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Charitable Games Bulletin

To: Bingo Licensees
From: Rachel Farr, Charitable Games Manager
Date: January 12, 2011

This bulletin contains new inserts for your bingo statute and regulation booklet.

1. Please remove the front cover of your bingo statute book and replace it with the enclosed cover reflecting the latest revision date of January 30, 2011.
2. Please remove all pages in the Index Section and replace with the enclosed Index Section pages.
3. The Bingo Statutes were amended during the 2010 legislative session. These changes as described in our August 3, 2010 Bulletin became effective August 28, 2010. Please remove all pages of the Bingo Tax Statutes Section (pages 1 - 23) and replace them with the enclosed page numbers 1 - 23.
4. Amendments to the regulations based on changes to the Statutes were published in the December 31, 2010 *Code of State of Regulation* and will be effective January 30, 2011. Please remove all pages from the Bingo Rules section (pages 5 - 23) and replace them with the enclosed pages 5 - 23.
5. In the Bingo Policies Section, please replace policies numbered 9 and 16 with the enclosed revisions.

The statutes, regulations and policies regarding bingo are also available on our web page at www.mgc.dps.mo.gov under the Charitable Games tab.

Reminder Regarding Illegal Activities & Public Trust - The Gaming Commission takes immediate action to revoke the bingo license of any organization that engages in any form of criminal activity. Please don't risk losing your bingo program over illegal gambling machines, illegal poker tournaments or other activities that cannot be allowed to co-exist with licensed charitable games. Maintaining the public's trust in the integrity of bingo and pull-tab games will benefit all bingo organizations – and it is the responsibility of every bingo organization to protect that trust. Please keep in mind that your bingo and/or hall provider license could also be jeopardized if you lease your property to another organization and that organization engages in an illegal activity.

If you have any questions or concerns, please feel free to contact our office at the Missouri Gaming Commission, Charitable Games Division, PO Box 1847, Jefferson City, MO 65102, or telephone 573-526-5370 or toll free in Missouri at **1-866-801-8643** or fax 573-526-5374.

Enclosures

FREE PROBLEM GAMBLING HELPLINE • 1-888-BETSOFF

**MISSOURI GAMING
COMMISSION**



**BINGO STATUTES
313.001 -- 313.085**

**REGULATIONS
11 CSR 45-30.020 -- 11 CSR 45-30.610**

Revised January 30, 2011

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Missouri Revised Statutes

Chapter 313 Licensed Gaming Activities

August 28, 2010

Committee on gaming and wagering, established--members, compensation--activities.

313.001. 1. There is established a permanent joint committee of the general assembly to be known as the "Committee on Gaming and Wagering" which shall be composed of five members of the senate, appointed by the president pro tem of the senate and five members of the house of representatives, appointed by the speaker of the house. A majority of the members of the committee shall constitute a quorum. The members shall annually select one of the members to be the chairman and one of the members to be the vice chairman. The general assembly by a majority vote of the elected members may discharge any or all members of the committee and select their successors.

2. The members shall receive no additional compensation, but shall be reimbursed for actual and necessary expenses incurred by them in the performance of their duties.

3. The committee shall be responsible for, but not limited to, legislative review of all state authorized gaming and wagering activities including proposed constitutional and statutory changes or other pertinent information that may affect the integrity of these activities. The committee is authorized to meet and act year round, employ the necessary personnel within the limits of appropriations and to report its findings annually to the general assembly.

(L. 1988 S.B. 643 § 1)

Effective 9-1-88

Gaming commission, established, members, appointment--meetings-- powers, duties--assigned to department of public safety--compensation, expenses--restricted activities--contracts, permissible--criminal records of applicants open to commission.

313.004. 1. There is hereby created the "Missouri Gaming Commission" consisting of five members appointed by the governor, with the advice and consent of the senate. Each member of the Missouri gaming commission shall be a resident of this state. No member

shall have pled guilty to or shall have been convicted of a felony or gambling-related offense. Not more than three members shall be affiliated with the same political party. No member of the commission shall be an elected official. The overall membership of the commission shall reflect experience in law enforcement, civil and criminal investigation and financial principles.

2. The initial members of the commission shall be appointed within thirty days of April 29, 1993. Of the members first appointed, one shall be appointed for a one-year term, two shall be appointed for a two-year term and two shall be appointed for a three-year term. Thereafter, all members appointed shall serve for a three-year term. No person shall serve as a member more than six years. The governor shall designate one of the members as the chair. The governor may remove any member of the commission from office for malfeasance or neglect of duty in office. The governor may also replace any member of the commission, with the advice and consent of the senate, when any responsibility concerning the state lottery, pari-mutuel wagering or any other form of gaming is placed under the jurisdiction of the commission.

3. The commission shall meet at least quarterly in accordance with its rules. In addition, special meetings may be called by the chair or any two members of the commission upon twenty-four-hour written notice to each member. No action of the commission shall be binding unless taken at a meeting at which at least three of the five members are present and shall vote in favor thereof.

4. The commission shall perform all duties and have all the powers and responsibilities conferred and imposed upon it relating to excursion gambling boats and, after June 30, 1994, the lawful operation of the game of bingo under this chapter. Within the commission, there shall be established a division of gambling and after June 30, 1994, the division of bingo. Subject to appropriations, the commission may hire an executive director and any employees as it may deem necessary to carry out the commission's duties. The commission shall have authority to require investigations of any employee or applicant for employment as deemed necessary and use such information or any other information in the determination of employment. The commission shall promulgate rules and regulations establishing a code of ethics for its employees which shall include, but not be limited to, restrictions on which employees shall be prohibited from participating in or wagering on any game or gaming operation subject to the jurisdiction of the commission. The commission shall determine if any other employees of the commission or any licensee of the commission shall participate or wager in any operation under the jurisdiction of the commission.

5. On April 29, 1993, all the authority, powers, duties, functions, records, personnel, property, matters pending and all other pertinent vestiges of the state tourism commission relating to the regulation of excursion gambling boats and, after June 30, 1994, of the department of revenue relating to the regulation of the game of bingo shall be transferred to the Missouri gaming commission.

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6. The commission shall be assigned to the department of public safety as a type III division, but the director of the department of public safety has no supervision, authority or control over the actions or decisions of the commission.

7. Members of the Missouri gaming commission shall receive as compensation, the amount of one hundred dollars for every day in which the commission holds a meeting, when such meeting is subject to the recording of minutes as provided in chapter 610, and shall be reimbursed for reasonable expenses incurred in the performance of their duties. The chair shall receive as additional compensation one hundred dollars for each month such person serves on the commission in that capacity.

8. No member or employee of the commission shall be appointed or continue to be a member or employee who is licensed by the commission as an excursion gambling boat operator or supplier and no member or employee of the commission shall be appointed or continue to be a member or employee who is related to any person within the second degree of consanguinity or affinity who is licensed by the commission as an excursion gambling boat operator or supplier. The commission shall determine by rule and regulation appropriate restrictions on the relationship of members and employees of the commission to persons holding or applying for occupational licenses from the commission or to employees of any licensee of the commission. No peace officer, as defined by section 590.100, who is designated to have direct regulator authority related to excursion gambling boats shall be employed by any excursion gambling boat or supplier licensed by the commission while employed as a peace officer. No member or employee of the commission or any employee of the state attorney general's office or the state highway patrol who has direct authority over the regulation or investigation of any applicant or licensee of the commission or any peace officer of any city or county which has approved excursion boat gambling shall accept any gift or gratuity from an applicant or licensee while serving as a member or while under such employment. Any person knowingly in violation of the provisions of this subsection is guilty of a class A misdemeanor. Any such member, officer or employee who personally or whose prohibited relative knowingly violates the provisions of this subsection, in addition to the foregoing penalty, shall, upon conviction, immediately and thereupon forfeit his office or employment.

9. The commission may enter into agreements with the Federal Bureau of Investigation, the Federal Internal Revenue Service, the state attorney general or any state, federal or local agency the commission deems necessary to carry out the duties of the commission. No state agency shall count employees used in any agreements entered into with the commission against any personnel cap authorized by any statute. Any consideration paid by the commission for the purpose of entering into, or to carry out, any agreement shall be considered an administrative expense of the commission. When such agreements are entered into for responsibilities relating to excursion gambling boats, the commission shall require excursion gambling boat licensees to pay for such services under rules and regulations of the commission. The commission may provide by rules and regulations for the offset of any prize or winnings won by any person making a wager subject to the

jurisdiction of the commission, when practical, when such person has an outstanding debt owed the state of Missouri.

