

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

PROPOSED AMENDMENT

11 CSR 45-13.051 Bingo Hearings. The commission is amending sections (1)–(7).

PURPOSE: This amendment changes the procedures for notifying persons of ineligibility for licensing and adding them to the List of Ineligible Persons. This amendment also changes procedures for the commission's notifications of discipline of licensees and licensees' responsibility to respond and procedures involving the Administrative Hearing Commission.

(1) A person whose application for a bingo license has not been granted for failing to establish suitability to hold a license or against whom a disciplinary action has been initiated, **including action to place the person's name on the List of Ineligible Persons (List)**, may request a hearing under this chapter. **The rules in this chapter shall be read together with Chapter 536, RSMo.**

(2) The commission may authorize the director to investigate and make the initial finding of unsuitability or 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 director pursuant to 11 CSR 45-30.065(3). **The commission may also authorize the director to investigate and make the initial finding of ineligibility and to initiate proceedings to place a person on the List pursuant to 11 CSR 45-30.580.**

(3) Whenever the commission finds an applicant unsuitable **or ineligible** for licensing, the commission shall *[send a written letter to the applicant]* **notify the licensee or applicant in writing** outlining the reasons for the finding. This *[letter]* **notice** shall be sent **to the party's last known address** by certified mail, return receipt requested or by **another means of personal [delivery] service.**

(4) When notified of facts sufficient to support disciplinary action against a bingo licensee under the applicable statutes or rules, the commission may propose disciplinary action against a licensee. If the commission proposes disciplinary action, it shall notify the licensee of the **proposed** disciplinary action, *[proposed]* **in writing, outlining the reasons for the proposed discipline. This notice shall be sent to the party's last known address** by certified mail, **return receipt requested, or by another means of personal service.**

(5) Any licensee who receives a notice of commission action *[may request a hearing on the proposed action before the Missouri Administrative Hearing Commission (AHC) as set forth in Chapter 621, RSMo.]* **shall respond to the commission within thirty (30) days of the date the notice is mailed from the commission. If the licensee does not respond to the commission within thirty (30) days of the date the notice is mailed, the commission may petition the Administrative Hearing Commission (AHC) for findings of fact and conclusions of law to support unsuitability, ineligibility, or discipline. The hearings before the AHC shall be governed by Chapter 536, RSMo and the rules in 1 CSR 15-3. The AHC shall, after**

opportunity for hearing, issue findings of fact and conclusion of law and refer the matter back to the commission.

[(6)] (A) If the AHC does not find a factual basis to support the notice of commission action, the matter will be dismissed and no action will be taken against the licensee.

[(7)] (B) If the AHC [*finds a factual basis to support the notice of commission action or accepts a waiver of hearing from the licensee,*] **issues its findings of fact and conclusions of law supporting cause to discipline**, the case will be returned to the commission to **convene a hearing to consider and** determine [*and impose*] the appropriate [*discipline or other*] **disciplinary action, and enter a final order.**

(6) [(A)] Upon receiving the case from the AHC, the commission [*will send information in writing by certified mail to the licensee stating that the proposed notice of commission action will be imposed against*] **shall set the matter for a hearing in accordance with 11 CSR 45-13.030. The notice of hearing shall be in writing and shall notify the licensee** [*. The letter will provide the licensee thirty (30) days to file a request for hearing with the commission concerning the amount or severity of the discipline or other action.*] **of the time and place of the hearing, unless a waiver of hearing is filed by the licensee or the parties reach a settlement, negating the need for a hearing. Service of the hearing notice shall be sent by mail to the party's last known address.**

[(B) *If the licensee does not file a request for hearing within thirty (30) days, the notice of commission action will be submitted to the commission for approval.*]

(7) [(C) *If the licensee requests*] **Following** a hearing, [*will be conducted before a commission hearing officer regarding the appropriateness of the penalty to be assessed. The*] **before the commission's hearing officer in accordance with this chapter, the hearing officer shall make a recommendation of discipline or other action to the commission as authorized and set forth by 11 CSR 45-13.020.**

AUTHORITY: sections 313.004, 313.052 and 313.065, RSMo 2000 and sections 313.015, 621.045, and 621.110, RSMo, Supp. 2014. Original rule filed June 30, 2003, effective Feb. 29, 2004. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

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 section (1), adding a section (2), and amending and renumbering sections (2) and (3).

PURPOSE: This amendment changes the procedures for settlements under Chapter 313, RSMo and bingo hearings to be according to 621.045, RSMo.

(1) The parties may [*propose*] **initiate** settlement [*agreements to the hearing officer or to the commission*] **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 hearing, or prior to** the entry of a final order [*or prior to the initiation of the proceedings*] **of the commission.**

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

[(2)] **(3)** All settlement agreements shall be in writing, signed by the parties, and accurately reflect all the terms of the settlement, including the facts agreed to by the parties constituting the grounds for the action proposed in the settlement **agreement.**

[(3)] **(4)** [*The*] **Once signed by the parties, the** settlement agreement shall be presented to the commission for its approval or disapproval. If the commission approves the settlement offer it will become [*the*] **a** final commission order. If the commission disapproves the settlement offer the parties shall be notified and the settlement agreement and any documents solely relating to the offer shall not constitute part of the record.

AUTHORITY: sections 313.004, 313.052, and 313.560, RSMo [1994] 2000, and sections 313.800, 313.805, and 621.045, RSMo Supp. 2014. Emergency rule filed Dec. 12, 1997, effective Dec. 22, 1997, expires June 19, 1998. Original rule filed Dec. 12, 1997, effective July 30, 1998. Amended: Filed June 25, 2015.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions 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 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.025 Bingo Promotions. The commission is amending sections (1)–(4) and adding section (7).

PURPOSE: This amendment defines bingo promotions and clarifies procedures that shall be followed when conducting bingo promotions.

(1) Bingo promotions are defined as free drawings, *[free merchandise, or any type of]* free games, *[(other than free pull-tabs, free bingo paper, birthday packs, free daubers, or other free bingo paraphernalia) offered]* **or promotional giveaways in which cash, merchandise or other item of value is awarded or given away** in conjunction with a bingo *[event in which cash, merchandise, or other item of value is awarded.]* **occasion where participants do not provide any consideration for participation in the promotion.**

(2) Bingo promotions are not an authorized cost of conducting a bingo game under section 313.040, RSMo. Any bingo promotion a licensee may choose to conduct in conjunction with a licensed bingo *[event]* **occasion** shall be entirely funded from non-bingo funds or donations.

(3) Prizes awarded from bingo promotions will not count against the maximum that a licensed organization may award during any single bingo *[event]* **occasion.**

(4) Individuals participating in the management or conduct of a bingo promotion and bingo workers for a bingo *[session]* **occasion** involving a bingo promotion may not receive anything of value through that promotion. All other persons sixteen (16) years of age or older will be eligible to enter the bingo hall and participate in the drawing or game without any charge whatsoever, including admission fees, and with no solicitation of any kind for donations to participate.

(7) **Licensed bingo organizations may give away pull-tabs, bingo paper, birthday packs, daubers, or other bingo paraphernalia free of charge to the players provided they accurately maintain documentation in their records as to the quantity of product given away during each occasion. The organization must also stipulate in the house rules, which must be posted in a prominent place in the bingo premises, which situations warrant the giveaways.**

AUTHORITY: section 313.065, RSMo 2000. Original rule filed March 1, 2002, effective Sept. 30, 2002. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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
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Chapter 30—Bingo**

PROPOSED RESCISSION

11 CSR 45-30.060 Operator(s). This rule set forth the requirement that a person would be named who was responsible for the overall conduct, management and operation of bingo by an organization.

PURPOSE: This rule is being rescinded because of changes in bingo procedures.

AUTHORITY: section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Rescinded: Filed June 25, 2015.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.070 Regular Bingo License. The commission is amending section (1).

PURPOSE: This amendment changes the limit on bingo occasions allowed.

(1) A [r]**Regular** [b]**Bingo** [l]**License** is a license issued to a qualified organization to conduct only the game of bingo as defined in section 313.005, RSMo. The number of bingo occasions conducted by a licensee is limited to two (2) [days] **bingo occasions** per week, **not to be held on the same day**. The holder of a [r]**Regular** [b]**Bingo** [l]**License** may also be the holder of a [s]**Special** [b]**Bingo** [l]**License**. A veterans' organization may be exempt from the limitation of two (2) [days] **bingo occasions** per week for play at a veterans' hospital as provided in section 313.060, RSMo.

