

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

PROPOSED AMENDMENT

11 CSR 45-7.020 *[Minimum Standards]* **Purpose of Surveillance.** The commission is changing the Title, deleting section (1), and renumbering section (2).

PURPOSE: This amendment removes unnecessary language about surveillance systems.

(1) [This chapter sets forth the minimum standards that must be followed by a licensee with respect to casino surveillance systems. The commission may require a licensee to comply with casino surveillance system requirements that are more stringent than those set forth by these rules based upon electronic equipment improvements or the necessity to protect the integrity of the industry.]

[(2)] The purposes of a casino surveillance system are to assist the licensee and the state in safeguarding the licensee's assets, in deterring, detecting and prosecuting criminal acts, and in maintaining public confidence and trust that licensed gaming is conducted honestly and free of criminal elements and activity.

AUTHORITY: sections 313.004, 313.805 and 313.824, RSMo [Supp. 1993] 2016. 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 March 1, 2018.

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

PRIVATE COST: This proposed amendment 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 amendment 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, May 1, 2018, at 10:00, in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

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

PROPOSED AMENDMENT

11 CSR 45-7.150 Compliance with this Chapter. The commission is amending section (1) and deleting section (3)

PURPOSE: This amendment removes unnecessary language.

(1) Applicants for a Class [A] **B** license shall comply with the requirements set forth in this chapter no later than seven (7) days prior to the start of gaming operations.

[(3) The failure of a licensee to comply with the rules of this chapter or any approved variation pursuant to 11 CSR 45-7.140 is an unsuitable method of operation.]

AUTHORITY: sections 313.004, 313.800, and 313.805, RSMo [2000] 2016. 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 May 13, 1998, effective Oct. 30, 1998. Amended: Filed Feb. 26, 2001, effective Sept. 30, 2001. Amended: Filed March 1, 2018.

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

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9--Internal Control System**

PROPOSED AMENDMENT

11 CSR 45-9.010 Definition of Licensee. The commission is amending section (1).

PURPOSE: This amendment removes unnecessary language from section (1) because the commission does not license affiliate suppliers, in that all entities meeting the statutory definition are issued suppliers licenses.

(1) For purposes of this chapter, licensee shall mean the holder of a Class A, Class B, Supplier, **or** Temporary Supplier [*or Affiliate Supplier*] license as determined by the commission.

*AUTHORITY: sections 313.004, **313.800, 313.805**, [and] 313.812, [RSMo 2000 and sections 313.800, 313.805,] and 313.817, RSMo [Supp. 2008] **2016**. 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 May 13, 1998, effective Oct. 30, 1998. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed March 1, 2018.*

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Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9--Internal Control System

PROPOSED AMENDMENT

11 CSR 45-9.040 Commission Approval of Internal Control System. The commission is amending subsection (1)(C).

PURPOSE: This amendment removes an unnecessary provision, in that requiring separate procedures for shoreside facilities is not necessary because the other requirements already address these procedures.

(1) Each Class B licensee and other licensees as directed by the commission shall describe, in a manner that the commission may approve or require, its administrative and accounting procedures in detail in a written system of internal control. Each written system must include a detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of 11 CSR 45-9.020 and 11 CSR 45-9.030(1). Additionally, this description shall include a separate section for the following:

(C) A detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of 11 CSR 45-9.020 and 11 CSR 45-9.030(1). Additionally, this description shall include a separate section for the following:

1. Procedures to account for the total number and amount of money received from admissions, including free passes or complimentary admission tickets;
2. Physical characteristics of drop box and tip box;
3. Transportation of drop and tip boxes to and from gaming tables;
4. Procedures for table inventories;
5. Procedures for opening and closing gaming tables;
6. Procedures for fills and credits;
7. Procedures for accepting tips or gratuities;
8. Procedures for transporting chips and tokens to and from gaming tables;
9. Procedures for shift changes at gaming tables;
10. Drop bucket characteristics;
11. Transportation of drop buckets to and from electronic gaming devices;
12. Procedures for chip and token purchases;
13. Procedures for lines of credit and credit instruments;
14. Procedures for transportation of electronic gaming devices;
15. Procedures for jackpot payout;
16. Layout and physical characteristics of cashier's cage;
17. Procedures for accounting controls;
18. Procedures for exchange of checks submitted by gaming patrons;
19. Procedures for credit card and debit card transactions;
20. Procedures for acceptance, accounting for and redemption of patron's cash deposits;
21. Procedures for control of coupon redemption and other complimentary distribution programs;

[22. Procedures for shoreside facilities, which is defined for purposes of this rule as those facilities based or built upon land;]

[23.] 22. Procedures for federal cash transactions reporting; and

[24.] 23. Procedures for security and accountability of dice and cards; and

*AUTHORITY: section 313.004, [RSMo 2000, and sections] 313.800, 313.805, 313.812, 313.817, and 313.830, RSMo [Supp. 2014] 2016. 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. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 1, 2018.*

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

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

PROPOSED AMENDMENT

11 CSR 45-11.030 Payment—Gaming Tax. The commission is deleting sections (5)–(7).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(5) In the case of an underpayment of any weekly amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2) and for a penalty, which shall be five percent (5%) of the amount of the underpayment.

