

**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](mailto: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.*