10. No person who has served as a member or employee of the commission, as a member of the general assembly, as an elected or appointed official of the state or of any city or county of this state in which the licensing of excursion gambling boats has been approved in either the city or county or both or any employee of the state highway patrol designated by the superintendent of the highway patrol or any employee of the state attorney general's office designated by the state attorney general to have direct regulatory authority related to excursion gambling boats shall, while in such office or during such employment and during the first two years after termination of his office or position, obtain direct ownership interest in or be employed by any excursion gambling boat licensed by the commission or which has applied for a license to the commission or enter into a contractual relationship related to direct gaming activity. A "direct ownership interest" shall be defined as any financial interest, equitable interest, beneficial interest, or ownership control held by the public official or employee, or such person's family member related within* the second degree of consanguinity or affinity, in any excursion gambling boat operation or any parent or subsidiary company which owns or operates an excursion gambling boat or as a supplier to any excursion gambling boat which has applied for or been granted a license by the commission, provided that a direct ownership interest shall not include any equity interest purchased at fair market value or equity interest received as consideration for goods and services provided at fair market value of less than one percent of the total outstanding shares of stock of any publicly traded corporation or certificates of partnership of any limited partnership which is listed on a regulated stock exchange or automated quotation system. Any person who knowingly violates the provisions of this subsection is guilty of a class D felony. Any such member, officer or employee who personally and knowingly violates the provisions of this subsection, in addition to the foregoing penalty, shall, upon conviction, immediately and thereupon forfeit his office or employment. For purposes of this subsection, "appointed official" shall mean any official of this state or of any city or county authorized under subsection 10 of section 313.812 appointed to a position which has discretionary powers over the operations of any licensee or applicant for licensure by the commission. This shall only apply if the appointed official has a direct ownership interest in an excursion gambling boat licensed by the commission or which has applied for a license to the commission to be docked within the jurisdiction of his or her appointment. No elected or appointed official, his or her spouse or dependent child shall, while in such office or within two years after termination of his or her office or position, be employed by an applicant for an excursion gambling boat license or an excursion gambling boat licensed by the commission. Any other person related to an elected or appointed official within the second degree of consanguinity or affinity employed by an applicant for an excursion gambling boat license or excursion gambling boat licensed by the commission shall disclose this relationship to the commission. Such disclosure shall be in writing and shall include who is employing such individual, that person's relationship to the elected or appointed official, and a job description for which the person is being employed. The commission may require additional information as it may determine necessary.

11. The commission may enter into contracts with any private entity the commission deems necessary to carry out the duties of the commission, other than criminal law enforcement, provision of legal counsel before the courts and other agencies of this state, and the enforcement of liquor laws. The commission may require provisions for special auditing requirements, investigations and restrictions on the employees of any private entity with which a contract is entered into by the commission.

12. Notwithstanding the provisions of chapter 610 to the contrary, all criminal justice records shall be available to any agency or commission responsible for licensing or investigating applicants or licensees applying to any gaming commission of this state.

(L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 740)

Effective 5-20-94

*Word "to" appears in original rolls.

Definitions.

313.005. As used in sections 313.005 to 313.080, the following terms shall mean:

(1) "Bingo", a game in which each participant receives one or more cards, including, but not limited to, pull-tab cards, marked off into twenty-five squares arranged on five horizontal rows of five squares each; or, one or more cards marked off into twenty-five squares arranged on five horizontal rows of five squares each which are not pull-tab cards and, in addition thereto, one or more pull-tab cards. Each square is designated by number, letter or by a combination of numbers and letters, except that the center square on the card shall be designated with the word "free". No two cards shall be identical. As the announcer of the game announces a number, letter or a combination of numbers and letters, each player covers the square corresponding to the announced number, letter or combination by marking such card in ink. The numbers, letters or combination of numbers and letters which are announced shall appear on an object selected by chance, either manually or mechanically, from a receptacle containing the objects bearing numbers, letters or combinations of numbers and letters. The winner of each game shall be the player or players who are first to properly cover a predetermined and announced pattern of squares upon the card or cards used by such player or players. A prize or prizes may be awarded to the winner or winners of a game;

(2) "Bingo card", an individual game face marked off into twenty-five squares arranged on five horizontal rows of five squares each, one or more of which may be contained on a bingo sheet;

(3) "Bingo card monitoring device", a technology aid which allows a bingo player to enter bingo numbers as they are announced at a bingo occasion and which marks or otherwise conceals those numbers on bingo cards which are electronically stored in and

displayed on the device. A bingo card monitoring device shall not include any device into which currency, coin, tokens, or electronic funds transfer may be inserted or from which currency, coin, tokens, or any receipt for monetary value can be dispensed or which, once provided to a bingo player, is capable of communicating with any other bingo card monitoring device or any other form of electronic device or computer. A bingo card monitoring device shall only be permitted to monitor bingo games and not used for any games or themes;

(4) "Bingo equipment", all paraphernalia used to conduct a bingo game including selection equipment, number display boards, and bingo cards and faces and other such related equipment as may be defined by the rules and regulations of the commission. This definition does not include audio or video equipment which plays no part in the conduct of the game other than communicating the progress of the game or items used to mark numbers on the cards;

(5) "Bingo sheet", a disposable piece of paper containing one or more bingo cards;

(6) "Charitable organization", any organization which is organized and operated for the relief of poverty, distress, or other condition of public concern within this state or organized for financially supporting the activities of a charitable organization as hereinbefore defined. In order to qualify as a charitable organization, no part of the net earnings of the organization may inure to the benefit of any private shareholder or individual member of the organization. Charitable organizations must have obtained an exemption from the payment of federal income taxes as provided in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended;

(7) "Commission", the Missouri gaming commission;

(8) "Director", the director or other person in charge of the regulation of the game of bingo, as designated by the Missouri gaming commission;

(9) "Fraternal organization", any organization within this state operating under the lodge system which exists for the common benefit, brotherhood or other interest of its members except college fraternities and sororities and of which no part of the net earnings inures to the benefit of any private shareholder or any individual member of such organization and which has been exempted from the payment of federal income tax as provided in Section 501(c)(5), 501(c)(8), or 501(c)(10) Internal Revenue Code of 1954, as amended;

(10) "Hall provider", a person or business entity which leases premises in which bingo games are conducted;

(11) "Pull-tab card", 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, or pull-tab card;

(12) "Religious organization", any organization, church, body of communicants, or group, gathered in common membership for mutual support and edification in piety, worship and religious observances. Such an organization may be a society of individuals united for religious purposes at a definite place. In order to qualify as a religious organization, no part of the net earnings of the organization may inure to the benefit of any private shareholder or any individual member of such organization. Religious organizations shall maintain an established place of worship within this state and shall have a regular schedule of services or meetings at least on a weekly basis. Religious organizations must have obtained an exemption from the payment of federal income taxes as provided by Section 501(c)(3) or Section 501(d) of the Internal Revenue Code of 1954, as amended;

(13) "Service organization", any organization commonly known as a civic club or county fair or other organization if such organization is a religious, charitable, fraternal, veteran or service organization as described in article III, section 39(a) of the Missouri Constitution and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization. Service organizations must have obtained an exemption from the payment of federal income taxes as provided in Section 501(c)(4), 501(c)(5) or 501(c)(7) of the Internal Revenue Code of 1954, as amended;

(14) "Supplier", 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;

(15) "Veterans' organization", a post or organization of veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization:

(a) Organized in the United States or any of its possessions;

(b) In which at least seventy-five percent of the members of which are war veterans and substantially all of the other members of which are individuals who are veterans (but not war veterans) or are cadets, or are spouses, widows or widowers of war veterans of such individuals; and

(c) In which no part of the net earnings of which inures to the benefit of any private shareholder or individual and which has been exempted from payment of federal income taxes as provided by Section 501(c)(19) of the Internal Revenue Code of 1954, as amended.

