

MISSOURI GAMING COMMISSION

COMMISSION RESOLUTION NO. 25-054
REGARDING APPROVAL OF PROPOSED AMENDMENTS

May 13, 2025

BE IT RESOLVED, that the Missouri Gaming Commission approves the filing of the proposed amendments to the rules listed on Exhibit A.

SO ADOPTED.



Jan Zimmerman
Chairman
Missouri Gaming Commission

EXHIBIT A

Proposed Amendments

1. 11 CSR 45-1.010 Organization and Administration
2. 11 CSR 45-1.015 Code of Ethics
3. 11 CSR 45-1.020 Commission Meetings
4. 11 CSR 45-1.080 Participation in Games by Employees of the
Commission
5. 11 CSR 45-1.100 Waivers and Variances
6. 11 CSR 45-2.010 Addressing Commission
7. 11 CSR 45-13.010 All Types of Hearings
8. 11 CSR 45-13.020 Hearing Officer
9. 11 CSR 45-13.030 Requests for Hearings
10. 11 CSR 45-13.040 Appearances
11. 11 CSR 45-13.045 Suitability Hearings for Gaming Applicants and
Licensees and Exclusion Hearings
12. 11 CSR 45-13.050 Disciplinary Action Against Gaming Licensees
13. 11 CSR 45-13.055 Emergency Order Suspending License Privileges—
Expedited Hearing
14. 11 CSR 45-13.060 Proceedings
15. 11 CSR 45-13.065 Settlements
16. 11 CSR 45-13.070 Transmittal of Record and Recommendation to the
Commission
17. 11 CSR 45-13.080 Prohibition on Ex Parte Communications
18. 11 CSR 45-15.010 Duty to Exclude
19. 11 CSR 45-15.020 Distribution and Availability of Exclusion List
20. 11 CSR 45-15.030 Criteria for Exclusion and Placement on the Exclusion
List
21. 11 CSR 45-15.040 Procedure for Entry of Names
22. 11 CSR 45-15.050 Petition for Removal from Exclusion List

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

PROPOSED AMENDMENT

11 CSR 45-1.010 Organization and Administration. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo [2000]2016 and section 313.805, RSMo Supp. [2010]2024. 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 Jan. 21, 1997, effective Aug. 30, 1997. Amended: Filed June 30, 2010, effective Jan. 30, 2011. Amended: Filed May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

PROPOSED AMENDMENT

11 CSR 45-1.015 Code of Ethics. The commission is amending section (7) and the authority section.

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. The amendment also adds fantasy sports to the list of prohibited gaming activities for commission employees.

(7) Gambling Prohibited at Certain Properties. No member or employee of the commission shall participate in any gaming, **fantasy sports, or sports wagering offered by any licensee or applicant**, [at any location which is owned or operated by a licensee of the commission, a license applicant,] or under the jurisdiction of the commission.

AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004[.4], RSMo 2016, and section 313.955, RSMo Supp. 2024. Original rule filed March 29, 1994, effective Sept. 30, 1994. Emergency rule filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Amended: Filed Feb. 19, 1998, effective Aug. 30, 1998. Amended: Filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Sept. 29, 2011, effective May 30, 2012. Amended: Filed April 26, 2018, effective Dec. 30, 2018. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

PROPOSED AMENDMENT

11 CSR 45-1.020 Commission Meetings. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, **RSMo 2016** and section **313.805, RSMo Supp. [2000]2024.** * 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 Jan. 23, 2004, effective Aug. 30, 2004. **Amended: Filed May 14, 2025.**

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

PROPOSED AMENDMENT

11 CSR 45-1.080 Participation in Games by Employees of the Commission. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

*AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo [2000]2016, and section 313.805, RSMo Supp. [2011]2024. * 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 Sept. 29, 2011, effective May 30, 2012. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

PROPOSED AMENDMENT

11 CSR 45-1.100 Waivers and Variances. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: **section 39(g) of Article III, Mo. Const., section[s] 313.004, RSMo 2016 and sections 313.805, 313.950, and 313.955, RSMo Supp. [2016]2024.*** Original rule filed Aug. 27, 2004, effective March 30, 2005. Emergency amendment filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Amended: Filed Aug. 29, 2016, effective March 30, 2017. **Amended: Filed May 14, 2025.**

