

**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.*