AUTHORITY: sections 313.040, Supp. 2014, and 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.090 Additional Application Information for Bingo and Pull-Tab Licenses. The commission is amending the title, section (2), and adding sections (3) and (4).

PURPOSE: This amendment updates the additional application information requirements.

(2) Also required with the **initial** application, each organization shall submit for approval a complete list of the officers of the applicant organization and a complete list of all two (2)-year bona fide members that will assist with the management, conduct, and operation of the bingo game. *[This list must]* **These lists shall** include each individual's Social Security number and date of birth. **A copy of each individual's driver license shall also be provided for each officer or worker.** Changes to the lists *[must]* **shall** be reported to the commission as they occur. **Any request to add an officer or worker to the list shall include the individual's Social Security number, date of birth, and a copy of the individual's driver license.**

(3) Each application or renewal application shall designate a bingo chairperson who shall be responsible for the overall supervision, management, and conduct of the bingo activities. The commission shall be notified as soon as possible but not later than thirty (30) calendar days from the date of any change of the bingo chairperson.

(4) Each regular bingo license application or renewal application shall include a game sheet and house rules. Revisions to the game sheet or house rules shall be submitted to the commission as they occur.

AUTHORITY: section 313.015, RSMo Supp. 2014, and sections 313.020 and 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006. Amended: Filed June 25, 2015.

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Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.130 Member(s) in Charge. The commission is amending section (1).

PURPOSE: This amendment changes wording and requires the member in charge to be familiar with the house rules.

(1) Every licensed organization shall designate a bona fide, active member of the organization to be in charge of, and primarily responsible for, each bingo occasion. The member in charge may change from occasion to occasion. The individual shall have been a member in good standing of the licensed organization for the last two (2) years and shall supervise all activities and be responsible for the conduct of all bingo games of which s/he is in charge. The member in charge shall be continually present on the premises during the occasion and shall be familiar with the provisions of the bingo law, applicable ordinances, [and] these [rules] **regulations, and the licensee's house rules.**

AUTHORITY: section 313.040, RSMo Supp. 2014, and section 313.065, RSMo [Supp. 1993] 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed June 25, 2015.

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Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.140 Worker—Player. The commission is amending section (1), adding section (2), and renumbering the remaining sections.

PURPOSE: This amendment prohibits the bingo chairperson or member in charge from playing bingo and/or pull-tabs during the occasion for which s/he is in charge.

(1) Any eligible person **approved by the commission to work bingo** may participate in the conduct, management, or operation of bingo and play bingo during the same occasion but may not be both a player and a worker during the same game. An eligible person *[must]* **shall** pay to participate in the playing of a bingo game or pull-tab cards in the same manner and at the same cost as any other player. If an eligible person works the first portion of the occasion and then purchases bingo paper or pull-tab cards and becomes a player, the person may not assist with the management, conduct, or operation of bingo or the sale of pull-tab cards for the remainder of the occasion. If an eligible person plays the first portion of the bingo occasion and then ceases playing and becomes a worker, the person may not participate as a player of bingo or pull-tab cards during the remainder of the occasion. An eligible person may only switch from player to worker or worker to player once during an occasion, and a switch will only be permitted during the first half of the bingo occasion.

(2) The bingo worker designated as the bingo chairperson or member in charge who is responsible for the overall game activities of a bingo occasion cannot both work and play bingo or pull-tabs during that occasion.

[(2)] **(3)** Bingo workers are prohibited from purchasing bingo paper and/or pull-tabs and having another player play for them.

[(3)] **(4)** Bingo workers are prohibited from playing bingo cards for a player.

AUTHORITY: section 313.040, Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006. Amended: Filed June 25, 2015.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo**

PROPOSED RESCISSION

11 CSR 45-30.145 Premises Required to be Open for Inspection, This rule ensured that bingo licensees were complying with the bingo statutes.

PURPOSE: This rule is being rescinded because this language is also contained in 11 CSR 45-30.270 and it is redundant.

AUTHORITY: section 313.065, RSMo Supp. 1993. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Rescinded: Filed June 25, 2015.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.150 Information to be Posted. The commission is amending the purpose and section (1).

PURPOSE: This amendment changes wording and deletes “opportunities” from the required posted information.

PURPOSE: This rule requires full information regarding cost of bingo cards [or opportunities] to be posted in a conspicuous place at the bingo premises.

(1) *[Information required to be posted, in]* **In** addition to the Missouri bingo license, there shall be posted, in a conspicuous place at the bingo premises, full information regarding the cost of bingo cards, *[or opportunities or other information desired by the licensee, to include]* **the** house rules which clearly explain how players are awarded prizes for bingo and pull-tabs, **and other information desired by the licensee.**

AUTHORITY: sections 313.030 and 313.065, RSMo [Supp. 1993] 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed June 25, 2015.

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**Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.155 Bingo Equipment Defined. The commission is amending the purpose and sections (1) and (2).

PURPOSE: This amendment changes the statutory citation and removes the reference to special game cards.

PURPOSE: This rule clarifies the definition of bingo equipment pursuant to section 313.005[(3)](4), RSMo.

(1) In addition to the items listed in section 313.005[(3)](4), RSMo the following items are considered paraphernalia used in the conduct of a bingo or pull-tab game or event:

(A) Bingo selection equipment which includes but **is** not limited to bingo blowers, hoppers, squirrel cages, manual or electronic display boards, electronic bingo card monitoring devices, **and** any equipment designated by the commission as bingo selection equipment; and

(2) Equipment used in the conduct of bingo *[must]* **shall** be maintained in good and proper working condition[s]. Equipment shall be operated in a manner so that each player is given an equal opportunity of winning. The object or balls to be drawn *[must]* **shall** be essentially the same as to size, shape, weight, and balance so that they are equally agitated and circulated within the receptacle and have an equal probability of being dispensed, selected, or drawn. *[The bingo cards used for play in regular or special games must be readily identifiable as to type.]*

AUTHORITY: section 313.005, RSMo Supp. 2014, and section 313.065 RSMo, 2000. Original rule filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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Title 11—DEPARTMENT OF PUBLIC SAFETY
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Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.175 Organization (Operator) Record Keeping Requirements. The commission is amending sections (1)–(3), (5), (8), and (10).

PURPOSE: This amendment changes record keeping requirements for bingo organizations.

(1) An organization shall maintain complete, accurate, and legible general accounting records that contain sufficient detail to furnish information, which *[must]* **shall** be made available and recorded at each occasion, regarding all bingo game activity including the number of admission fees, if any, the number of bingo cards and pull-tab cards sold by category and price. **All working papers shall be maintained.** Records shall be sufficient to adequately reflect gross receipts, as defined in 11 CSR 45-30.205, prizes awarded, expenses, and other bingo game related transactions to include all bingo paper and pull-tab sales which accurately reflect the requirements and restrictions contained in the *Missouri Constitution* and Chapter 313, RSMo.

(2) *[Allowable expenses shall be determined by the amount of money paid out for prizes and checks written for bingo related expenses pursuant to Chapter 313, RSMo.]* **The bingo chairperson shall be responsible for all records necessary to accurately reflect the bingo operations and shall ensure timely filing of all required reports.**

(3) Each organization shall *[deposit its bingo proceeds in a financial institution located in Missouri and shall]* perform a monthly reconciliation **of the special bingo checking account, as required by 11 CSR 45-30.280**, which lists outstanding checks, deposits, and beginning and ending book balances for the month.

(5) Winning bingo cards *[or bingo sheets]* for values of two hundred dollars (\$200) or more *[must]* **shall** be signed by the winner, dated, and retained by the organization for a period of one (1) year. If the winning pattern was achieved on a Braille bingo card, a photocopy of the Braille card *[must]* **shall** be signed, dated and retained for a period of **one** (1) year.

(8) At the time each winning *[bingo card, bingo sheet, or]* pull-tab card is identified, it *[must]* **shall** be validated by either marking it with permanent ink or a hole punch*[ed by the operator]* so that it cannot be reused, resold, or reclaimed. All pull-tab winners *[must]* **shall** be retained until the end of each occasion to determine prizes awarded.