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 2—Practice and Procedures Before the Commission

PROPOSED AMENDMENT

11 CSR 45-2.010 Addressing Commission. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., section[s] 313.004, RSMo 2016 and section 313.805, RSMo Supp. [1993]2024. 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 14, 2025.*

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.010 All Types of Hearings. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.065, and 313.560, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2000]2024. 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.020 Hearing Officer. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.065, and 313.560, RSMO 2016, and sections 313.800 and 313.805, RSMo Supp. [2000]2024. 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.030 Requests for Hearings. The commission is amending the purpose statement and the authority section.

PURPOSE: This amendment updates the purpose statement and the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

*PURPOSE: This rule establishes the procedure for licensees and applicants to request a hearing for licenses established in 11 CSR 45-4, **11 CSR 45-20**, 11 CSR 45-51, 11 CSR 45-52, and 11 CSR 45-53*

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004 and 313.560, RSMo 2016, and sections 313.800, 313.805, and 313.812, RSMo Supp. 2024. 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed Dec. 5, 2013, effective Aug. 30, 2014. Amended: Filed Aug. 29, 2024, effective March 30, 2025. **Amended: Filed May 14, 2025.***

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.040 Appearances. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, and 313.560, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [1994]2024. 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.045 Suitability [and Exclusion] Hearings for Gaming Applicants and Licensees and Exclusion Hearings. The commission is amending the title, purpose statement, sections (1)-(3), and the authority section.

PURPOSE: This amendment updates the purpose statement and the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also corrects grammatical and typographical errors.

*PURPOSE: This rule authorizes hearings for applicants found to be unsuitable for licensing pursuant to 11 CSR 45-4 and persons placed on [an] **the commission's** exclusion list.*

(1) A person whose application for a gaming license has not been granted for failing to establish suitability to hold a license or **a person** who has been placed on an exclusion list pursuant to 11 CSR 45-15.040[(1)] may request a hearing under this chapter.

(2) The commission may authorize the **executive** director to investigate and make the initial finding of unsuitability with regard to any applicant for or holder of a license of the type that may be issued by the **executive** director pursuant to 11 CSR 45-4[.260(1)].

(3) Whenever the commission finds an applicant unsuitable for licensing, the commission shall send a written letter to the applicant outlining the reasons for the finding, including both the applicable criteria for suitability that the applicant has established and those criteria that the applicant has failed to establish. This letter shall be sent certified mail, return receipt requested or by personal delivery. Within thirty (30) days from the date of mailing, the licensee shall file a request for hearing by serving it on the **executive** director as provided in 11 CSR 45-13.030[(2)]. If a request for hearing is not filed within the time provided for, the letter shall become a final order of the commission.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004[,] and 313.560, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2000]2024. Original rule filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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.

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TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.050 Disciplinary Action Against Gaming Licensees. The commission is amending the purpose statement, sections (3)-(4), and the authority section.

PURPOSE: This amendment updates the purpose statement and the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also corrects grammatical and typographical errors.

*PURPOSE: This rule establishes the procedures for disciplinary action **against those licensed pursuant to 11 CSR 45-4.***

(3) Within thirty (30) days from the date of mailing of the proposed order, the licensee shall file *[his/her/its]* **his, her, or its** request for hearing by serving it on the **executive** director. If a request for hearing is not filed, the proposed order shall become a final order of the commission.

(4) The commission may authorize the **executive** director to investigate and to issue a proposed order for disciplinary action with regard to any applicant for or holder of a license of the type that may be issued by the **executive** director pursuant to 11 CSR 45-4[.260(1)].

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004[,] and 313.560, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2000]2024. 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. 7, 1995, effective June 30, 1996. Amended: Filed Aug. 30, 1996, effective April 30, 1997. Emergency amendment filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed March 1, 1999, effective Oct. 30, 1999. Amended: Filed June 30, 2003, effective Feb. 29, 2004. **Amended: Filed May 14, 2025.***

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.