(L. 1981 H.B. 322 § 1, A.L. 1982 H.B. 1503, A.L. 1984 S.B. 720, A.L. 1986 S.B. 461, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 2010 S.B. 940)

Bingo proceeds for education fund, established, purpose.

313.007. 1. Notwithstanding any other provisions of law to the contrary, all net proceeds derived from the state taxes contained in this chapter relating to bingo shall be deposited

in the "Bingo Proceeds for Education Fund", which is hereby created in the state treasury. Moneys in this fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on bingo proceeds for education fund shall be credited to the bingo proceeds for education fund. Appropriations of the moneys deposited in the bingo proceeds for education fund shall be pursuant to state law. The provisions of section 33.080 requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the bingo proceeds for education fund. All net tax receipts collected pursuant to subsection 10 of section 313.057 shall be paid over immediately to the state treasurer to be deposited to the credit of the bingo proceeds for education fund.

2. This section shall become effective July 1, 1993*.

(L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427)

Effective 6-28-94

*This section was amended by S.B. 427, 1994, with an emergency clause, and was signed by the governor June 28, 1994.

Gaming commission bingo fund abolished and transferred to gaming commission fund when, used for certain purposes.

313.008. All revenue received by the commission from license fees, penalties, and administrative fees authorized under the provisions of sections 313.005 to 313.085 shall be deposited in the state treasury to the credit of the "Gaming Commission Fund", and upon appropriation may be used for the purposes specified in section 313.835.

(L. 1994 S.B. 427, A.L. 2000 S.B. 902, A.L. 2010 H.B. 1965)

Bingo, who may conduct game--joint license, procedure--abbreviated licenses, fees limitations, exemptions.

313.010. 1. Any bona fide religious, charitable, fraternal, veteran or service organization, which has been in existence for at least five years immediately prior to making an application for a license and which, during that period, has had twenty bona fide members, may conduct the game of bingo upon receiving a license from the commission. Any combination of unlicensed but eligible organizations, not to exceed five, may join in making an application and may receive a single license to conduct the game of bingo. Any information or report required by sections 313.005 to 313.080 from an organization shall contain the required information regarding all of the organizations joined in the license and all requirements under sections 313.005 to 313.080 shall apply with respect to all joined organizations and the membership thereof.

2. Notwithstanding any other provisions to the contrary, the commission shall require only an abbreviated license, pursuant to the provisions of section 313.020, and an abbreviated licensing fee of ten dollars per event, for any bona fide religious, charitable, fraternal, veteran or service organization which conducts a bingo game on not more than fifteen occasions annually at which only pull-tab cards may be used. The organization shall have been in existence for at least five years immediately prior to the first occasion on which such organization conducts a bingo pull-tab game and during this period shall have had twenty bona fide members. For the purposes of this subsection, "occasion" means an event having a duration of less than twenty-four hours. An organization that has been granted an abbreviated license shall be exempt from the provisions of subdivisions (11) and (14) of section 313.040.

(L. 1981 H.B. 322 § 2, A.L. 1983 H.B. 95 & 223, A.L. 1993 S.B. 10 & 11, A.L. 1996 H.B. 1159, A.L. 2010 S.B. 940)

Progressive bingo games, permitted, defined.

313.013. Any organization licensed to conduct bingo games pursuant to sections 313.005 to 313.085 may also conduct progressive bingo games as defined by this section. A progressive bingo game may include, but shall not be limited to, any coverall or blackout game or other game where a stated quantity of numbers are called and, if no winner occurs, prizes are added to the next session's occasion conducted by that charity.

(L. 1996 H.B. 1159 § 1)

License--fee--expiration--special license, fairs, celebrations, requirements, fee, annual report, when.

313.015. 1. The commission shall issue a license for the conducting of bingo to any bona fide religious, charitable, fraternal, veteran or service organization or to any combination of eligible organizations, not to exceed five, which submits an application on a form prescribed by the director and which satisfies the director that such organization meets all of the requirements of sections 313.005 to 313.080. The burden of proof is at all times on the applicant to demonstrate by clear and convincing evidence its suitability to be licensed. Each license so issued shall expire at midnight one year from its date of issuance. The commission, in its sole discretion, may reopen licensure hearings for any licensee at any time.

2. An applicant may hold only one license and that license may not be transferred or assigned to any other organization other than the organization named in the license. Each licensed organization shall pay to the director an annual, nonrefundable license fee of fifty dollars to be paid into the state treasury to the credit of the gaming commission fund. The director may, upon application made by a county fair organization or by any organization qualified to receive a regular license, issue a special license authorizing such organization to conduct bingo for the period of any fair, picnic, festival or celebration conducted by such qualified organization not exceeding one week and which is held not

more than once annually, and a special licensee shall be exempt from the provisions of subdivisions (7), (11), and (14) of section 313.040. Each organization receiving a special license shall pay to the director a fee of twenty-five dollars, to be paid into the state treasury to the credit of the gaming commission fund.

3. Any organization that obtains more than three special bingo licenses during any calendar year shall be required to file an annual report as required in section 313.045.

(L. 1981 H.B. 322 § 3, A.L. 1983 H.B. 95 & 223, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 1996 H.B. 1159, A.L. 2010 S.B. 940)

Application for license, contents--false statement on application, penalty--renewal, information required--abbreviated license, application contents.

313.020. 1. The application form for licensure under sections 313.005 to 313.080 shall be prescribed by the commission and shall contain the following information:

- (1) The name and address of the organization;
- (2) A copy of the document from the United States Internal Revenue Service which grants the applicant tax-exempt status and the federal identification number;
- (3) A statement that the organization has been in continuing existence in this state for five years immediately preceding the making of the application and that it has had during that period a bona fide membership of at least twenty persons;
- (4) A statement as to whether the organization has had any previous application refused, revoked or suspended;
- (5) A statement of the purpose for which the bingo proceeds will be used;
- (6) A copy of the articles of incorporation and certificate of incorporation of the organization, if applicable;
- (7) A sworn statement signed by the chief officer and the secretary of the organization verifying that the statements contained in the application are true;
- (8) The name and address of a person authorized to receive service of process on behalf of the organization;
- (9) Such other information deemed necessary by the commission.

2. The commission shall issue an abbreviated license for conducting bingo pull-tab card games to any organization which submits an application on a form prescribed by the director and which satisfies the director that such organization meets the requirements for

an abbreviated license pursuant to the provisions of section 313.010. The application for an abbreviated license shall contain only the following information:

- (1) The name and address of the organization;
- (2) A statement that the organization satisfies the requirements established by section 313.010, for an abbreviated license, and all other applicable requirements for conducting bingo games pursuant to the provisions of sections 313.005 to 313.085;
- (3) The location where the bingo pull-tab game will occur;
- (4) The approximate date when the bingo pull-tab game will occur;
- (5) The signature of the chief officer or secretary of the organization verifying that the statements contained in the application are true.

3. A person who knowingly makes a false statement on an application is guilty of a class A misdemeanor and shall not ever again be considered for application by the commission, nor shall such person ever again assist in any manner with the management, conduct or operation of any game.

4. A renewal application shall only include any changes in the information required to be submitted with the initial application.

(L. 1981 H.B. 322 § 4, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 1996 H.B. 1159)

Leases, approval by commission--percentage of gross receipts as rent prohibited--lessors and suppliers may not operate games.

313.025. 1. If any applicant for licensure or organization licensed under sections 313.005 to 313.080 proposes to conduct bingo on leased premises or use leased equipment, the terms of the lease shall be reduced to writing and a copy of the lease shall be submitted to the commission. The commission may approve or disapprove any such lease. No lease which has been approved by the commission shall be amended, modified or renewed in any manner until such amendments, modifications or renewals have been approved by the commission. No lease providing for a rental arrangement for premises or equipment for use in the game shall provide for payment in excess of the reasonable market rental rate for such premises or equipment and in no case shall any payment be based on a percentage of gross receipts or proceeds. The reasonable market rental rate shall be determined by the commission.