(10) Operators are only allowed to buy bingo paper, pull-tabs, and bingo equipment from suppliers licensed by the commission. If violations of this restriction or other restrictions listed in this rule, or Chapter 313, RSMo, are identified by the commission, the operator's license may be subject to **penalties**, suspension, or revocation. The term bingo equipment and supplies does not include markers, cushions, bags, and other incidentals.

AUTHORITY: section 313.050, RSMo Supp. 2014, and sections 313.052, and 313.065, RSMo 2000. Original rule filed Dec. 15, 1994, effective May 28, 1995. Amended: Filed Dec. 1, 2004,

effective June 30, 2005. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.180 Inventory, Ownership, and Leasing of Bingo Equipment. The commission is amending sections (1) and (2).

PURPOSE: This amendment changes requirements for storage of bingo cards and bingo products.

(1) Accurate records *[must]* **shall** be maintained indicating the quantity and ownership of all equipment used directly in the conduct of bingo. *[Owner's name must be indicated on the equipment.]*

(2) Each licensee shall keep a separate **physical** inventory of bingo paper and pull-tab cards **which shall be stored on the bingo premises, as defined in 11 CSR 45-30.270. Licensed operators shall make all bingo products available for inspection upon request.** Bingo paper and pull-tab cards purchased by one licensee may not be used during another licensee's game without prior approval from the commission.

AUTHORITY: sections 313.025 and 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.190 Rules of Play. The commission is amending section (1), adding new sections (2) and (7), amending sections (2) and (3), and renumbering the remaining sections.

PURPOSE: This amendment changes rules for the conduct of play and clarifies the start time of the bingo occasion.

(1) Except for pull-tab games, a bingo *[game]* **occasion** begins with the first letter and number drawn (called) **for the first bingo game as defined in 313.005, RSMo. No [B]bingo paper [may] or pull-tabs shall** be sold *[no]* more than *[two (2)]* **three (3)** hours prior to the start of the first bingo game*[, however, no]*. **No** pull-tab sales may start before 7:00 a.m. The paper and/or pull-tab sales time *[must]* **shall** be clearly posted in the licensee's house **rules** or game *[rules]* **sheet**. All bingo paper and/or pull-tabs *[must]* **shall** be sold by approved workers and sales times are subject to approval by the commission. **The drawing of hot balls, Bonanza balls, or wild balls in preparation for a subsequent bingo game during an occasion is not considered the start of the bingo occasion; however, the drawing of these balls shall be visible to and called in front of the majority of players. All seventy-five (75) balls shall be present in the receptacle before these balls are drawn.**

(2) **All seventy-five (75) objects or balls shall be present within the receptacle before each bingo game is started. The physical drawing of the objects shall be visible to the majority of players and numbers shall be announced so that they are clearly heard by all players of that game.**

[(2)] (3) The amount of the prize and the permissible winning combination *[must]* **shall** be clearly announced prior to the start of each game. Verification of the winner of each game shall be openly conducted in the presence of the majority of the players. In the event of multiple winners in any single game, *[substitute prizes, not to exceed]* the aggregate announced dollar prize of the game shall be *[awarded]* **divided equally**. *[All seventy-five (75) objects or balls must be present within the receptacle before each bingo game is started. The physical drawing of the objects shall be visible to the majority of players and numbers must be announced so that they are clearly heard by all players of that game.]* **In the event of multiple winners in any single game in which merchandise is awarded as a prize, substitute prizes may be awarded provided that the organization does not exceed the single day prize limit set by the commission.**

(4) All disputes between the players and the licensed organization regarding prizes *[must]* **shall** be settled between the player(s) and the organization.

[(3)] **(5) Operators may only conduct one (1) bingo game at a time.** When a player achieves the preannounced winning combination and the winning combination is verified, the next game *[must]* **shall** be commenced with a new bingo card or sheet.

[(4)] **(6)** The aggregate retail value of all prizes or merchandise awarded, except prizes or merchandise awarded by pull-tab cards and progressive bingo games, in any single day of bingo may not exceed three thousand six hundred dollars (\$3,600).

(7) The bingo licensee shall conduct bingo in accordance with its house rules.

*AUTHORITY: sections 313.005 and 313.040, RSMo Supp. [2010] 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. For intervening history, please consult the **Code of State Regulations**. Amended: Filed June 25, 2015.*

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.200 Merchandise Prizes. The commission is amending sections (1) and (2).

PURPOSE: This amendment removes “retail” from “fair market value.”

(1) When merchandise is awarded as a prize in a bingo game, its value shall be the suggested retail price or fair *[retail]* market value. Receipts for the purchase of merchandise or documentation as to the suggested retail price or fair market value of donated items to be awarded as merchandise prizes *[must]* **shall** be retained in the records of any licensee awarding the prizes to players or supplying the prizes to another licensee.

(2) When merchandise is provided or included as a prize with a pull-tab game, its value shall be the suggested retail price or fair *[retail]* market value. Receipts for the purchase of merchandise prizes or documentation as to the suggested retail price or fair market value of donated items to be awarded as merchandise prizes *[must]* **shall** be retained in the records of any licensed manufacturer that invents, fabricates, assembles, or otherwise produces the pull-tab game.

AUTHORITY: section 313.040, RSMo Supp. 2014, and sections 313.050 and 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.235 *[Reasonable Market Rental Rate for Leased Premises and Leased Locations]* **Hall Provider License**. The commission is amending the title, the purpose, adding sections (1) and (4), amending sections (2)–(4), and renumbering the remaining sections.

PURPOSE: This amendment clarifies hall provider's responsibilities.

PURPOSE: This rule [stipulates that information can be required by the commission to substantiate] specifies who shall obtain a Hall Provider License and the rental rate charged by a lessor to a bingo licensee.

[(1) Pursuant to section 313.025(1), RSMo the reasonable market rental rate for leased premises on which bingo will be conducted shall be determined by the commission. In determining if the rental rate is reasonable, the commission may request the applicant for licensure or licensed organization to submit documentation to substantiate that the rental rate is reasonable. The type of documentation shall be at the discretion of the commission.]

(1) A person who or business entity which owns or has a lease for at least five (5) years of a premises and intends to lease said premises to conduct bingo games shall obtain a Hall Provider License.

(2) [Hall] Licensed hall providers [who qualify to lease locations for the conduct of bingo] may only lease the location(s) for the conduct of bingo to [the type of (A), (B), and (C) licensees as described in 11 CSR 45-30.065, only if they] organizations which have obtained a [license] Regular/Annual Bingo License, Special Bingo and Pull-Tab License, or Special Abbreviated Pull-Tab License from the commission.

(3) [Licensees] Bingo licensees may not sublease the premises to any other **bingo licensee** for the purpose of conducting bingo **without first obtaining a Hall Provider License**.

(4) Pursuant to section 313.025(1), RSMo the reasonable market rental rate for leased premises on which bingo will be conducted shall be determined by the commission. The commission may request the applicant for licensure or licensed organization to submit documentation to support the proposed rental rate. The type of documentation shall be at the discretion of the commission.

[(4)] (5) Hall providers [must] shall charge each licensee their equal prorated amount of the rent which shall not exceed the prorated amount each licensee is charged for the same time under the terms of the lease. [(A)] Example: If a hall provider's total weekly rental charge to four (4) bingo licensees is twelve hundred dollars (\$1,200), the hall provider must charge each organization twenty-five percent (25%) of the weekly rental charge or in this example three hundred dollars (\$300).

[(5)] (6) Each licensee is responsible for paying the rent directly to the licensed hall provider from a check drawn from the licensee's bingo checking account.

AUTHORITY: section 313.025, RSMo Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED RESCISSION

11 CSR 45-30.250 Subsidiary Body—Application for License. This rule set forth the guidelines by which the commission granted a subsidiary body of a parent organization a license to conduct the game of bingo when the subsidiary body had been in existence for less than five (5) years.

PURPOSE: This rule has not been used and is unnecessary.

AUTHORITY: section 313.065, RSMo Supp. 1993. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Rescinded: Filed June 25, 2015.

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 rescission with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.270 Premises Defined, Inspections, All Gambling and Gambling Devices Prohibited.
The commission is amending the purpose and sections (2) and (5).

