

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

**PROPOSED RESCISSION**

**11 CSR 45-5.400 Junket, Junket Enterprises, Junket Representatives—Definitions.** This rule established terms and definitions applicable to junkets.

*PURPOSE: This rule is being rescinded because it is unnecessary to protect the integrity of gaming in Missouri.*

*AUTHORITY: sections 313.004, RSMo 2000 and section 313.805, RSMo Supp. 2010. This rule previously filed as 11 CSR 45-4.500. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011. Rescinded: Filed Dec. 7, 2017.*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 45-5.400 Junket, Junket Enterprises, Junket Representatives—Definitions**

*PURPOSE: This rule establishes terms and definitions applicable to junkets.*

(1) The following words and terms, when used in 11 CSR 45-5.400 through 11 CSR 45-5.420, shall have the following meanings unless the context clearly indicates otherwise.

(A) “Agent” means any person, including a junket representative, junket enterprise, or employee thereof acting as a junket representative, acting directly or indirectly on behalf of a Class A or Class B licensee or its affiliate.

(B) “Applicable laws” means all those applicable existing and future statutes, laws, rules, regulations, orders, permits, codes, authorizations, building regulations, zoning laws, ordinances, and all other requirements of any governmental authority.

(C) “Business day” means Monday through Friday, excluding federal and state holidays.

(D) “Compensation” means any form of remuneration whatsoever, including, but not limited to, the payment of cash, the forgiveness or forbearance of a debt, or the direct or indirect provision of a product, service, or item without charge or for less than full value.

(E) “Complimentary” means a service, item, or accommodation provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; provided, however, that the term shall include any service, item, or accommodation provided to a person at a reduced price due to the anticipated or actual gambling activities of that person.

(F) “Governmental authority” means any federal, state, county, and/or municipal government or quasi-governmental entity or agency, whether now in existence or enacted hereafter, which maintains jurisdiction over the subject matter of any agreement executed by and between a Class A or Class B licensee and a junket enterprise or junket representative or the parties thereto.

(G) “Junket” means an arrangement made by and between a junket enterprise or junket representative and a Class A or Class B licensee the purpose of which is to induce any person, selected or approved for participation therein on the basis of the person’s ability to satisfy a financial qualification obligation related to the person’s ability or willingness to gamble or on any other basis related to the person’s propensity to gamble to come to a Class B licensee’s premises for the purpose of gambling and pursuant to which, and as consideration for which, any or all of the cost of transportation, food, lodging, and entertainment for said person is directly or indirectly paid by a licensee or employee or agent thereof.

(H) “Junket enterprise” means any person or entity, other than the holder of a Class A or Class B license, who employs or otherwise engages the services of a junket representative in connection with a junket to a Class B licensee’s premises.

(I) “Junket representative” means any person who negotiates the terms of or engages in the referral, procurement, or selection of persons who may participate in a junket to a Class B licensee’s premises. A Class A or Class B licensee’s employee who holds a commission-issued occupational license or a Class A licensee’s employee who receives no compensation either directly or indirectly from a junket enterprise or junket representative, and who performs the functions of a junket representative for the Class A or Class B licensee by which employed is not deemed a junket representative.

(J) “Theoretical win” means a Class B licensee’s estimated win per customer based upon the customer’s rated table and/or slot gaming activity. Table game theoretical equals average bet × length of gaming activity × decisions per hour × house advantage. Electronic gaming device (slot machine) theoretical equals coin or cash in × machine hold percentage.

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. 2010.\* This rule previously filed as 11 CSR 45-4.500. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.807, RSMo 1991, amended 1993, 2000.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
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**PROPOSED RESCISSION**

**11 CSR 45-5.410 Junket Enterprise; Junket Representative; Agents; Employees—Policies and Prohibited Activities.** This rule established prohibited activities applicable to junket enterprises, junket representatives, and the agents and employees thereof.