2. If any applicant for licensure or any organization licensed under the provisions of sections 313.005 to 313.080 proposes to purchase or lease bingo supplies, bingo equipment, or bingo services or premises in which bingo will be conducted, the applicant or licensee may be required at the discretion of the commission to submit in writing a

detailed listing of the supplies to be purchased or leased together with the quoted price therefor and a copy of the lease, if such supplies are to be leased. No purchase or lease of bingo supplies shall provide for payment in excess of the reasonable market purchase price or reasonable market rental rate for such equipment and in no case shall any payment be based on a percentage of gross receipts or proceeds. The reasonable market purchase price or reasonable market rental rate shall be determined by the commission.

3. Persons who lease premises, sell or lease supplies or equipment, or furnish commodities or services to sponsoring organizations to conduct bingo games shall take no part in operating such bingo games.

(L. 1981 H.B. 322 § 5, A.L. 1984 S.B. 720, A.L. 1993 S.B. 10 & 11)

Effective 7-1-94

Change in officers to be reported to commission--license to be displayed.

313.030. Any organization licensed to play bingo which changes any of its officers, directors or officials during the term of the bingo license shall immediately report the names and addresses of such individuals to the director, along with a sworn statement of each such individual as required on forms furnished by the director. Each licensee shall display the license in a prominent place in the area where it is to conduct bingo. The license issued by the commission shall authorize the licensee to conduct only the game commonly known as bingo.

(L. 1981 H.B. 322 § 6, A.L. 1993 S.B. 10 & 11)

Effective 7-1-94

Ineligible persons and organizations--revocation, eligibility for relicensure.

313.035. 1. The following persons and organizations are not eligible for any license under the provisions of sections 313.005 to 313.080 and shall not participate in the management, conduct or operation of any game:

- (1) Any person who has been convicted of a felony;
- (2) Any person who is or has been a professional gambler or gambling promoter;
- (3) Any person who has ever purchased a tax stamp for wagering or gambling activity;
- (4) Any person who has been convicted of or pleaded nolo contendere to any illegal gambling activity or forfeited bond for not appearing while charged with any illegal gambling activity;

(5) Any person the commission has determined, based on the person's prior activities or criminal record, if any, poses a threat to the public interest or to the effective regulation and control of bingo, or creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of bingo or the carrying on of the business and financial arrangements incidental to the conduct of bingo;

(6) Any firm, organization or corporation in which a person defined in subdivision (5) of this subsection is an officer, director or employee, whether compensated or not;

(7) Any firm, organization or corporation in which a person defined in subdivision (5) of this subsection is to participate in the management or operations of a bingo game;

(8) Any person who, at the time of the application for renewal of a bingo license, would not be eligible for such license upon first application.

2. Any bona fide religious, charitable, fraternal, veteran or service organization whose license has been revoked under sections 313.005 to 313.085 shall not be eligible for any license under sections 313.005 to 313.085 until such organization has demonstrated to the commission, through clear and convincing evidence, that the person or persons who were directly involved in the event or events which led to the revocation or had knowledge of the event or events which led to the revocation and failed to report such event or events to the commission, have been dismissed from any involvement, directly or indirectly, with the conducting of a bingo game for that organization or, if the organization owns the premises where bingo is conducted, that person or persons may not participate in the management, conduct or operation of any bingo game at that premises.

(L. 1981 H.B. 322 § 7, A.L. 1989 S.B. 153, A.L. 1994 S.B. 427)

Effective 6-28-94

Restrictions, penalties.

313.040. The conducting of bingo is subject to the following restrictions:

(1) (a) The entire net receipts over and above the actual cost of conducting the game shall be exclusively devoted to the lawful, charitable, religious or philanthropic purposes of the organization permitted to conduct that game and no receipts shall be used to compensate in any manner any person who works for or is in any way affiliated with the licensed organization. Any person who violates the provisions of this paragraph shall be guilty of a class D felony;

(b) Proceeds from the game of bingo may not be loaned to any person, except that this provision shall not prohibit the investment of the proceeds in any licensed banking or savings institution, instrument of the United States, Missouri, or any political subdivision

thereof. Any person who violates the provisions of this paragraph shall be guilty of a class C misdemeanor; and

(c) The actual cost of conducting the game shall only include the following:

a. The cost of the prizes;

b. The purchasing of the bingo cards from a licensed supplier;

c. The purchasing or leasing of the equipment used in conducting the game;

d. The lease rental on the premises in which the game is conducted to include an allocation of utility costs, if applicable, costs of providing security, including the employment of a reasonable number of security personnel at a compensation level which complies with rules and regulations promulgated by the commission and such personnel is actually present and engaged in security duties, and bookkeeping and accounting expenses;

e. The actual cost of providing reasonable janitorial services. The cost of such services shall not be above the fair market rate charged for similar services in the community where the bingo game is being conducted;

f. Subject to constitutional restrictions, if any, the fair market cost of advertising each bingo occasion. Such advertising shall be procured in accordance with the rules and regulations of the commission;

(2) No person shall participate in conducting or managing the game of bingo except a person who has been a bona fide member of the licensed organization for at least two years immediately preceding such participation, who is not a paid staff person of the licensed organization employed and compensated specifically for conducting or managing the game of bingo and who volunteers the time and service necessary to conduct the game. Subject to constitutional restrictions, if any, no person shall participate in the actual operation of the game of bingo under the direction of a person conducting or managing the game of bingo, except a person who has been a bona fide member of the licensed organization for at least one year immediately preceding such participation, who is not a paid staff person of the licensed organization employed and compensated specifically for operating the game of bingo and who volunteers the time and service necessary to operate the game. If any post or organization, by its national charter, has established an auxiliary organization for spouses, then members of the auxiliary organization shall be considered bona fide members of the licensed organization and members of the post or organization shall be considered bona fide members of the auxiliary organization for the purposes of this subdivision. Any person who is a duly ordained member of the clergy and any person who is a full-time employee or staff member of the licensed organization employed for at least two years by that organization in a capacity not directly related to the conducting or managing of the game of bingo, who has specific assigned duties under a definite job description with the licensed

organization, and who volunteers time and assistance to the organization without compensation for such time and assistance in the conducting and managing of the game of bingo by the organization shall not be considered a paid staff person for the purposes of this subdivision. No full-time employee or staff member shall volunteer such time and assistance to more than one organization nor more than one day in any week. The commission shall establish guidelines for the determination of whether a person is a paid staff person within the meaning of this subdivision and shall specifically approve any full-time employee or staff member of the organization before such employee or staff member may volunteer time and assistance in the conducting and managing of bingo games for any organization. The commission may suspend the approval of any employee or staff member;

(3) No person, firm, partnership or corporation shall receive any remuneration, profit or gift for participating in the management, conduct or operation of the game, including the granting or use of bingo cards without charge or at a reduced charge from the licensed organization or from any other source;

(4) 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 the amount set by the commission per regulation;

(5) The number of games may not exceed sixty-two in any one day, including regular and special games. For purposes of this subdivision, the use of a pull-tab card and progressive bingo games shall not count as one of the sixty-two games per day, as limited by this subdivision, but no pull-tab card may be used except in conjunction with one of such sixty-two games;

(6) The price paid for a single bingo card under the license may not exceed one dollar. The commission may establish by rule or regulation the number of bingo cards which may be placed on a single bingo sheet. The price for a single pull-tab card may not exceed one dollar. A licensee may not require a player to purchase more than a standard pack in order to participate in the bingo occasion;

(7) The number of bingo days conducted by a licensee under the provisions of sections 313.005 to 313.080 shall be limited to two days per week;

(8) Any person, officer or director of any firm or corporation, and any partner of any partnership renting or leasing to a licensed organization equipment or premises for use in a game shall meet all the qualifications set forth in subdivisions (1) to (5) and (8) of section 313.035 and shall not be a paid staff person of the licensee. Proof of compliance with this subdivision shall be submitted to the commission by the licensee in the manner required by the commission;

(9) Subject to constitutional restrictions, if any, an organization licensed to conduct bingo in the state of Missouri may advertise a bingo occasion or special event bingo if expenditures for advertisement do not exceed ten percent of the total amount expended

from receipts of bingo conducted by the licensed organization for charitable, religious or philanthropic purposes;

(10) No person under the age of sixteen years may play or participate in the conducting of bingo. Any person under the age of sixteen years may be within the area where bingo is being played only when accompanied by his parent or guardian;

(11) No licensee shall lease premises in which it conducts bingo games from someone who is not a hall provider licensed by the commission;

(12) No licensee shall pay any consulting fees to any person for any service performed in relation to the bingo game;

(13) No licensee shall pay concession fees to any person who provides refreshments to the participants in the bingo game;

(14) No licensee shall conduct a bingo session at any time during the period between 1:00 a.m. and 7:00 a.m.;

(15) No licensee, while a bingo game is being conducted, shall knowingly permit entry to any part of the licensed premises to any person of notorious or unsavory reputation or who has an extensive police record or who has been convicted of a felony;

(16) No vending machine or any mechanized coin-operated machine may be used to sell pull-tab cards or to pay prize money, merchandise gifts or any other form of a prize;

(17) No rented or reusable bingo cards may be used to conduct any game. All games must be conducted with disposable paper bingo cards that are marked by permanent ink as prescribed by the rules and regulations of the commission, or by electronic bingo card monitoring device as approved by the commission;

(18) No licensee shall purchase or use any bingo supplies from a person who is not licensed by the state of Missouri as a bingo supplier.