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July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.055 Emergency Order Suspending License Privileges—Expedited Hearing. The commission is amending sections (1)-(4), sections (6)-(7), and the authority section, adding a new section (2), and renumbering accordingly.

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also corrects grammatical and typographical errors.

(1) Upon a finding that sufficient facts exist to show that a licensee has violated a provision of **Article III, Section 39(g) of the Missouri Constitution**, sections 313.004 to 313.090, RSMo, sections 313.800 to 313.850, RSMo, or sections 313.900 to 313.955, RSMo, or any rule promulgated by the commission under *[11 CSR 30, et seq. or]11 CSR 45, et seq.* as may be amended from time-to-time and that such facts constitute an immediate threat to the public health, safety, or welfare, the **executive** director may issue an emergency order immediately suspending the privileges under the license that allow the licensee to—

- (A) Conduct gambling games on an excursion gambling boat; *[or]*
- (B) Serve as an officer, director, trustee, proprietor, managing agent, or general manager of a licensee or key person of a licensee; *[or]*
- (C) Work on an excursion gambling boat or have access to restricted areas on an excursion gambling boat; *[or]*
- (D) Sell gambling supplies; *[or]*
- (E) Operate a bingo game; *[or]*
- (F) Sell or manufacture bingo supplies; *[or]*
- (G) Conduct fantasy sports contests~~[.]~~;
- (H) Conduct sports wagering; or**
- (I) Provide any sports wagering equipment, systems, goods, services, or any other component necessary for the operation of sports wagering.**

(2) The **executive** director shall have notice of the emergency order personally served upon the licensee or, if the licensee is not available personally, it may be served by **electronic mail**, certified mail, or *[overnight]* express mail~~[, postage prepaid]~~.

~~[(2)]~~**(3)** Upon receipt of notice of an emergency suspension of license privileges as set forth in section (1) of this rule, the licensee may request an immediate informal hearing before the **executive** director. A request for informal hearing must be in writing and delivered to the **executive** director at the commission's office in Jefferson City via *[facsimile]***electronic mail**, personal delivery, **certified mail**, or express mail~~[, postage prepaid]~~. The **executive** director or *[his/her/his or her]* designee shall hold the informal hearing within forty-eight (48) hours of receipt of the request for hearing. The procedure for the hearing shall be as follows:

(A) The **executive** director or *[his/her/his or her]* designee shall call the hearing to order and present a statement of facts summarizing the violations *[of statute and regulation]* committed by the licensee and the reason(s) why the licensee's conduct constitutes an immediate threat to the public health, safety, or welfare such that it demands an emergency order;

(B) The licensee may respond by submitting evidence and~~/or~~ witnesses, **if any**, supporting its position that the conduct does not constitute a violation of law or that it is not of such severity that it demands emergency action. The **executive** director or *[his/her/his or her]* designee may require that witnesses testify under oath. All relevant evidence is admissible. The **executive** director or *[his/her/his or her]* designee may question witnesses. At the conclusion of the licensee's presentation of evidence, the licensee may make a concluding argument as to why the emergency order should not stand; and

(C) Upon receiving all evidence presented by the licensee and hearing the licensee's final argument, the **executive** director or *[his/her/his or her]* designee shall render a decision as to whether or not the order will stand. If the **executive** director reaffirms the order, it shall be scheduled for a hearing before the full commission as provided in section ~~[(3)]~~(4) of this rule.

~~[(3)]~~(4) Emergency orders issued pursuant to section (1) of this rule, except those that have been rescinded by the **executive** director after an informal hearing provided for in section ~~[(2)]~~(3), shall be presented to the commission at its next meeting where a hearing will be conducted to determine the validity of the issuance of the order. The hearing shall be commenced within seven (7) days of the service of notice of the emergency order upon the licensee unless sufficient cause can be shown as to why a hearing cannot be commenced within that time. Under no circumstance shall such hearing be commenced more than fourteen (14) days after service of notice of the emergency order unless a delay is requested by the licensee. The commission shall preside over the hearing which shall be conducted in accordance with the procedures set forth in 11 CSR 45-13.060. The commission may designate a hearing officer to direct the hearing and rule on evidentiary matters. However, the hearing officer's rulings shall be advisory only and may be overruled by the commission. Upon conclusion of oral arguments and evidentiary presentations, the commission shall determine whether sufficient cause exists to uphold the proposed emergency order.