PURPOSE: This amendment clarifies responsibilities regarding bingo premises.

PURPOSE: This rule establishes the presumption that gambling violations which occur on a licensee's premises [during the period of bingo play] have been sanctioned by the licensee, its officers, and agents.

(2) The premises where any game of bingo is being conducted, or where any game of bingo is intended to be conducted, shall be open for inspection by the commission or its appointed representatives. The licensed hall provider or the licensed bingo organization/operator, or any entity determined by the commission or the courts required to have a license pursuant to Chapter 313, RSMo, *[must]* **shall** permit access to said premises during any reasonable time as requested by the commission or its representative. *[Licensed operators must make available for inspection all bingo products, records including bank statements, purchase invoices, disbursement records etc., pursuant to Chapter 313, RSMo, or the rules and regulations promulgated thereunder.]*

(5) The commission shall have the right to **impose penalties and suspend**, revoke, or deny any license issued under Chapter 313, RSMo for any other violations related to illegal gaming and/or gambling under Missouri law.

AUTHORITY: sections 313.052 and 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Emergency amendment filed Nov. 17, 1995, effective Nov. 27, 1995, expired May 24, 1996. Amended: Filed Nov. 17, 1995, effective April 30, 1996. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED RESCISSION

11 CSR 45-30.280 Net Receipts from Bingo and Bank Account. This rule explained the proper disposition of bingo receipts.

PURPOSE: This rule is being rescinded because the reorganization of the rule and additional requirements necessitated the adoption of a new rule.

AUTHORITY: section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed Oct. 26, 2006, effective May 30, 2007. Rescinded: Filed June 25, 2015.

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.

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Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED RULE

11 CSR 45-30.280 Net Receipts from Bingo and Bank Account

PURPOSE: This rule explains the requirements for starting cash, maintaining the bingo checking account, and the disposition of bingo receipts.

(1) All receipts from each bingo occasion, less the amount awarded as cash prizes for that occasion, shall be deposited in a special bingo checking account in a financial institution located in Missouri no later than the next business day following the date of the bingo occasion. Disbursements for reasonable and necessary expenses incidental to the conduct of bingo games shall be paid from the special bingo checking account on preprinted, serially numbered checks. Checks shall be payable to a specific payee. At no time may checks be made payable to “cash.” An organization may use a debit transaction instead of a check; however, each debit transaction shall be reported with other disbursements from the bingo checking account on the quarterly report as required by 11 CSR 45-30.210. All debit transactions shall be documented with a receipt or other supporting documentation to ensure proper use of bingo proceeds.

(2) If an organization uses starting cash, a check shall be written to a financial institution, retail establishment, or to a charitable organization to obtain the starting cash. The entire amount of the starting cash obtained by the organization shall be redeposited into the bingo checking account no later than the next business day. An organization may use a debit transaction instead of a check to obtain starting cash from their bingo checking account, however, each debit transaction shall be reported with other disbursements from the bingo checking account on the quarterly report, as required by 11 CSR 45-30.210.

(3) Pursuant to section 313.040.1, RSMo, the entire net receipts over and above the actual cost of conducting the game of bingo as enumerated in section 313.040.1, RSMo may be paid from the bingo checking account into the general treasury of the licensed bingo organization. All bingo funds paid into the general treasury of the licensed bingo organization shall be devoted exclusively to lawful charitable, religious, or philanthropic purposes of the licensed organization. However, no funds from any source shall be used to compensate anyone affiliated with the licensee for managing, conducting, or operating the game of bingo or to provide any services or equipment for the game of bingo.

(4) Game operators may transfer funds from another account into the bingo checking account to cover bingo game-related expenses. Bingo operators may not deposit receipts from any other fund-raising activities of the organization into the bingo checking account. Any monies deposited into the bingo checking account are deemed to be bingo proceeds and can only be used to pay bingo gaming expenses or for religious, charitable, or philanthropic purposes.

(5) Bingo funds may be used for up to three (3) members of the organization to attend up to two (2) bingo-related conventions per calendar year. The following documentation shall be retained in the licensee's bingo records, and made available to commission staff upon request, for any convention expenses paid from bingo proceeds: 1) an official brochure containing the agenda and cost of the convention; 2) the names of the members attending and the title they hold in the organization; and 3) all receipts for associated costs such as mileage, hotel, and other reasonable expenses. Organizations may use bingo proceeds to pay reasonable fees to hold membership in a bingo-related association or organization. Documentation shall be retained reflecting the cost of said membership.

(6) The bookkeeping or accounting records of the licensed organization shall completely and accurately reflect the net amount received from operating bingo. The total expenditures for lawful, charitable, religious, or philanthropic purposes from all revenue sources shall equal or exceed the net receipts from bingo.

(7) The commission upon request may examine any account into which bingo proceeds are deposited or transferred.

(8) Any licensee who denies the commission access to any account into which bingo proceeds are deposited or transferred may have its license immediately suspended until such access is granted.

AUTHORITY: sections 313.040 and 313.050, RSMo Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed Oct. 26, 2006, effective May 30, 2007. Rescinded and readopted: Filed June 25, 2015.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule 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 rule with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.340 Participation of Full-Time Employee, Full-Time Staff Member, or Ordained Member of Clergy. The commission is amending the title and section (5) and adding section (6).

PURPOSE: This amendment requires that any person who conducts or operates bingo games not receive remuneration and that no part-time employee or staff member of the licensed organization be employed in the management, conduct, or operation of the bingo games unless authorized by the commission.

(5) No part-time employee or part-time staff member of the organization licensed to conduct bingo may participate in the management, conduct, or operation of the organization's licensed bingo games **without the prior approval of the commission.**

(6) No person may receive remuneration for conducting or operating a bingo game.

AUTHORITY: section 313.040, RSMo Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.355 Sale of Pull-Tab Cards by Bingo Licensees. The commission is amending sections (1) and (2), adding new sections (3) and (5), and rearranging and renumbering sections (4) and (5).

PURPOSE: This amendment changes the maximum price for pull-tabs, requires pull-tabs to remain sealed until purchased, and gives procedures for disposing of pull-tabs that are no longer marketable.

(1) A pull-tab card is any disposable card or ticket which accords a person an opportunity to win something of value by opening, pulling, detaching, or otherwise removing tabs from the card or ticket to reveal a set of numbers, letters, symbols, or configurations, or any combination thereof. The term pull-tab card shall include any card known as a pickle ticket, pickle, break-open, **event ticket**, or pull-tab card. Such pull-tab cards *[must]* **shall** award at least sixty percent (60%) of the gross revenues generated by the ultimate sale of the entire unit container or box to the final purchaser(s).

(2) The price for a single pull-tab card may not exceed *[one dollar (\$1)]* **five dollars (\$5)**.

(3) Each pull-tab shall remain sealed until purchased.

[(3)] **(4)** The use of any pull-tab/s card that is not within the definitions of Chapter 313, RSMo is prohibited.

(5) Pull-tabs, excluding event tickets, which are considered to be no longer marketable, may be disposed of in one (1) of the following manners:

(A) Offer the remaining pull-tabs for sale at a discounted price, either individually or in bundles;

(B) Offer the pull-tabs as a free promotion in accordance with regulation 11 CSR 45-30.025;

(C) Combine the remaining pull-tabs with another pull-tab of the same face value;
or

(D) If enough prizes have been awarded to meet statutory requirements as outlined in section 313.057.11, RSMo, the game may be declared terminated by completing a form provided by the commission and by following the instructions for disposition outlined in the form.

[(4)] **(6)** Licensees possessing a *[type A or B license, as identified in 11 CSR 45-30.065(1)(A) and (B)]* **Regular/Annual Bingo License or Special Bingo and Pull-Tab License** must comply with the following:

(A) On each occasion, pull-tab cards may be sold no more than [*two (2)*] **three (3)** hours prior to the start of the first game of bingo, except that no bingo pull-tab cards may be sold prior to 7:00 a.m.;

(B) The sale of pull-tab cards must be discontinued immediately at the conclusion of the last bingo game of an occasion; and

(C) Pull-tab cards shall only be sold during the time of a scheduled occasion and only on the stated premises as identified in the license application of the organization.

