

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

PROPOSED RESCISSION

11 CSR 45-10.150 Child Care Facilities—License Required. This rule addressed that child care facilities offered on property owned by Class A or Class B licensees were properly licensed and regulated for health and safety.

PURPOSE: The rule is being rescinded because no child care facilities have been offered on property owned by Class A or Class B licensees for many years. Additionally, existing regulations of other agencies address that child care facilities are properly licensed and regulated for health and safety.

[(1) Any Class A or Class B licensee that provides, either directly or indirectly, a child care facility that is determined by the commission to be within or adjacent to the structure housing its excursion gambling boat or within or adjacent to the structure serving as the boarding area for its excursion gambling boat, shall require that such child care facility is licensed by the Missouri Department of Health and Senior Services. For the purposes of this regulation, a child care facility is defined as—

(A) “Child care facility,” a place operated or maintained by any person who provides care for children.

(2) A Class A or Class B licensee is deemed to be a direct or indirect provider of a child care facility if—

(A) The licensee provides care for children through its agents or employees;

(B) The licensee contracts with another person to provide care for children;

(C) The licensee leases space to a person who provides care to children; or

(D) The licensee is notified by the commission that it is directly or indirectly providing a child care facility.

(3) Class A or Class B licensees that enter into contracts with a person(s) who provides a child care facility or who lease space to a person(s) who provides a child care facility, shall include provisions in the contract or lease which allow the licensee to terminate the contract or lease if the child care facility provider’s license from the Missouri Department of Health and Senior Services is suspended, revoked or fails to be maintained in good standing.

(4) Failure to comply with the provisions of this rule is grounds for discipline pursuant to 11 CSR 45-13.050.]

AUTHORITY: sections 313.805 and 313.812, RSMo [2000] **Supp 2022.*** Emergency rule filed Dec. 1, 1999, effective Dec. 11, 1999, expired June 7, 2000. Original rule filed Dec. 1, 1999, effective June 30, 2000. Amended: Filed Dec. 3, 2007, effective May 30, 2008. **Rescinded: Filed April 27, 2023.**

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 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 6, 2023, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.