

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-25-024
Bally's Kansas City Casino)
d/b/a Bally's Kansas City Casino)

PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the "Commission" or "MGC") is a State Commission created under Chapter 313, RSMo, with jurisdiction over gaming activities, including riverboat gambling activities, in the state of Missouri.
2. The Commission issued a Class A gaming license to Bally's Corporation to develop and operate Class B gaming licensees in the State of Missouri.
3. Bally's Corporation is the parent organization or controlling entity of Bally's Kansas City Casino.
4. The Commission issued a Class B riverboat gambling license to Bally's Kansas City Casino, to conduct games on and operate the excursion gambling boat known as Bally's Kansas City Casino (the "Casino").
5. As the holder of a Class B license, Bally's Kansas City Casino d/b/a Bally's Kansas City Casino, is subject to the provisions of Sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. On August 12, 2024, Corporal E. A. Brinegar ("Cpl. Brinegar") responded to the south entry of the Casino gaming floor where she observed a patron standing with Security Supervisor Ryan Lentz. Cpl. Brinegar inspected the identification provided by the patron and immediately recognized that the patron was not the same person shown on the identification card. Upon inquiry, the patron disclosed his real name and identified himself as being eighteen (18) years old. Cpl. Brinegar escorted the underage patron to the MGC office where it was discovered that the patron was actually a seventeen (17) year old juvenile.
7. The surveillance department conducted an inquiry through Veridocs which revealed that the identification card used by the juvenile had been scanned over thirty-two (32) times between July 11, 2024, and August 12, 2024.

¹ GR 20240829004

8. A review of Casino surveillance footage from July 13, 2024, to August 12, 2024, revealed that it was the juvenile who had used the fraudulent identification thirty-two (32) times to gain access to the Casino floor during that time frame. Between July 31, 2024, and August 12, 2024, surveillance recorded the juvenile wagering after gaining access to the Casino floor on twelve (12) different occasions. Casino floor surveillance coverage is only retained for fourteen (14) days, so the full extent of the unlawful wagering by the juvenile is unknown.
9. During the thirty-two (32) instances he accessed the Casino floor, the juvenile encountered nineteen (19) security officers and forty-eight (48) employees before MGC was notified. Additionally, there were two separate regulatory violations involving underage patrons that occurred around this time - one on August 11, 2024, and one on August 25, 2024. The occurrence on August 25, 2024, was just thirteen (13) days after learning of the juvenile who had recently accessed the Casino floor thirty-two (32) times and placed wagers.
10. As a result of this widespread failure, the Casino violated the Commission's Minimum Internal Control Standards ("MICS"), Chapter N, Sections 4.01 and 4.04.

LAW

11. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

12. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry of the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

13. The Commission's MICS, Chapter N states, in pertinent part, as follows:

4.01 Persons under 21 years of age shall not be permitted access to the casino floor or be allowed to place a wager.

* * *

4.04 The enforcement of admission and gambling restrictions for persons under 21 years of age shall include, at a minimum, checking their government-issued photo identification.

VIOLATIONS

14. The acts or omissions of employees or agents of the Casino, as described above, constitute a failure of the Casino to effectively train employees to adhere to the rules and regulations of the Commission or any federal, state, or local law or regulation, thereby violating the Commission's MICS, Chapter N, Sections 4.01 and 4.04.

15. Bally's Kansas City Casino d/b/a Bally's Kansas City Casino, is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

- 16. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against Bally's Kansas City Casino, as the holder of a Class B license.
- 17. THEREFORE, it is proposed that the Commission fine Bally's Kansas City Casino d/b/a Bally's Kansas City Casino, the amount of ten thousand dollars (\$10,000.00) for the violations set forth herein.



Jan M. Zimmerman
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 27th day of March, 2025, to:

Mark Wong, GM
Bally's Kansas City Casino
1800 E. Front Street
Kansas City, MO 64120



Jan M. Zimmerman
Chairman
Missouri Gaming Commission