(6) The five percent (5%) penalty shall not be imposed if the licensee establishes that the failure to make a timely remittance of at least ninety percent (90%) was due to reasonable cause, and not due to willful neglect; provided that the full remittance is paid within ten (10) days of notice from the commission that it is due, along with interest as determined under 11 CSR 45-11.120(2).

(7) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make daily remittance of the gaming tax; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).]

*AUTHORITY: sections 313.004, **313.805**, [and] 313.807, [RSMo 2000 and sections 313.805,] 313.822, and 313.835, RSMo [Supp. 2009] **2016**. 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. For intervening history please consult the **Code of State Regulations**. Amended: Filed March 1, 2018.*

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

PROPOSED AMENDMENT

11 CSR 45-11.070 Return and Payment—Admission Fee. The commission is deleting sections (7)–(9).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(7) In the case of an underpayment of any daily amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2) and for a penalty which shall be five percent (5%) of the amount of the underpayment.

(8) The five percent (5%) penalty shall not be imposed if the licensee establishes that the failure to make a timely remittance of at least ninety percent (90%) was due to reasonable cause, and not due to willful neglect; provided that the full remittance is paid within ten (10) days of notice from the commission that it is due, along with interest as determined under 11 CSR 45-11.120(2).

(9) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make daily remittance of the admission fee; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).]

*AUTHORITY: section 313.004, [RSMo 2000 and sections] 313.805, and 313.820, RSMo [Supp. 2009] 2016. 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. For intervening history please consult the **Code of State Regulations**. Amended: Filed March 1, 2018.*

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

PROPOSED AMENDMENT

11 CSR 45-11.130 Failure to File Return or Pay Tax or Fee. The commission is deleting sections (1), (2), and (5), renumbering sections (3) and (4).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(1) In cases of failure to file any return on or before the date prescribed for filing (determined with regard to any extension of time for making a return), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, the commission shall assess a penalty of at least five percent (5%) of the tax or fee due with the filing.

(2) In case of failure to deposit accurate estimates of the gaming tax or admission fee on or before the date prescribed for deposit to the commission (determined with regard to any extension of time for payment), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, there shall be added to the tax or fee an amount equal to five percent (5%) of the deficiency.]

[(3)] (1) Except in cases of fraud or evasion, if a person neglects or refuses to make a return and payment as prescribed, the commission shall make an estimate based upon any information in its possession, or that may come into its possession, of the amount of the adjusted gross receipts of, or the number of admission tickets issued by the delinquent for the period in respect to which it failed to make return and payment, and upon the basis of this estimated amount or number compute and assess the tax or fee payable by the delinquent; the estimate may be reconstructed for that period of time for which the tax or fee may be collected as prescribed in this section.

[(4)] (2) After completing the estimate assessment, the commission shall give the delinquent written notice of the estimated assessment.

[(5) The penalties provided by this chapter shall be in addition to the right of the commission to suspend, revoke or fine a licensee.]

*AUTHORITY: sections 313.004, 313.800, 313.805, 313.822, and 313.830, RSMo [2000 and sections 313.800, 313.805, and 313.822, RSMo Supp. 2009] 2016. 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. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 1, 2018.*

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

PROPOSED RESCISSION

11 CSR 45-11.160 Collection and Enforcement. This rule established the procedure for collection and enforcement of taxes and fees.

PURPOSE: This rule is being rescinded because it is unnecessary, in that the authority to file a lien for unpaid taxes would need to be established by statutory provision.

AUTHORITY: sections 313.004, 313.805 and 313.822, RSMo [Supp. 1993] 2016. 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 March 1, 2018.

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.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 17—Voluntary Exclusions**

PROPOSED AMENDMENT

11 CSR 45-17.020 Procedure for Applying for Placement on List of Disassociated Persons.
The commission is deleting section (5).

PURPOSE: This amendment removes language which is not necessary for the commission to fulfill its duties.

[(5) The Disassociated Person shall notify the commission of any changes to the information provided in subsection (1)(A) within thirty (30) days of a change on forms provided by the commission.]

*AUTHORITY: sections 313.004, **313.805**, 313.813, and 313.832, RSMo [2000, and section 313.805, RSMo Supp. 2011] **2016**. Original rule filed April 18, 1996, effective Dec. 30, 1996. Emergency amendment filed Aug. 28, 1998, effective Sept. 7, 1998, expired March 5, 1999. Amended: Filed Aug. 28, 1998, effective March 30, 1999. Emergency amendment filed March 30, 1999, effective April 9, 1999, expired Jan. 20, 2000. Amended: Filed March 30, 1999, effective Nov. 30, 1999. Amended: Filed Aug. 25, 2011, effective March 30, 2012. Amended: Filed March 1, 2018.*

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