

**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.*