSMo (1991), amended 1993.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30— Bingo**

PROPOSED RESCISSION

11 CSR 45-30.500 Bingo on Military Installations. This rule informed the public of the status of the bingo tax on military installations.

PURPOSE: This rule is being rescinded because it duplicates provisions of federal law that exempts military installations from state regulations.

AUTHORITY: section 313.065, RSMo Supp. 1996. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 13, 1996, effective June 30, 1997. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-30.500 Bingo on Military Installations

PURPOSE: This rule informs the public of the status of the bingo tax on military installations.

(1) Instrumentalities of the United States are not required to obtain a Missouri bingo license in order to conduct bingo for military personnel and their guests on land within the state ceded to the federal government for military purposes and upon which active military installations exist.

(2) No tax shall be imposed on the products used to conduct the bingo game which is conducted by instrumentalities of the United States for military personnel and their guests on land within the state ceded to the federal government for military purposes and upon which active military installations exist, if the products (paper and pull tabs) are paid for with checks drawn from the Defense Finance and Accounting Office or by the Federal Central Accounting Office.

(3) Instrumentalities of the United States which conduct bingo on active military installations for military personnel and their guests are exempt from the filing requirements imposed upon organizations which conduct bingo.

*AUTHORITY: section 313.065, RSMo Supp. 1996. * Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 13, 1996, effective June 30, 1997.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 31— Hearings**

PROPOSED RESCISSION

11 CSR 45-31.005 Procedures for Disciplinary Actions and Hearings. This rule established the procedures for proposed disciplinary actions and the hearings contesting such actions.

PURPOSE: This rule is being rescinded because it duplicates the provisions of Title 11 CSR 45-13 and Chapter 621, RSMo.

AUTHORITY: sections 313.052, RSMo 1994 and 313.065, RSMo Supp. 1999. Original rule filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Oct. 4, 2000, effective May 30, 2001. Rescinded: Filed Dec. 7, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, February 20, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

11 CSR 45-31.005 Procedures for Disciplinary Actions and Hearings

PURPOSE: This rule establishes the procedures for proposed disciplinary actions and the hearings contesting such actions.

(1) The procedures for proposed disciplinary actions and hearings contesting proposed disciplinary actions are set forth in 11 CSR 45-13 et. seq., as may be amended from time-to-time.

(2) Bingo licensees contesting proposed disciplinary actions have a right to administrative review and appeal as provided in Chapter 621, RSMo.

AUTHORITY: sections 313.052, RSMo 1994 and 313.065, RSMo Supp. 1999. Original rule filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Oct. 4, 2000, effective May 30, 2001.*

**Original authority: 313.052, RSMo 1994 and 313.085, RSMo 1981, amended 1993, 1995.*