~~[(4)]~~(5) If the commission finds there are ~~[facts sufficient]~~**sufficient facts** to support a finding that the alleged conduct occurred, that it poses an immediate threat to the public health, safety, or welfare and that the effective regulation of gaming demands the action, it shall adopt a resolution ratifying the emergency order. The commission may amend the language in the emergency order based upon the evidence presented at the hearing. The commission's resolution shall establish the length of term for the order by establishing an expiration date. The expiration date may be a specific date, dependent on the completion of specified remedial actions or dependent on the outcome of a proposed disciplinary action issued by the commission pursuant to 11 CSR 45-13~~/.050~~. If the expiration date is dependent upon specific remedial actions, the commission shall provide a detailed description of the remedies in the resolution and shall establish procedures whereby the licensee can demonstrate that it has complied with the required remedies. Any resolution adopted to ratify the emergency order is a final decision of the commission for purposes of appeal.

~~[(5)]~~(6) If the commission finds that there is insufficient cause to support the order, it shall adopt a resolution rescinding the emergency order and the licensee's privileges shall be reinstated.

[(6)](7) Resolutions ratifying or rescinding emergency orders adopted pursuant to the provisions of this rule shall not prohibit the commission from instituting a proposed disciplinary action using the procedures set forth in 11 CSR 45-13[.050].

[(7)](8) Copies of the final commission order shall be served on the licensee by **electronic mail**, certified **mail**, [or overnight] express mail, [postage prepaid;] or by personal delivery.

AUTHORITY: *section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.560, and 313.910, RSMo 2016, and sections 313.800, 313.805, [313.910,] 313.935, 313.950, and 313.955, RSMo Supp. [2016]2024.* Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Feb. 24, 2000. Emergency amendment filed Nov. 30, 2006, effective Dec. 10, 2006, expired June 7, 2007. Original rule filed Dec. 17, 1999, effective July 30, 2000. Emergency amendment filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Amended: Filed Aug. 29, 2016, effective March 30, 2017. Amended: Filed May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.060 Proceedings. The commission is amending sections (2), (4), (6), and the authority section.

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also corrects grammatical and typographical errors.

(2) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing the facts of *[his/her]***his or her** case by clear and convincing evidence including, but not limited to **why the petitioner:**

(A) *[Why s/he s]***Should** be licensed;

(B) *[Why s/he s]***Should** not be disciplined or excluded; and

(C) *[Why s/he d]***Does** not owe a tax or penalty.

(4) Petitioner may present an opening statement, and the commission shall present an opening statement on the merits. Petitioner proceeds first to present evidence, except in the case of disciplinary actions against *[gaming]* licensees, in which case the commission shall present evidence first. The hearing officer shall then hear evidence from the other party and any evidence in rebuttal.

(6) Both parties may present closing argument. The party who presented evidence first *[]* shall argue first, then the other party, followed by any rebuttal argument.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.065, and 313.560, RSMo 2016 and sections 313.800 and 313.805, RSMo Supp. [2000]2024. 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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 via email to

*MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.065 Settlements. The commission is amending sections (1), (2), and the authority section.

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

(1) The parties may initiate settlement negotiations at any stage of the proceedings, including prior to the initiation of the proceedings before the Administrative Hearing Commission in the case of a bingo, **sports wagering**, or fantasy sports contest hearing, or prior to the entry of a final order of the commission.

(2) If the parties initiate settlement negotiations in a bingo, **sports wagering**, or fantasy sports contest hearing, then the provisions of section 621.045, RSMo shall be followed. All other settlements not involving a bingo, **sports wagering**, or fantasy sports contest licensee shall be governed by Chapter 313, RSMo, and the rules in this chapter.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.560, 313.910, and 621.045, RSMo 2016, and sections 313.800, 313.805, [313.910,] 313.935, 313.950, and 313.955,[and 621.045,] RSMo Supp. [2016]2024. Emergency rule filed Dec. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Original rule filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 25, 2015, effective Feb. 29, 2016. Emergency amendment filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Amended: Filed Aug. 29, 2016, effective March 30, 2017. Amended: Filed May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.070 Transmittal of Record and Recommendation to the Commission. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

*AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.052, 313.065, and 313.560, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2000]2024. * 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. 12, 1997, effective Dec. 22, 1997, expired June 19, 1998. Amended: Filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed Dec. 7, 2001, effective June 30, 2002. Amended: Filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 13—Hearings

PROPOSED AMENDMENT

11 CSR 45-13.080 Prohibition on Ex Parte Communications. The commission is amending the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III, Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot.

*AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004, 313.065, **and** 313.560, RSMo 2016, **and** sections 313.800 and 313.805, RSMo Supp. [2000]2024.* Original rule filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 15—Exclusion of Person

PROPOSED AMENDMENT

11 CSR 45-15.010 Duty to Exclude. The commission is amending the purpose statement, section (1), and the authority section and adding a new section (2).

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also updates the purpose statement, as well as updates the class designation and the references to “riverboat” for consistency with the statutes and other regulations in 11 CSR 45.

*PURPOSE: This rule establishes the [procedure]**requirement** to exclude certain people **from gaming and sports wagering**.*

(1) No excluded person shall be permitted entry into any portion of [*a riverboat gaming operation*]**an excursion gambling boat**. When a person is placed on the exclusion list by the commission, this person shall be prohibited from contact of any kind with any Missouri [*riverboat*]**excursion gambling boat’s** gaming operation unless and until a determination is made by the commission or a court to the contrary. It shall be the duty of [*the holder of*] the Class **[A/B]** licensee and [*of his/her*]**its** employees to exclude or eject from [*a riverboat gaming operation*]**the excursion gambling boat** any excluded person when the [*holder*]**licensee** or employee knows or reasonably should know of the presence of the excluded person. [*It shall further be the duty of the holder of the Class A license to inform the commission in writing of the names of persons the holder reasonably believes meet the criteria for placement on an exclusion list.*]

(2) No excluded person shall be permitted to participate in sports wagering in the state of Missouri. When a person is placed on the exclusion list by the commission, this person shall be prohibited from contact of any kind with any Retail or Mobile licensee, except to close his or her account(s), or other reasons approved by the commission, unless and until a determination is made by the commission or a court to the contrary. Any unsettled sports wagers shall be voided and those wagers and any remaining funds due to the excluded person shall be refunded to the excluded person. It shall be the duty of the licensee and its employees to exclude any excluded person from participating in sports wagering when the Retail or Mobile licensee or its employee knows or reasonably should know the person is an excluded person.

AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo 2016, and sections [313.004,] 313.800 and 313.805, RSMo [1994]Supp. 2024. 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 May 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 15—Exclusion of Person

PROPOSED AMENDMENT

11 CSR 45-15.020 Distribution and Availability of Exclusion List. The commission is amending the purpose statement, section (1), and the authority section and adding a new section (2).

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also updates the purpose statement, as well as updates the class designation and the references to “riverboat” for consistency with the statutes and other regulations in 11 CSR 45.

*PURPOSE: This rule establishes procedures for distributing **the** exclusion list.*

(1) The commission shall maintain a list of persons to be ejected or excluded from *[a riverboat gaming operation]***excursion gambling boats and sports wagering**. The list shall be distributed to each *[riverboat gaming operation]***Class B licensee and each Retail or Mobile licensee** which shall acknowledge receipt of the list in writing. The list may also be distributed to law enforcement agencies. The following information, to the extent known, shall be provided for each excluded 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.

(2) After the initial list is provided to a new licensee, the commission will distribute updates to the list as they occur to the licensee who shall acknowledge receipt of the update.

AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo 2016, and sections [313.004,] 313.800 and 313.805, RSMo Supp. [1993]2024. 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 14, 2025.***

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 15—Exclusion of Person

PROPOSED AMENDMENT

11 CSR 45-15.030 Criteria for Exclusion [or Ejection] and Placement on [an]the Exclusion List. The commission is amending the title, purpose statement, section (1), and the authority section and adding a new section (2).

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also updates the purpose statement and the title of the rule.