(L. 1981 H.B. 322 § 8, A.L. 1983 H.B. 95 & 223, A.L. 1984 H.B. 1356 merged with S.B. 720, A.L. 1986 S.B. 461, A.L. 1987 S.B. 55, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 1996 H.B. 1159, A.L. 2010 S.B. 940)

Annual reports by certain licensees--contents.

313.045. Each regular bingo licensee and any special bingo licensee which conducts games on more than three occasions in any calendar year shall report quarterly to the commission on forms prescribed by the commission the following information:

(1) The number of games it has conducted during the reporting year;

(2) The location at which and the days it conducted games;

- (3) The gross receipts it received from each game;
- (4) An itemization of the cost of conducting each game, other than for prizes, and the name of the person to whom said expenses were paid;
- (5) The purposes for which the net proceeds of the game were used and the amounts so used;
- (6) Any other information that the director may require by rule or regulation.

(L. 1981 H.B. 322 § 9, A.L. 1984 S.B. 720, A.L. 1993 S.B. 10 & 11, A.L. 2010 S.B. 940)

Records to be kept--retention period.

313.050. Each licensee shall keep a complete record of bingo games conducted within the previous two years, except for the records stipulated as one-year retention by regulation. Such records shall be open to inspection by the commission.

(L. 1981 H.B. 322 § 10, A.L. 1993 S.B. 10 & 11, A.L. 2010 S.B. 940)

Grounds for disciplinary action against licensee.

313.052. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or other action for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit charitable bingo operations in Missouri or the state of Missouri unless the licensee proves by clear and convincing evidence that he is* not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of sections 313.005 to 313.085, the following acts or omissions may be grounds for such discipline:

- (1) Failing to comply with or make provision for compliance with the provisions of sections 313.005 to 313.085, the rules and regulations of the commission or any federal, state or local law or regulation;
- (2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to bingo;
- (3) Receiving or purchasing goods or services from a person or business entity who does not hold a supplier's or manufacturer's license issued pursuant to sections 313.005 to 313.085, but who is required to hold such license by the provisions of sections 313.005 to 313.085 or the rules and regulations of the commission;

- (4) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;
- (5) Employing in any bingo operation any person known to have been found guilty of cheating or using any improper device in connection with any bingo game;
- (6) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to the provisions of sections 313.005 to 313.085;
- (7) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;
- (8) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by the provisions of sections 313.005 to 313.085.

(L. 1994 S.B. 427)

Effective 6-28-94

*Words "they are" appear in original rolls.

Tax on organizations making certain prize awards--rate paid, when--delinquent, penalty.

313.055. 1. A tax is hereby imposed on each organization conducting the game of bingo which awards to winners of bingo games prizes or merchandise having an aggregate retail value of more than five thousand dollars annually and more than one hundred dollars in any single day. The tax shall be in the amount of two-tenths of one cent upon each bingo card and progressive bingo game card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, shall be paid on a monthly basis to the commission, by each supplier of bingo supplies and shall be due on the last day of the month following the month in which the bingo card was sold, with the date of sale being the date on the invoice evidencing the sale, along with such reports as may be required by the commission. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.

2. All taxes not paid to the commission by the person or licensee required to remit the same on the date when the same becomes due and payable to the commission under the provisions of sections 313.005 to 313.085 shall bear interest at the rate to be set by the commission not to exceed two percent per calendar month, or fraction thereof, from and after such date until paid. In addition, the commission may impose a penalty not to

exceed three times the amount of taxes due for failure to submit the reports required by this section and pay the taxes due.

(L. 1981 H.B. 322 § 11, A.L. 1984 S.B. 720, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 1996 H.B. 1159, A.L. 2007 S.B. 613 Revision)

Suppliers license required, background checks required, exceptions to licensure, qualifications, fee--records--pull-tab cards, tax on--restrictions on use--failure to pay tax, penalty.

313.057. 1. It is unlawful for any person, either as an owner, lessee or employee, to operate, carry on, conduct or maintain any form of manufacturing, selling, leasing or distribution of any bingo equipment or supplies without having first procured and maintained a Missouri bingo equipment and supplies manufacturer or supplier license.

2. The commission shall submit two sets of fingerprints for each key person, as defined in commission rules and regulations, of an entity or organization seeking issuance or renewal of a Missouri bingo equipment and supplies manufacturer or supplier license, for the purpose of checking the person's prior criminal history when the commission determines a nationwide check is warranted. The fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's criminal records division. The first set of fingerprints shall be used for searching the state repository of criminal history information. The second set of fingerprints shall be forwarded to the Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal history files. The patrol shall notify the commission of any criminal history information or lack of criminal history information discovered on the individual. Notwithstanding the provisions of section 610.120, all records related to any criminal history information discovered shall be accessible and available to the commission.

3. The holder of a state bingo license may, within two years of cessation of conducting bingo or upon specific approval by the commission, dispose of by sale in a manner approved by the commission, any or all of his bingo equipment and supplies, without a supplier's license. In case of foreclosure of a lien by a bank or other person holding a security interest for which bingo equipment is security in whole or in part for the lien, the commission may authorize the disposition of the bingo equipment without requiring a supplier's license.

4. Any person whom the commission determines to be a suitable person to receive a license pursuant to the provisions of this section may be issued a manufacturer's or supplier's license. The commission may require suppliers to post a bond with the commission in an amount and in the manner prescribed by the commission. The burden of proving his qualification to receive or hold a license pursuant to this section is at all times on the applicant or licensee.

5. The commission shall charge and collect from each applicant for a supplier's license a one-time application fee set by the commission, not to exceed five thousand dollars. The

commission shall charge and collect an annual renewal fee for each supplier licensee not to exceed one thousand dollars. The applicant shall be responsible for the total cost of the criminal history investigation. If the cost of the investigation exceeds the total amount of fees filed by the applicant in this subsection, the commission may assess additional fees as it deems appropriate.

6. The commission shall charge and collect from each applicant for a manufacturer's license a one-time application fee set by the commission, not to exceed five thousand dollars. The commission shall charge and collect an annual renewal fee for each manufacturer licensee not to exceed one thousand dollars. The applicant shall be responsible for the total cost of the criminal history investigation. If the cost of the investigation exceeds the total amount of fees filed by the applicant in this subsection, the commission may assess additional fees as it deems appropriate.

7. The commission shall charge and collect from each applicant for a hall provider's license a one-time application fee set by the commission, not to exceed seven hundred fifty dollars. The commission shall charge and collect an annual renewal fee for each hall provider licensee not to exceed five hundred dollars.

8. All licenses issued pursuant to this section shall be issued for the calendar year and shall expire on December thirty-first of each year. Regardless of the date of application or issuance of the license, the fee to be charged and collected pursuant to this section shall be the full annual fee.

9. All license fees collected pursuant to this section shall be paid over immediately to the state treasurer to be deposited to the credit of the gaming commission fund.