*PURPOSE: This rule is being rescinded because it is unnecessary to protect the integrity of gaming in Missouri.*

*AUTHORITY: sections 313.004, RSMo 2000 and section 313.805, RSMo Supp. 2010. This rule previously filed as 11 CSR 45-4.530. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011. 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 45-5.410 Junket Enterprise; Junket Representative; Agents; Employees—Policies and Prohibited Activities**

*PURPOSE: This rule establishes prohibited activities applicable to junket enterprises, junket representatives, and the agents and employees thereof.*

(1) A Class A or Class B licensee shall ensure the junket enterprise, junket representative, or agent or employee thereof, with which the Class A or Class B licensee has entered into a junket agreement, shall not—

(A) Be compensated on any basis other than theoretical win unless specifically approved in writing by the commission;

(B) Engage in collection efforts;

(C) Solicit, receive, or accept any fee or service charge, or solicit any gratuity from a patron for the privilege of participating in a junket or for the performance of the functions for which licensed;

(D) Pay for services, including transportation or other items of value, provided to or for the benefit of any patron participating in a junket, unless disclosed in writing to the Class B licensee for which the junket was arranged;

(E) Extend credit to or grant credit on behalf of a Class A or Class B licensee to a patron participating in a junket;

(F) Accept an advance of money or a loan from any patron participating in a junket;

(G) Conduct themselves in a manner that compromises the integrity of gaming in Missouri, tarnishes the image and reputation of the state of Missouri, or reflects poorly on the Missouri Gaming Commission or any licensee thereof;

(H) Conduct advertising and public relations activities in a manner other than with decency, dignity, good taste, and honest and fair representation; or

(I) Cater to, assist, employ, or associate with, either socially or in business affairs, persons of notorious or unsavory reputation or who have felony police records or the employing either directly through a contract or other means, of any firm or individual in any capacity where the repute of the state of Missouri or the gaming industry is liable to be damaged because of the unsuitability of the firm or individual.

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. 2010.\* This rule previously filed as 11 CSR 45-4.530. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.807, RSMo 1991, amended 1993, 2000.*

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**PROPOSED RESCISSION**

**11 CSR 45-5.420 Junket—Agreements and Final Reports.** This rule established requirements for junket agreements and reports to be filed and maintained by Class B licensees.

*PURPOSE: This rule is being rescinded because it is unnecessary to protect the integrity of gaming in Missouri.*

*AUTHORITY: sections 313.004, RSMo 2000 and section 313.805, RSMo Supp. 2010. This rule previously filed as 11 CSR 45-4.540. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011. 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.*

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## **11 CSR 45-5.420 Junket—Agreements and Final Reports**

*PURPOSE: This rule establishes requirements for junket agreements and reports to be filed and maintained by Class B licensees.*

### (1) Junket Agreements.

(A) Every agreement entered into by and between a Class A or Class B licensee and a junket enterprise or junket representative for junket services shall be in writing, a signed and executed copy of which shall be filed with the commission prior to any junket being scheduled to arrive at a Class B licensee's premises.

(B) Every agreement shall include the following conditions:

1. If, at any time, either prior to or subsequent to the initiation of the agreement, the commission disapproves the terms and conditions of the agreement, or determines the junket enterprise or junket representative to be unsuitable for any reason, the agreement shall be deemed terminated as of the date of such disapproval, or determination as though such date were the date originally fixed for termination of the agreement;
2. The junket enterprise or junket representative shall at all times maintain in good standing and effect all necessary and proper business licenses and other licenses and permits relating to its business operations; and
3. Junket enterprise or junket representative represents and warrants that its services will comply with all applicable laws.

### (2) Junket final reports shall—

(A) Be prepared by a Class B licensee for each junket engaged in or on its premises and shall include:

1. The origin of the junket, its arrival date and time, and departure date and time;
2. The name of all junket representatives and junket enterprises involved in the junket;
3. A junket manifest listing the names and addresses of the junket participants;
4. The actual amount of complimentary services, accommodations, and items provided to each junket participant;
5. The total amount for services or other items of value provided to or for the benefit of a patron participating in the junket which was paid for by the junket enterprise, junket representative, or agent or employee thereof and disclosed in writing to the Class B licensee in compliance with 11 CSR 45-5.410;

(B) Be prepared and signed by an employee of the Class B licensee; and

(C) Be prepared within seven (7) days of the completion of the junket, maintained in compliance with 11 CSR 45-8.040, and made immediately available to the commission upon request.

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. 2010. \* This rule previously filed as 11 CSR 45-4.540. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011, effective Nov. 30, 2011.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.807, RSMo 1991, amended 1993, 2000.*