*PURPOSE: This rule establishes criteria for **placement on the exclusion [or ejection from a riverboat]list**.*

(1) The commission may place a person on the exclusion list *[or eject that person from a riverboat gaming operation]* pending a hearing if the person has—

(A) Been convicted of a felony in any jurisdiction of any crime of moral turpitude or of a crime involving gaming;

(B) Violated either **Article III, Section 39(g) of the Missouri Constitution** or the **Riverboat Gambling Act***[or these rules]*;

(C) Performed any act *[or had a notorious or unsavory reputation]* which would adversely affect public confidence and trust in gaming, **including engaging in prohibited conduct as defined in 11 CSR 45-20**;

(D) Been found to have harassed a protected person as defined in 11 CSR 45-20 in an effort to influence any aspect of the game or competition, in retaliation for an athlete's game performance, or to obtain nonpublic information regarding the game or competition; or

[(D)](E) [His/her]His or her name on any valid and current exclusion list from another jurisdiction in the United States.

(2) For the purpose of this rule, “harassed” means to have engaged in conduct, including but not limited to verbal threats, written threats, electronic threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a person the offender knew or should have known would cause a reasonable person to suffer substantial emotional distress, substantial fear for his or her safety or the safety of another person, or substantial fear for the destruction of his or her property.

AUTHORITY: section 39(g) of Article III, Mo. Const., section[s] 313.004, RSMo 2016, and section 313.805, RSMo Supp. [1993]2024. 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 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 15—Exclusion of Person

PROPOSED AMENDMENT

11 CSR 45-15.040 Procedure for Entry of Names. The commission is amending sections (1)-(3) and the authority section.

PURPOSE: This amendment updates the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment also updates the class designation and the references to “riverboat” for consistency with the statutes and other regulations in 11 CSR 45.

(1) Upon a determination that a person comes under any one (1) of the criteria listed in 11 CSR 45-15.030, this person shall be deemed a candidate for exclusion[, *and the commission shall file a Notice of Exclusion*]. **The commission shall be presented with the circumstances or reasons why the person should be added to the list and shall make a determination as to whether the person shall be placed on the exclusion list. If placed on the list, the commission shall send the excluded person a Notice of Exclusion.** This notice shall include the identity of the [candidate,] **excluded person** and the nature and scope of the circumstances or reasons that the person [should be] **has been** placed on the exclusion list[, *names of potential witnesses and a recommendation as to whether the exclusion or ejection shall be permanent*]. The notice shall also inform the person of the availability of a hearing by the commission. A request for a hearing must be made within thirty (30) days from the date the Notice of Exclusion was [filed] **sent**.

(2) When a person is excluded [or ejected], that person is prohibited from further contact of any kind, **except to obtain any refunds or remaining funds in any wagering account**, with any [riverboat gaming operation in Missouri] **Class B licensee and any Retail or Mobile licensee** unless and until a determination is made by the commission **to the contrary after the** [on the merits of a] requested hearing. If a determination by the commission is examined under judicial review, then the exclusion shall continue until the judicial review is completed.

(3) If the commission or a subsequent judicial review finds in favor of the candidate or excluded person, then [his/her] **his or her** name shall be removed from the exclusion list and [his/her] **his or her** exclusion shall be terminated as of the date of the action by the commission or the court.

AUTHORITY: section 39(g) of Article III, Mo. Const., section[s] 313.004, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [1993]2024.* 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 14, 2025.

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 15—Exclusion of Person

PROPOSED AMENDMENT

11 CSR 45-15.050 Petition for Removal from Exclusion List. The commission is amending sections (1) and the authority section.

PURPOSE: This amendment updates the authority section of the rule to address sports wagering per the recent amendment of the Missouri Constitution with the passage of Article III Section 39(g) as presented as Amendment 2 on the November 5, 2024, general election ballot. This amendment corrects grammatical and typographical errors.

(1) Any person who has been placed on *[any]***the** exclusion list may petition the commission in writing and request that *[his/her]***his or her** name be removed from this list.

AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo 2016, and sections [313.004,] 313.800 and 313.805, RSMo Supp. [1993]2024. 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 14, 2025.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 July 17, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*