10. All licensees pursuant to this section shall maintain for a period of not less than three years full and complete records of all business carried on in this state and shall make same available for inspection to any duly authorized representative of the commission. If a supplier does not receive payment in full from an organization within thirty days of the delivery of bingo supplies, the supplier shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all suppliers that until further notice from the commission, all sales of bingo supplies to the delinquent organizations shall be on a cash-only basis. Upon receipt of the notice from the commission, no supplier may extend credit to the delinquent organization until such time as the commission approves credit sales. If a manufacturer does not receive payment in full from a supplier within ninety days of the delivery of bingo supplies, the manufacturer shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all manufacturers that until further notice from the commission, all sales of bingo supplies to the delinquent supplier shall be on a cash-only basis. Upon receipt of the notice from the commission, no manufacturer may extend credit to the delinquent supplier until such time as the commission approves credit sales.

11. Until January 1, 1995, all suppliers shall pay a tax on all pull-tab cards distributed by them in the amount of ten dollars per box when sold by any organization licensed to conduct bingo pursuant to the provisions of sections 313.005 to 313.080. No box sold shall contain more than twenty-four hundred pull-tab cards. Beginning January 1, 1995, a tax is hereby imposed in the amount of two percent of the gross receipts of the retail sales value charged for each pull-tab card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, if timely filed and paid, shall be paid on a monthly basis to the commission by each supplier of pull-tabs and shall be due on the last day of each month following the month in which the pull-tabs were sold. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund. All pull-tab cards sold by suppliers in this state shall bear on the face thereof the amount for which such pull-tab cards will be sold. Each unit container shall contain cards printed in such a manner as to ensure that at least sixty percent of the gross revenues generated by the ultimate sale of such cards shall be returned to the final purchasers of such cards. Any supplier who fails to pay the tax imposed pursuant to this subsection shall have his license issued pursuant to this section revoked and shall be guilty of a class A misdemeanor.

(L. 1984 S.B. 720, A.L. 1986 S.B. 461, A.L. 1993 S.B. 10 & 11, A.L. 1994 S.B. 427, A.L. 1996 H.B. 1159, A.L. 2003 H.B. 523 merged with S.B. 294, A.L. 2010 S.B. 940)

Veterans' hospitals, exempt from frequency provisions--net receipts to be given to hospital.

313.060. Veterans' organizations may conduct the game of bingo on a daily basis, for patients only, in federally designated veterans' hospitals. Such bingo games shall be exempt from the frequency provisions of subdivision* (7) of section 313.040. All net receipts over and above the actual cost of conducting the game as set by law shall be given to the hospital where the bingo game is conducted.

(L. 1981 H.B. 322 § 12)

*Word "subsection" is in original rolls

Rules and regulations, promulgation.

313.065. The administration of sections 313.005 to 313.080 shall be vested in the commission which shall have power to adopt and enforce rules and regulations to regulate and license the management, operation and conduct of games of bingo and participants therein and to properly administer and enforce the provisions of sections 313.005 to 313.080. No rule or portion of a rule promulgated under the authority of sections 313.005 to 313.080 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

(L. 1981 H.B. 322 § 13, A.L. 1993 S.B. 10 & 11, A.L. 1995 S.B. 3)

Licenses, suspension or revocation, when.

313.070. Any license issued under sections 313.005 to 313.080 shall be suspended or revoked by the commission if it is found that the licensee or any person connected therewith has violated any provision of sections 313.005 to 313.080 or any rule or regulation of the commission adopted pursuant to sections 313.005 to 313.080.

(L. 1981 H.B. 322 § 14, A.L. 1984 S.B. 720, A.L. 1993 S.B. 10 & 11)

Effective 7-1-94

Bingo not deemed gambling--licensed sales or consumption of beer and alcoholic beverages not prohibited.

313.075. The conduct or playing games of bingo under the provisions of sections 313.005 to 313.080 does not constitute gambling or gambling activities and the power of the division of liquor control to prohibit the licensing of any premises on which gambling or gambling activities are conducted or played, or to prohibit the sale or consumption of beer or alcoholic beverage on any premises on which gambling or gambling activities are conducted or played, shall not apply where the only activity is the conduct or playing of games of bingo under the provisions of sections 313.005 to 313.080. Any licensee under sections 313.005 to 313.080 may, if such licensee meets all other requirements of the liquor licensing laws of this state, be licensed by the division of liquor control as provided in chapter 311, and the conduct or playing of games of bingo under the provisions of sections 313.005 to 313.080 shall not, by itself, be a reason for refusal to license or for suspension or revocation of a license under the provisions of chapter 311.

(L. 1981 H.B. 322 § 15, A.L. 2009 H.B. 132)

Violations, penalty.

313.080. Any person who violates any provision of sections 313.005 to 313.080 shall be guilty of a class A misdemeanor.

(L. 1981 H.B. 322 § 16)

Sales of bingo supplies exempt from certain taxes.

313.085. In addition to the exemptions granted under the provisions of section 144.030, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.745, section 238.235, and any local sales tax law, as defined in

section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525 and 144.600 to 144.745, section 238.235, and any local sales tax law, as defined in section 32.085, all sales of bingo supplies, equipment or cards, including pull-tab cards, to any organization duly licensed to conduct bingo pursuant to sections 313.005 to 313.085.

(L. 1986 S.B. 461 § 1, A.L. 1993 H.B. 112, A.L. 1994 S.B. 427 merged with S.B. 740)

Effective 5-20-94 (S.B. 740) 6-28-94 (S.B. 427)

BINGO RULES SECTION

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

11 CSR 45-30.020 Advertising

PURPOSE: This rule clarifies the amount of money licensees can use for advertising in relationship to the management, conduct or operation of bingo pursuant to 313.040(9), RSMo and the recent decision rendered by the U.S. Western District Court of Missouri which eliminated the advertising restriction in the Missouri Constitution.

(1) Advertising expenditures for all type (A), (B), and (C) licensees as defined in rule 11 CSR 45-30.065 may not exceed ten percent (10%) of the total receipts available for charitable, religious or philanthropic purposes. The percentage shall be calculated based on the licensee's prior calendar year use of receipts for charitable, religious or philanthropic purposes as reported on the licensee's quarterly reports. New licensees will be allowed to estimate the funds available for advertising for the first two (2) calendar quarters of operation. After two (2) quarters, the total must be based on the actual receipts to be used for charitable, religious or philanthropic purposes.

(2) All expenditures for advertising of a licensed bingo game must be paid from the licensee's special bingo checking account. All invoices, receipts and other documentation used to account for advertisements must be maintained for two (2) years.

(3) The cost of advertising must represent the fair market value within the licensee's geographical area.

(4) The provisions of this rule apply to all type (A), (B), and (C) licensees as defined in rule 11 CSR 45-30.065.

AUTHORITY: section 313.040, RSMo Supp. 2010 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. 14, 1998, effective July 30, 1999. Amended: Filed July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.040, RSMo 1981, amended 1983, 1984, 1986, 1987, 1993, 1994, 1996, 2010 and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.025 Bingo Promotions

PURPOSE: This rule establishes the general guidelines and restrictions licensed charitable organizations must follow to conduct "free no charge" promotional events in conjunction with their bingo game, pursuant to section 313.040, RSMo.

(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 in conjunction with a bingo event in which cash, merchandise, or other item of value is awarded.

(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 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.

(4) Individuals participating in the management or conduct of a bingo promotion and bingo workers for a bingo session 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.

(5) Bingo promotions will be conducted with in compliance of all applicable laws and regulations and in such a manner that the chance of winning any promotional drawing or game shall be equal for all participants. Bingo selection equipment may be used to determine the winner of a bingo promotion.

(6) Licensees will grant Gaming Commission personnel access to all records related to promotions offered in conjunction with licensed bingo upon request.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

**11 CSR 45-30.030 Special Bingo Game
(Rescinded January 30, 2011)**

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 July 28, 2010, effective Jan. 30, 2011.

11 CSR 45-30.035 Bingo Card

PURPOSE: This rule provides a definition of bingo card and its lawful use.

(1) A bingo card is an individual game face marked off into twenty-five (25) squares arranged on five (5) horizontal rows of five (5) squares each with each square being designated by a number, letter, or a combination of numbers and letters, except that the center square on the card shall be designated with the word "free."

(2) No two (2) bingo cards shall be identical, however, one (1) or more bingo cards may be contained on a bingo sheet.