[(5)] (7) Licensees possessing a [*type C license, as identified in 11 CSR 45-30.065(1)(C)*], **Special Abbreviated Pull-Tab License** must comply with the following:

(A) An organization may conduct no more than fifteen (15) occasions per calendar year at which only pull-tabs cards are sold;

(B) Pull-tab cards may only be sold during a scheduled occasion and on the stated premises as identified in the license application of the organization; and

(C) No bingo games may be conducted.

*AUTHORITY: section 313.057, RSMo Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. For intervening history, please consult the **Code of State Regulations**. Amended: Filed June 25, 2015.*

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED RULE

11 CSR 45-30.357 Event Ticket

PURPOSE: This rule defines a pull-tab event ticket game.

(1) A pull-tab event ticket game is a type of pull-tab game which is comprised of a series of hold tickets and may include instant winners. Either bingo selection equipment or the verify window on the flare is used to determine the winning hold ticket(s). Pull-tab event ticket games can be conducted either separately or simultaneously with a bingo game.

(2) All rules governing the sale of pull-tab cards by bingo licensees shall apply to event ticket games and in addition—

(A) The sale and play of a pull-tab event ticket game shall be started and completed during a single occasion;

(B) Even if all tickets have not been sold during the occasion, the pull-tab event ticket game shall be played during that occasion in such a manner to ensure at least sixty percent (60%) of the gross revenues generated by the ultimate sale of the entire game is paid out in prizes; and

(C) Any unsold pull-tab event tickets shall be reported to the commission and retained until approved for disposal.

AUTHORITY: section 313.065, RSMo 2000. Original rule filed June 25, 2015.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule 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 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.370 Progressive Games. The commission is amending the purpose, sections (1)–(5), (7), and (9), deleting sections (6) and (8), adding new sections (7) and (11), and renumbering sections (7)–(11).

PURPOSE: This amendment clarifies the procedures for conducting progressive bingo games and specifies who may conduct progressive games.

PURPOSE: This rule establishes the guidelines for the conduct of progressive bingo games by organizations/operators [pursuant to House Bill 1159 et al].

(1) A progressive game is one in which the established prize amount *[must]* **shall** be increased from one occasion to the next scheduled occasion if no player completes the required winning pattern within the specified number of bingo balls drawn as posted by the game operator. If after ten (10) occasions the progressive prize has not been awarded, the game operator must increase the number of balls drawn to complete the winning pattern **by at least one (1) above the highest number required in the previous ten (10) occasions at each subsequent** occasion until the progressive prize is awarded.

(2) *[Two]* **Only two** (2) progressive games may be conducted per occasion.

(3) A prize for a progressive game may start at an amount not to exceed one thousand dollars (\$1,000) and must be increased by no more than two hundred fifty dollars (\$250) *[for]* **at each subsequent** occasion *[during which the progressive game is played]*.

(4) If *[the]* **a** progressive *[game]* prize is not awarded at a bingo occasion, the progressive game shall be continued at each *[succeeding]* **subsequent** occasion until *[such time a winner is determined. The winning prize does not have to be the full amount, but]* **the progressive prize is awarded. In the event no player completes the required winning pattern within the specified number of bingo balls drawn at the occasion, one (1) stated consolation prize [may] shall** be offered and awarded. The consolation prize is exempt from section 313.040(4), RSMo; however, the consolation prize must be less than the value of the progressive *[game]* prize amount and only one (1) consolation prize *[may]* **shall** be offered and *[/or]* awarded per *[occasion]* **progressive game per occasion.**

(5) All progressive bingo games *[must]* **shall** be fully described and posted in the house rules prior to the start of the occasion and *[must]* **shall** comply with all other statutory and *[rule and regulation]* **regulatory** requirements. *[Said]* **This** description shall include dates and times when the progressive games shall be played, *[to include type (B) special events]* **including any progressive game conducted in conjunction with a Special Bingo and Pull-Tab License, if any.** Each game operator *[must]* **shall** submit a progressive game activity report for each progressive game with *[their]* **its** quarterly report as defined in 11 CSR 45-30.210. The report *[must]* **shall** indicate the date, progressive prize offered, **consolation prize offered**, number of balls needed to win **the** progressive prize, and **the** prize amount awarded.

[(6) When a person achieves the first preannounced winning combination, the game is completed and the next game and winning combination must be commenced with a new bingo card or sheet and all seventy-five (75) objects/balls in the receptacle.]

[(7)] **(6)** Each operator's/licensee's progressive game set of rules *[must]* **shall** remain in effect until the game ends and the **progressive prize** winner is determined.

[(8) *Type (A) licensees may conduct progressive games during a type (B) occasion as defined in 11 CSR 45-30.065, if approval is granted by the commission prior to the licensed event. The occasion must be open to the public. However, progressive games may not be conducted in conjunction with a type (B) Special Event only Bingo License.*]

(7) A holder of a Regular/Annual Bingo License may conduct its progressive game during a special bingo and pull-tab licensed event, if approval is granted by the commission prior to the licensed event. The special bingo and pull-tab event must be open to the public. No other special bingo and pull-tab licensee may conduct a progressive bingo game at its event.

[(9)] **(8)** An operator may not cease bingo operations unless the progressive bingo game(s) in play is completed and the **progressive prize** is awarded, unless prior approval has been received from the commission.

[(10)] **(9)** Game operators who conduct progressive games *[must]* **shall** maintain cash reserves in their bingo checking account in an amount equal to or greater than any progressive game prize offered.

[(11)] **(10)** Progressive games may be played on electronic bingo card monitoring devices.

(11) A hot ball progressive game is a bingo game in which a certain number of bingo balls are drawn from the receptacle prior to the start of the game. These balls are considered "hot balls." If a bingo player achieves the winning pattern and the last number called is a "hot ball," then the progressive prize is awarded. If after ten (10) occasions the progressive prize has not been awarded, the game operator shall increase the number of hot balls drawn to complete the winning pattern each subsequent occasion until the progressive prize is awarded.

AUTHORITY: sections 313.013 and 313.065, RSMo 2000, and 313.040, RSMo Supp. 2014 . Emergency rule filed Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Original rule filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed May 6, 1999, effective Dec. 30, 1999. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED RULE

11 CSR 45-30.523 Supplier License

PURPOSE: This rule defines the supplier license and sets the requirements for the supplier license, including bonding procedures.

(1) A supplier is a person or business entity that sells, markets, or otherwise provides bingo equipment or supplies to any bona fide religious, charitable, fraternal, veteran, or service organization.

(2) As part of the supplier license application process, a supplier shall either post a bond or provide an irrevocable letter of credit.

AUTHORITY: sections 313.005 and 313.057, RSMo Supp. 2014, and section 313.065, RSMo 2000. Original rule filed June 25, 2015.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule 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 rule with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.525 Supplier Record Keeping Requirements. The commission is amending sections (1) and (3)–(6).

PURPOSE: This amendment changes requirements for record keeping for suppliers and removes the requirement to send copies of credit memorandums to the commission.

(1) All records regarding the receipt of bingo products including bingo paper, pull-tabs, and bingo equipment from licensed manufacturers and the sale of these products to licensed Missouri operators, other licensed suppliers or operators, or suppliers in other states, *[must]* **shall** be maintained.

(3) Suppliers shall record sales transactions of the products listed above on a preprinted **or computer-generated** serially numbered sales invoice. A minimum of three (3) copies of each invoice *[are required]* or two (2) copies and a payment stub **are required. One (1) copy of the invoice shall be retained by the supplier.** Two (2) copies *[are to be sent to the operator]* or one (1) copy and the payment stub **shall be sent to the operator** with the order and/or billing. One (1) copy *[is to]* **shall** be retained by the operator, and one (1) copy or the payment stub *[is to]* **shall** be returned with the payment to the supplier. *[The supplier must retain a copy of the original invoice.]* The date of the sale *[will]* **shall** be evidenced by the date on the invoice. Voided invoices *[must]* **shall** also be retained.