(3) The price for a single bingo card may not exceed one dollar (\$1).

(4) The use of any bingo card for any purpose that is not defined within Chapter 313, RSMo, is prohibited.

(5) During an occasion, a licensee may allow a sight-impaired player to use a Braille bingo card(s) that is owned by the player or purchased from the licensee for use during that occasion. An equal amount of paper bingo cards must be destroyed in accordance with 11 CSR 45-30.175.

(6) A bingo licensee shall obtain approval from the commission prior to purchasing any Braille bingo cards.



(7) Except when prior approval is obtained from the commission to purchase Braille bingo cards directly from a nonlicensed source, a licensee shall purchase all Braille bingo cards from a Missouri licensed supplier.

(8) A bingo licensee seeking prior approval from the commission to purchase Braille bingo cards from a nonlicensed source shall submit a written request to the commission that contains the name of the source, a sample of the actual Braille bingo card(s) to be purchased, and the purchase price for the Braille bingo card(s).

(9) A licensed Missouri supplier may purchase Braille bingo cards from a nonlicensed source only after receiving prior approval from the commission.

(10) A licensed Missouri supplier seeking prior approval from the commission to purchase Braille bingo cards from a nonlicensed source shall submit a written request to the commission that contains the name of the source, a sample of the actual Braille bingo card(s) to be purchased, and the purchase price for the Braille bingo card(s).

(11) The price for the use of a single Braille bingo card per occasion shall be the same price as all other bingo cards during that occasion.

(12) The use of any Braille bingo card for any purpose that is not defined within Chapter 313, RSMo, is prohibited.

AUTHORITY: section 313.065, RSMo 2000. Original rule 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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.040 Occasion

PURPOSE: This rule defines an occasion and limits the total number of games authorized to be played during an occasion to sixty-two games.

(1) An occasion is a single bingo session within the same calendar day during which the total consists of no more than sixty-two (62) bingo games. A licensee may not conduct a bingo session under a special bingo

license on the same calendar day the licensee conducts a bingo session under its regular bingo license.

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 July 30, 2005.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.050 Gross Receipts
(Rescinded June 30, 2005)

AUTHORITY: section 313.065, RSMo Supp. 1996. 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 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. Rescinded: Filed Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.055 Person

PURPOSE: This rule defines person as it relates to sections 313.004 through 313.085, RSMo.

(1) Person—Any individual, corporation, partnership, firm, association, limited liability company or organization or other entity either natural or legal.

AUTHORITY: section 313.065, RSMo Supp. 1997. Original rule filed Sept. 2, 1997, effective March 30, 1998.

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.060 Operator(s)

PURPOSE: This rule sets forth the requirement that a person shall be named who is responsible for the overall conduct, management and operation of bingo by an organization.

(1) 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 bingo chairperson shall maintain, or be responsible for maintaining, all records necessary to accurately reflect the bingo operations and shall timely file all required reports. 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.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.065 Licenses Required

PURPOSE: This rule establishes the types of licenses that are required by the commission.

- (1) The types of licenses shall include:
 - (A) Regular/Annual Bingo license;
 - (B) Special Bingo and Pull-Tab license;
 - (C) Special Abbreviated Pull-Tab license;
 - (D) Bingo Equipment/Supplies Manufacturer's license;
 - (E) Bingo Equipment/Supplies Supplier's license; and
 - (F) Bingo Hall Provider's license.

(2) The commission shall investigate all levels of license applications.

(3) The commission may delegate to the director the authority to approve or deny the application of any applicant for a Regular/Annual Bingo license, Special Bingo and Pull-Tab license, Special Abbreviated Pull-Tab license or Bingo Hall Provider's license, provided, however, that this section shall not limit the delegation of any other authority to the director. The delegation of authority provided hereunder shall not include the authority to review appeals of license denials or suspensions of any bingo license.

AUTHORITY: section 313.065, RSMo Supp. 1996. Emergency rule filed March 1, 1995, effective March 11, 1995, expired July 8,*

1995. Original rule filed March 1, 1995, effective Aug. 30, 1995. Emergency amendment filed Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997.

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.070 Regular Bingo License

PURPOSE: This rule defines a regular bingo license and sets forth the authority for a licensee to possess both a regular and a special bingo license.

(1) A regular bingo 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 per week. The holder of a regular bingo license may also be the holder of a special bingo license. A veterans' organization may be exempt from the limitation of two (2) days per week for play at a veterans' hospital as provided in section 313.060, RSMo.

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 July 28, 2010, effective Jan. 30, 2011.

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.080 Special Bingo License (Rescinded March 30, 1997)

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 Aug. 5, 1996, effective March 30, 1997.

11 CSR 45-30.090 Additional Information

PURPOSE: This rule allows the commission to require additional information to verify statements made in any application for a bingo license.

(1) In addition to the information required to be furnished on the application, and prior to the issuance of a bingo license, every organization desiring to conduct bingo is required to furnish a copy of the letter from the Internal Revenue Service (IRS) granting an exemption from the payment of federal income taxes as provided in section 501(c)(3), (4), (5), (7), (8), (10), (19) or section 501(d) of the *Internal Revenue Code* of 1954. Every organization desiring to conduct bingo may be required by the commission to furnish additional information considered necessary to determine that the applicant organization is fully qualified and eligible for a bingo license. This information may include a copy of the corporate charter or other evidence that the organization was in existence for at least five (5) years immediately prior to the date of application.

(2) Also required with the 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 include each individual's Social Security number and date of birth. Changes to the list must be reported to the commission as they occur.

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 Jan. 27, 2006, effective Sept. 30, 2006.

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.100 Denial of Application or License Renewal

PURPOSE: This rule further clarifies the commission may deny any original application or renewal application for issuance of a bingo license.

(1) The commission may deny any original application or renewal for failure to meet statutory requirements or noncompliance with Chapter 313, RSMo or official rules. The license fee is considered a processing fee pursuant to Chapter 313, RSMo and is not refundable to the applicant.

AUTHORITY: section 313.065, RSMo 1994.* 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 3, 1995, effective Jan. 30, 1996.

*Original authority: 313.065, RSMo 1981, amended 1993.

11 CSR 45-30.130 Member(s) in Charge

PURPOSE: This rule sets forth the requirements and eligibility for a person to be responsible for the overall conduct of a bingo occasion.

(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.

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.

*Original authority: 313.065, RSMo 1981, amended 1993.

11 CSR 45-30.135 Bingo Workers

PURPOSE: This rule provides a definition of "bingo worker."

(1) A bingo worker is any person participating in the operation of the game of bingo. This includes the bingo chairperson or member in charge, callers and any person that helps to verify or pay bingo winners. It includes any person that sells bingo paper or pull-tabs, as well as any person involved in the management, conduct, or operation of the actual games, including those who help prepare bingo paper, count winning pull-tabs, or



otherwise handle the bingo supplies, bingo equipment, or receipts.

(2) For the purposes of this rule, the term "bingo worker" shall not include any person whose sole duty or responsibility is to prepare or sell concessions, provide janitorial or security services, sell raffle or sweepstakes tickets for a lawfully conducted raffle or sweepstakes, or sell markers, cushions, bags, and other incidentals, as well as any authorized representative of a licensed supplier whose sole duty or responsibility is to maintain Electronic Bingo Card Monitoring Devices (EBCMDs).

AUTHORITY: section 313.065, RSMo 2000. Original rule filed Dec. 1, 2004, effective July 30, 2005.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.140 Worker—Player

PURPOSE: This rule sets forth guidelines permitting a worker to also be a player during the same occasion but not during the same game.

(1) Any eligible person 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 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) Bingo workers are prohibited from purchasing bingo paper and/or pull-tabs and having another player play for them.

(3) Bingo workers are prohibited from play-

ing bingo cards for a player.

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 Jan. 27, 2006, effective Sept. 30, 2006.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.145 Premises Required to be Open for Inspection

PURPOSE: This rule ensures that bingo licensees are complying with the bingo statutes.

(1) The premises where any game of bingo is being conducted, or where it is intended that any game of bingo is to be conducted, shall be open to inspection by the commission or its duly appointed representatives.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993.*

11 CSR 45-30.150 Information to be Posted

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 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 house rules which clearly explain how players are awarded prizes for bingo and pull tabs.