(4) A sales invoice shall include:

(E) Total number of pull-tabs per deal, retail price per pull-tab and serial number of each pull-tab deal;

(F) Total number of bingo cards, *[number of packets,]* number of bingo cards on each sheet, number of bingo sheets in each packet and serial number and color of the top sheet of each packet;

(5) Credit for Returned Products—Suppliers will be allowed credit for returned products, if a credit memorandum has been received from the manufacturer. *[One (1) copy of the credit memorandum must be mailed with the applicable monthly tax report to the commission and one (1) copy must be retained by the supplier.]* Credit memorandums *[should also]* **shall** be issued by suppliers to bingo operators for returned merchandise, which may be resold to another operator. The credit memorandum issued to the operator *[should]* **shall** indicate the same type of information as the sales invoice. The amounts *[should]* **shall** be shown as negative amounts for both the cost of the goods and the tax. When the items are resold to another operator, the total tax amount *[should]* **shall** be on the sales invoice. When the supplier files the monthly report, the returned merchandise *[should]* **shall** be shown as a negative amount.

(6) Supplier to Supplier Sales—Suppliers will be allowed to make tax-free sales to other licensed suppliers, if a Bingo Resale Exemption Certificate is completed and signed by the seller and the purchaser. One (1) copy *[must]* **shall** be retained by the seller, one (1) by the purchaser, and one (1) shall be filed with the commission. *[Resale Exemption Certificates are valid for a period of five (5) years.]* Sales invoices for supplier to supplier sales *[must]* **shall** include the same information as invoices to operator sales.

AUTHORITY: section 313.057, RSMo Supp. 2014, and section 313.065, RSMo 2000. Emergency rule filed Dec. 15, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency rule filed May 2, 1995, effective May 12, 1995, expired Sept. 8, 1995. Original rule filed Feb. 16, 1996, effective Aug. 30, 1996. Amended: Filed May 6, 1999, effective Dec. 30, 1999. Amended: Filed Oct. 1, 2001, effective May 30, 2002. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.535 Penalties. The commission is amending the purpose and sections (2), (5), and (7).

PURPOSE: This amendment clarifies the assessment of penalties.

*PURPOSE: This rule specifies the penalties which may be assessed by the commission against licensees for violations of the bingo statutes **and regulations**, pursuant to section 313.052, RSMo.*

(2) The commission may also assess the penalties outlined in this rule against any entity[*who*] **which** should have obtained a license as determined by the commission or by the courts and failed to do so.

(5) Any manufacturer or supplier may be assessed tax, interest, and/or a penalty **pursuant to section** 313.052, RSMo, to be determined by the commission for violation of sections 313.004 to 313.085, RSMo, or the rules and regulations promulgated thereunder.

(7) For purposes of this rule, the term licensee includes an individual or an officer, **member, partner,** or employee of the licensee [*or a member or employee of the licensee*] who [*is*] **was** under a duty to perform the act [*in respect of*] which **led to** the violation(s) [*occurs*].

AUTHORITY: sections 313.052, 313.065, and 313.070, RSMo 2000. Original rule filed July 3, 1995, effective Jan. 30, 1996. Emergency amendment filed Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.540 Approval of Bingo Paraphernalia. The commission is amending sections (1) and (2).

PURPOSE: This amendment allows electronic representations to be used for submission of flares, pull-tabs, coin boards, and payout sheets to the commission for approval.

(1) Licensed manufacturers shall submit **to the commission** all pull-tab flares and five (5) pull-tabs including at least one (1) winning pull-tab and one (1) losing pull-tab, and a payout (profit) sheet for each form of the pull-tab, *[to the commission]* and obtain written approval from the commission prior to the delivery of such items to any licensed supplier to be made available for sale to organizations licensed to conduct bingo in this state. If the pull-tab deal is an event ticket game, a sample pull-tab ticket for each type of hold or play ticket and play instructions *[must]* **shall** also be submitted with the request for approval. **In lieu of submitting actual products, the licensee may submit an electronic representation of the flare, pull-tabs, and payout (profit) sheet for each form. The electronic representation shall include all symbols used in the game.**

(2) Licensed manufacturers shall submit **to the commission** all coin boards, excluding the actual coins and prizes, or legible artwork of the coin board and five (5) pull-tabs including at least one (1) winning pull-tab and one (1) losing pull-tab, and a payout (profit) sheet *[to the commission]* and obtain written approval from the commission prior to the delivery of such items to any licensed supplier to be made available for sale to organizations licensed to conduct bingo in this state. **In lieu of submitting actual products, the licensee may submit an electronic representation of the coin boards, pull-tabs, and payout (profit) sheet for each form. The electronic representation shall include all symbols used in the game.**

AUTHORITY: section 313.065, RSMo 2000. Original rule filed May 6, 2003, effective Jan. 30, 2004. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.545 Contraband. The commission is amending sections (1)–(4).

PURPOSE: This amendment updates the language of the rule.

(1) *[On or after January 1, 1995, any]* **Any** bingo cards, bingo faces, or pull-tabs that have not been purchased from a Missouri licensed supplier are declared contraband.

(2) *[On or after January 1, 1995, any]* **Any** bingo cards, bingo faces, or pull-tabs sold or offered for sale by an operator or business entity who possesses such material knowing or having reason to believe that it is to be used in the state of Missouri in the advancement of unlawful gambling activity with intent to distribute pursuant to **section 572.030, RSMo**, and has not obtained the required license pursuant to Chapter 313, RSMo, are declared contraband.

(3) *[On or after January 1, 1995, any]* **Any** bingo cards, bingo faces, or pull-tabs that have been sold for use in the state that have not been manufactured or purchased from a Missouri licensed manufacturer are declared contraband.

(4) Pull-tabs that do not meet the statutory requirements of sections 313.004 to 313.085, RSMo or have not been approved by the commission are declared contraband.

AUTHORITY: section 313.065, RSMo 2000. Original rule filed July 3, 1995, effective Jan. 30, 1996. Emergency amendment filed Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.550 Licensee's Duty to Report and Prevent Misconduct. The commission is amending sections (1)–(3).

PURPOSE: This amendment adds the requirement to submit to the commission any activities different from those permitted under the license and clarifies language.

(1) Licensees, workers, **members, partners, agents**, and employees of a licensee shall promptly report to the commission any facts which the licensee has reasonable grounds to believe indicate a violation of law (other than a traffic violation) or commission rule committed by any licensed bingo manufacturer, supplier, or organization, *[their]* **its** workers or employees, **including, without limitation, the performance of licensed activities different from those permitted under its license.**

(2) *[At no time shall any]* **Any** licensed bingo organization's *[or its]* workers *[fail to take reasonable]* **shall immediately take reasonable** action to prevent or suppress any violent quarrel, disorder, brawl, fight, or other improper or unlawful conduct of any person at a bingo occasion.

(3) In the event that a licensee's *[, or a]* worker, **agent, partner, member**, or employee *[of a licensee]* knows **or should have known** that an illegal or violent act has been committed in association with bingo activities, the individual shall *[promptly]* **immediately** report the occurrence to the commission *[(/and local law enforcement officials, if applicable, /)]* and shall cooperate with **law enforcement** authorities and agents of the commission during the course of any investigation of the occurrence.

AUTHORITY: sections 313.052 and 313.065, RSMo 2000. Original ruled filed May 6, 2003, effective Jan. 30, 2004. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.575 Pull-Tab Packaging, Assembly, and Distribution. The commission is amending the title, sections (1)–(5), (8), adding a new section (9), and renumbering and amending section (9).

PURPOSE: This amendment requires each pull-tab deal to have the same unique serial number stamped on the flare and on each pull-tab card. It also requires pull-tabs to be designed in such a way that they may not be resealed, eliminating the possibility of being reused or resold.

(1) Manufacturers of pull-tabs shall assemble and package each pull-tab deal *[or series]* intended for sale in Missouri as follows:

(A) Each pull-tab deal shall have the same unique serial number stamped on the flare and on each pull-tab card included in the deal;

[(A)] **(B)** Each *[series of pull tabs]* **pull-tab deal** shall contain a packing slip placed inside or attached to the box(es) or container(s); and

[(B)] **(C)** The packing slip *[must]* **shall** contain the name of the manufacturer, serial number, person(s) who packed it, and the date the deal *[or series]* was packaged.

(2) Winning pull-tabs *[must]* **shall** be randomly distributed and mixed among all other pull-tabs within a deal and/or series so as to eliminate any pattern *[as]* between series, or portions of series, from which the location or approximate location of any of the winning tabs may be determined. The pull-tab deal or series must be assembled so that no placement **or design** of winners or losers exists that allows **for** the possibility of *[prize manipulation or “pick out.”]* **picking the winning pull-tabs.**

(3) Manufacturers *[must]* **shall** mix pull-tabs prior to placing them in their final packaging container(s). The mix shall *[insure]* **ensure** that pull-tabs are separated from the original collated row position and dispersed amongst all rows in the final packaging container.

(4) Pull-tab containers *[must]* **shall** be sealed by the manufacturer with a sticker or seal of the manufacturer and shrink wrapped. This seal and shrink wrap can only be removed by an authorized member of the bingo organization whose name shall appear on the organization’s worker list on file with the Missouri Gaming Commission. At no time *[can]* **shall** this seal or shrink wrap be removed by a supplier. Suppliers are prohibited from **opening**, repackaging, or bundling *[, etc.,]* the pull-tabs.

(5) Any pull-tab protection shall be shipped in one **(1)** single box*[,]* for all pull-tab deals containing more than one (1) box or unit container.

(8) All pull-tabs *[will]* **shall** be manufactured to ensure that, when offered for sale to the public, the pull-tab is free of security defects so that the winning or losing pull-tabs cannot be determined by any method or device prior to being opened by the player.

(9) Pull-tabs shall be designed in a manner which prevents the pull-tabs from being resealed to eliminate the possibility of them being reused or resold after the initial opening.

[(9)] **(10)** There shall be no consideration awarded for purchasing the last pull-tab in a pull-tab deal. The prohibition against such practice, commonly referred to as a “last sale feature” shall include, but not be limited to, pull-tab games that utilize coin boards and merchandise boards.

AUTHORITY: sections 313.057, RSMo Supp. 2014, and section 313.065, RSMo 2000. Original rule filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission’s Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.580 Procedure for Entry of Names to the [Ineligible Persons List] List of Ineligible Persons. The commission is amending the title, purpose, and adding a new section (1) and renumbering and amending sections (1)–(3).

PURPOSE: This amendment adds a definition for the List of Ineligible Persons and adds provisions for hearings and judicial review for persons determined to be ineligible.

PURPOSE: This rule defines the procedure for the entry of names of ineligible persons to the [list] List of Ineligible Persons, the criteria for which are stated in section 313.035, RSMo.

(1) There is hereby created a List of Ineligible Persons (List) which consists of those persons whom the commission has determined are not eligible under the provisions of section 313.035, RSMo, for any license and shall not participate in the management, conduct, or operation of any game under the provisions of sections 313.005 to 313.080, RSMo.

[(1)] **(2)** Upon a determination by the commission that a person comes under any one (1) or more of the criteria listed in section 313.035, RSMo, this person *[shall]* **may** be deemed a candidate for placement on the *[ineligible persons list]* **List**, and the commission *[shall]* **may** file a Notice of Ineligibility. This notice shall include the identity of the candidate, the nature and scope of the circumstances or reasons that the person should be placed on the *[ineligible persons list]* **List**, names of potential witnesses, and a recommendation as to whether the determination of ineligibility 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]* **shall** be made within thirty (30) days from the date the Notice of Ineligibility was filed. If no hearing is requested, the name shall be placed on the *[list]* **List** and such listing will be considered a final order of the commission. If a hearing is requested, it shall follow the procedures as set out in 11 CSR 45-13 et seq.

[(2)] **(3)** When a person is determined to be ineligible **under any of the criteria listed in section 313.035, RSMo**, that person is not eligible for any license under the provisions of sections 313.005 to 313.080, RSMo, and shall not participate in the management, conduct, or operation of any bingo game or be employed or work in any capacity for any entity required to be licensed pursuant to section 313.057, RSMo. **If a hearing is requested, the ineligibility shall continue until a final determination is made by the commission on the merits following the requested hearing. If a determination of ineligibility by the commission is examined under judicial review, then the ineligibility shall continue until the judicial review is completed and becomes final.**

[(3)] **(4)** If the commission or a subsequent judicial review finds in favor of the *[candidate or ineligible person]* **individual appealing the placement of his/her name on the List**, then his/her name shall be removed from the *[ineligible persons list]* **List** and his/her ineligibility shall be terminated as of the date of the **final** action by the commission or court.

AUTHORITY: section[s] 313.004, [RSMo 1994] Supp. 2014 and sections 313.035 and 313.065, RSMo [Supp. 1998] 2000. Original rule filed Feb. 16, 1999, effective Oct. 30, 1999. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.590 Duty of Licensee to Exclude Ineligible Persons. The commission is amending the purpose, and section (1).

PURPOSE: This amendment changes the requirements for persons on the List of Ineligible Persons (List) and prohibits employment by organizations of any person on the List.

*PURPOSE: This rule requires licensed organizations to exclude persons on the [list] **List of Ineligible Persons (List)** from engaging in the management, conduct, or operation of any bingo game. It also creates a duty on the part of the licensee to report persons they believe meet the criteria for placement on the [list] **List**.*

(1) No person who has been placed on the [list of ineligible persons] **List of Ineligible Persons (List)** shall be permitted to participate in the management, conduct, or operation of any bingo game, **or be employed or work in any capacity for any entity required to be licensed pursuant to section 313.057, RSMo, unless and until a determination is made by the commission or a court to the contrary.**

(2) It shall be the duty of [any] **all licensees and their workers, members, and employees** to exclude persons on the [list] **List** from engaging in any of the above activities when the licensee or any employee [/] **or** member of the licensee knows or reasonably should know of the presence of the ineligible person. In addition, no licensee shall employ or associate with a person on the [list] **List**. It shall further be the duty of the holder of a license to inform the commission in writing of the names of persons the holder reasonably believes meet the criteria for placement on the [list] **List**.

AUTHORITY: sections 313.004, RSMo [1994]Supp. 2014 and sections 313.035, 313.052 and 313.065, RSMo [Supp. 1998] 2000. Original rule filed Feb. 16, 1999, effective Oct. 30, 1999. Amended: Filed June 25, 2015.

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 with the Missouri Gaming Commission, 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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.600 Electronic Bingo Card Monitoring Devices. The commission is amending sections (5), (7), (8), (11), (12), (14), (15), (24) and (25), and deleting section (26), and amending and renumbering sections (27)–(29).

PURPOSE: This amendment updates procedures for Electronic Bingo Card Monitoring Devices (EBCMDs).

(5) EBCMDs must be acquired by licensed suppliers from a licensed manufacturer and may only be rented or leased by licensed suppliers to licensed bingo operators. Bingo operators using the EBCMD site system *[must]* **shall** procure and maintain a dedicated phone line **or secure internet connection** at the bingo hall for the commission and the licensed supplier and/or licensed manufacturer to remotely connect to the system.

(7) No EBCMD shall be able to monitor more than fifty-four (54) bingo cards per game.

(A) An EBCMD shall be downloaded with electronic bingo cards only by an approved bingo worker or authorized representative of the licensed supplier if accompanied by an approved member of the licensed organization. *[In the event the EBCMD is the type used to monitor disposable paper bingo cards, an approved bingo worker or authorized representative of the licensed supplier accompanied by an approved member of the licensed organization must enter the bingo card face number(s) into the device. The entering of bingo card face number(s) into a device shall be done only on the premises of the licensed organization and during the bingo occasion.]*

(B) All downloading into the EBCMD *[, either from electronic bingo cards or disposable paper bingo cards, must]* **shall** be completed prior to the drawing of the first ball for *[that]* **a bingo game in order for the player to participate in that bingo game.** If an EBCMD must be voided and reissued after the start of the game, the EBCMD *[must]* **shall** be reloaded with the same bingo face numbers or replaced with an EBCMD which was downloaded prior to the drawing of the first ball for that game.

(C) Organizations using EBCMD which require a site system to download electronic bingo cards to EBCMD *[must]* **shall** ensure that any disposable paper bingo cards used at the bingo occasion are of a different series than the electronic bingo cards, in order to avoid duplication of faces in play.

[(D) Organizations using EBCMDs which are used in conjunction with disposable paper bingo cards must ensure that the disposable cards used with the EBCMD are of a unique color, either by screen face or by border, and not sold by the organization for use other than with an EBCMD.]

(8) Each EBCMD shall be programmed to automatically erase all electronic bingo cards and/or bingo card face numbers stored in the device—

[a upon] (A) **Upon** turning off the device after the last bingo game of the occasion has been played~~[,]~~; and

[b) by] **(B) By** some secondary timing method.

(11) A site system shall not be able to load more than fifty-four (54) electronic bingo cards per bingo game into any one **(1) EBCMD**. The site system *[must]* **shall** be *[interfaced with a printer which produces]* **capable of printing** a continuous hard copy transaction log, including all sales, void, and reload transactions. *[and a]* A printout showing the device identification number, and all of the bingo cards and their face numbers loaded into the device, **shall be available to the player upon request**. *[A receipting function for electronic bingo cards must be self-contained within the]* The site system *[and must]* **shall** record and print out *[on a copy]* **a receipt** which is given to the player*[,]*. **The receipt shall include** the device identification number or ticket number identifying the device, the date, number of electronic bingo cards purchased or loaded, and the total amount charged for the electronic bingo cards.

(12) A site system shall be able to provide the winning game patterns required for the entire bingo occasion on a hard copy printout. The printout *[must]* **shall** be available upon demand at the bingo occasion. *[The game operator shall provide an EBCMD bingo sheet from the site system of all electronic bingo cards sold to each player at the time of purchase.]*

(14) The licensed supplier shall serve as the initial contact for the licensed organization with respect to requests for installation, service, maintenance, or repair of EBCMD and site systems.

[(A)] A licensed supplier may, with commission approval, authorize or subcontract with a person or company to service, maintain, or repair EBCMD and/or site systems; however, the ultimate liability for such service, maintenance, or repair shall be solely that of the licensed supplier.

(15) The licensed supplier shall invoice the licensed organization *[the next]* **by the second** business day following usage and collect any and all payments for the rental or lease of the EBCMD used by the licensed organization, and the sale, rental, or lease of the site systems to the licensed organization. The supplier shall also invoice the licensed organization *[the next]* **by the second** business day following usage and collect any and all payments for the sale of electronic bingo cards, including the applicable taxes as described in accordance with section 313.055, RSMo.

(24) All bingo cards used in conjunction with EBCMDs *[must]* **shall** conform to the restrictions in sections 313.005(2) and 313.040(17), RSMo. *[Organizations utilizing EBCMDs must ensure that all bingo cards including electronic facsimiles used in conjunction with EBCMDs are disposable and are adequately marked to prevent reuse.]* Bingo cards of a series dedicated to or uniquely compatible with EBCMDs are permitted.

(25) Numbers appearing on a bingo card, identified by an EBCMD to be a winning bingo card, *[must]* **shall** be verified in the presence of the majority of the players or **displayed to the players by** entry into an electronic card verifier.

[(26) Game operators must require that all disposable bingo paper used in conjunction with the game is turned in by each player to the game operator and destroyed, unless instructed otherwise by the commission. Game operators who fail to comply with this requirement are subject to discipline pursuant to section 313.052, RSMo.]

[(27)] **(26)** The site system *[must]* **shall** be capable of providing accounting and revenue reports on a daily basis. Additionally, the system must be capable of providing weekly and monthly summaries of the daily reports. The daily report *[must]* **shall** include, at a minimum, the following:

(A) Gross sales of all bingo cards sold and loaded into an EBCMD, gross sales voided and/or canceled and net sales of all bingo cards sold;

(B) Gross number of all bingo cards sold and loaded into an EBCMD, total number of bingo cards voided and/or canceled and net number of bingo cards sold;

(C) Adequate documentation *[must]* **shall** be maintained to explain any voids or cancellations; and

(D) The number of units sold, the number of bingo cards per game and the number of games played.

[(28)] **(27)** The supplier is responsible for the collection and payment of all the taxes for electronic bingo cards sold and loaded into an EBCMD in accordance with section 313.055, RSMo and any rules and regulations promulgated thereunder. The tax computation *[will]* **shall** be based upon the information provided in the daily reports generated by the EBCMD site system. Copies of the reports used to compute the tax amount *[must]* **shall** be attached to the supplier's original sales invoices.

[(29)] **(28)** The manufacturer, supplier, or game operator may be required to maintain and submit additional information at the request of the commission.

AUTHORITY: sections 313.005 and 313.040, RSMo Supp. 2014, and section 313.065, RSMo 2000. Original rule filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed May 6, 1999, effective Dec. 30, 1999. Amended: Filed Oct. 4, 2000, effective June 30, 2001. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006. Amended: Filed July 28, 2010, effective Jan. 30, 2011. Amended: Filed June 25, 2015.

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 30—Bingo

PROPOSED AMENDMENT

11 CSR 45-30.610 Wireless Technology. The commission is amending section (1), deleting sections (2)–(8), (11) and (12), adding new sections (2) and (5), renumbering section (9), and amending and renumbering section (10).

PURPOSE: This amendment adds requirements for wireless networks and requires that all changes or upgrades be done by an authorized representative on-site.

(1) Wireless products used in conjunction with any bingo equipment as defined in [section 313.005(3), RSMo and] 11 CSR 45-30.155 must meet minimum standards as [defined] **determined** by the commission. **Pursuant to section 313.005(3), RSMo, a bingo card monitoring device shall not communicate with any other bingo card monitoring device, computer, or electronic device once provided to the patron; however, each bingo card monitoring device may receive wireless information from the system solely for the purpose of calling balls and advancing games.**

[(2) The system manufacturer shall employ a security process that complies with Federal Information Protection Standard 1.40 (FIPS 140), et seq.

(3) The operating system used shall be validated to provide adequate security, including domain separation and non-bypassability in accordance with security requirements recommended by the National Institute of Standards and Technology.

(4) The system shall use approved cryptographic algorithms for encryption/decryption, authentication, and signature generation/verification; approved key generation techniques and FIPS 140-1 validated cryptographic modules.

(5) All data packets shall be encrypted before transmission, regardless of which protocol is used.

(6) The system shall employ an Extensible Authentication Protocol (EAP) utilizing Transport Layer Security (TLS) that is Internet Engineering Task Force (IETF)-standardized and a Public Key Infrastructure (PKI) security certificate-based authentication process, whereby mutual authentication between the supplicant and the authentication server occurs before any wireless communication takes place.

(7) The system shall use a dual-homed intermediary server to isolate the wireless network from the wired network, each having its own firewall. Networks and components must be designed/configured with IP forwarding and broadcast mode disabled.

(8) The system shall employ a stand-alone firewall for port blocking. The firewall must be configured in a manner that precludes any wireless product from gaining access to the network without first being scrutinized and passing the rules contained in the firewall.]

(2) The licensed manufacturer shall ensure any electronic bingo card monitoring device is not capable of loading bingo faces wirelessly.

[(9)] (3) All aspects of a wireless network, including all hardware and software used therein, shall be subject to testing by the commission or an approved independent testing laboratory designated by the commission, and review and approval by the commission prior to the sale, installation, or use of the network by a licensed

organization or in a licensed bingo facility and following installation, prior to any changes thereto, or at any other time the commission deems appropriate, the cost for which in all cases shall be borne by the licensed manufacturer.

[(10)] **(4)** The licensed manufacturer shall ensure the commission is provided at least five (5) days advanced written notice of any proposed changes or upgrades to an **approved** existing wireless network by an authorized representative of the licensed manufacturer, which shall include, without limitation:

- (A) A description of the reason(s) for the proposed modification;
- (B) A list of the component(s) and program(s) or version(s) to be modified or replaced;
- (C) A description of any operating process(es) that will be affected;
- (D) The method to be used to complete the proposed modification;
- (E) The date the proposed modification will be installed and the estimated time for completion;
- (F) The name, title, and employer of the person(s) to perform the installation; and
- (G) A diagrammatic representation of the proposed hardware design change.

(5) Any changes or upgrades to an approved existing wireless network shall be performed by an authorized representative of the licensed manufacturer. All changes or upgrades shall be conducted while on-site.

[(11) *No device may be connected to or disconnected from a wireless network without the written approval of the commission.*]

[(12) *The commission may waive requirements contained in this section for one-way wireless communications when a lesser level of security is required.*]

AUTHORITY: *sections 313.005 and 313.040, RSMo Supp. 2014, and section[s 313.004 and] 313.065, RSMo 2000. Original rule filed Jan. 27, 2006, effective Sept. 30, 2006. Amended: Filed June 25, 2015.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

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