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.

**Original authority: 313.065, RSMo 1981, amended 1993.*

11 CSR 45-30.155 Bingo Equipment Defined

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

(1) In addition to the items listed in section 313.005(3), 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 not limited to bingo blowers, hoppers, squirrel cages, manual or electronic display boards, electronic bingo card monitoring devices, any equipment designated by the commission as bingo selection equipment; and

(B) Pull-tabs and pull-tab dispensers.

(2) Equipment used in the conduct of bingo must be maintained in good and proper working conditions. 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 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 313.065 RSMo, 2000. Original rule filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Dec. 1, 2004, effective June 30, 2005.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.160 Equipment (Rescinded June 30, 2005)

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 Dec. 1, 2004, effective June 30, 2005.



11 CSR 45-30.170 Records Required (Rescinded June 30, 2005)

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: Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.175 Organization (Operator) Record Keeping Requirements

PURPOSE: This rule describes the record keeping requirements and record retention requirements for bingo organizations licensed by the commission, effective January 1, 1995.

(1) An organization shall maintain complete, accurate, and legible general accounting records that contain sufficient detail to furnish information, which must 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. 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.

(3) Each organization shall deposit its bingo proceeds in a financial institution located in Missouri and shall perform a monthly reconciliation, which lists outstanding checks, deposits, and beginning and ending book balances for the month.

(4) Copies of supplier invoices for all bingo paper, pull-tabs and bingo equipment purchased must be maintained and stored by the organization.

(5) Winning bingo cards or bingo sheets for values of two hundred dollars (\$200) or more must 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 be signed, dated and retained for a period of (1) year.

(6) All pull-tab flares must be retained by the organization for a period of one (1) year from the date the corresponding pull-tab game is completed or terminated upon prior approval by the commission. Each winning pull-tab card for values of one hundred dollars (\$100) or more must be signed by the winner, dated, and retained by the organization for a period of one (1) year.

(7) If sight-impaired players are sold Braille bingo cards for use during an occasion an equal amount of paper bingo cards shall be destroyed.

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

(9) All records not specified in sections (5), (6), or (7) of this rule, as well as all ledgers, receipts, and invoices required by this rule and Chapter 313, RSMo, must be retained for a period of two (2) years, unless prior written approval is received from the commission to retain any such record, ledger, receipt, or invoice for a period less than two (2) years, and stored in such a manner as to be immediately available for inspection by the commission upon demand.

(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 suspension or revocation. The term bingo equipment and supplies does not include markers, cushions, bags and other incidentals.

AUTHORITY: section 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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.180 Inventory, Ownership, and Leasing of Bingo Equipment

PURPOSE: This rule requires that accurate records be maintained on the quantity and ownership of all equipment used directly in the conduct of bingo.

(1) Accurate records must 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 inventory of bingo paper and pull-tab cards. 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.

(3) No bingo licensee that is the holder of a regular bingo license shall use bingo equipment in which the licensee does not have an ownership interest. Two (2) or more bingo licensees may enter into an agreement for the joint ownership of bingo equipment. No non-licensee shall share any interest in the equipment except the security interest of an established financial institution. The equipment may not be purchased from a nonlicensee who has an interest in the premises on which the equipment is to be used. A copy of the purchase agreement may be requested by the commission and shall contain the following information:

- (A) The percentage of ownership;
- (B) The total cost of the co-ownership;
- (C) The amount and terms of any time payment (if applicable);
- (D) The name of the seller and other co-owners;
- (E) Acceptable method(s) for sale or disposition of the co-ownership; and
- (F) A description of the bingo equipment purchased.

(4) For the purposes of this rule the term "ownership interest" shall include a sole ownership interest, co-ownership interest, or lease interest in bingo equipment.

(5) Bingo equipment shall only be leased from a licensed supplier. No lease providing for a rental arrangement for bingo equipment shall provide for payment in excess of the reasonable market rental rate for such equipment and in no case shall any payment be based on a percentage of gross receipts or profits derived from the game of bingo.



(6) Except for Electronic Bingo Card Monitoring Devices (EBCMDs), a regular bingo licensee conducting a bingo occasion under a special bingo license may, during the occasion, use bingo equipment in which the licensee does not have an ownership interest.

(7) A regular bingo licensee conducting a bingo occasion under a special bingo license shall not, during the occasion, use any EBCMDs in which the licensee does not have an ownership interest.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.190 Rules of Play

PURPOSE: This rule sets forth guidelines for the rules of play.

(1) Except for pull-tab games, a bingo game begins with the first letter and number drawn (called). Bingo paper may be sold no more than two (2) hours prior to the start of the first bingo game, however, no pull-tab sales may start before 7:00 a.m. The paper and/or pull-tab sales time must be clearly posted in the licensee’s house or game rules. All bingo paper and/or pull tabs must be sold by approved workers and sales times are subject to approval by the commission.

(2) The amount of the prize and the permissible winning combination must 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. All seventy-five (75) objects or balls must be present within the receptacle before each 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. All disputes between the players and the licensed organization regarding prizes

must be settled between the player(s) and the organization.

(3) When a player achieves the preannounced winning combination and the winning combination is verified, the next game must be commenced with a new bingo card or sheet.

(4) 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).

AUTHORITY: section 313.040, RSMo Supp. 2010 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. 12, 1997, effective July 30, 1998. Amended: Filed May 13, 1998, effective Dec. 30, 1998. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Amended: Filed Oct. 1, 2001, effective May 30, 2002. Emergency amendment filed July 28, 2010, effective Aug. 28, 2010, expired Feb. 23, 2011. Amended: Filed July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.040, RSMo 1981, amended 1983, 1986, 1987, 1993, 1994, 1996, 2010 and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.200 Merchandise Prizes

PURPOSE: This rule sets forth guidelines for determining the retail price or fair market value of merchandise prizes.

(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 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 merchan-

dise prizes must be retained in the records of any licensed manufacturer that invents, fabricates, assembles, or otherwise produces the pull-tab game.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.205 Game Operation Definitions

PURPOSE: This rule defines the accounting terms and reports which may be used to comply with the record keeping requirements for Class A, B and C licensees pursuant to section 313.045, RSMo and 11 CSR 45-30.210.

(1) Gross receipts—all receipts from admission charges, sale of any bingo cards, pull-tab cards, or any item sold for which the proceeds are commingled with bingo funds.

(2) Net income—all receipts over and above the actual cost of conducting the occasion.

(3) Net receipts—gross receipts less bingo card prizes awarded and pull-tab card prizes awarded, plus starting cash.

(4) Starting cash—any cash used to make change for the occasion.

(5) Occasion Report—a report of activity conducted at each bingo or pull-tab occasion which includes, but is not limited to the date of the occasion, attendance (number of players), gross receipts, starting cash, prizes awarded, net receipts, and amount deposited. Each occasion report must be signed by the member in charge of the game, as a true and correct accounting of receipts and prizes awarded during each bingo or pull-tab occasion. Class A, B, and C licensees may use their own occasion reports, if the required information is contained in the report or use reports provided by the commission. Occasion reports are not required to be submitted to the commission unless the commission specifically requests the organization to submit a report for a specific occasion or series of occasions.



AUTHORITY: section 313.065, RSMo 2000. Original rule filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.210 Reports

PURPOSE: This rule requires each licensee to file reports only on forms supplied by the commission.

(1) The forms necessary for the filing of any licensing or tax reporting requirements by this chapter, of each licensee shall be made on the forms supplied by the commission.

(2) Alternative forms may be used if prior approval has been received from the commission.

(3) Pursuant to section 313.045, RSMo, each licensed organization/operator must file with the commission a quarterly report for the preceding calendar quarter listing: 1) the number of games it has conducted during the quarter, 2) the gross receipts from each game, to include bingo card receipts and pull tabs, 3) an itemization of the cost of conducting each game, including prizes awarded, and the names of the person(s) to whom said expenses were paid, and 4) the purposes for which the net proceeds of each game were used and the amounts so used. The report is due the last day of each month following each calendar quarter except the fourth quarter report which will be due February 28. The first quarter is January through March, the second quarter is April through June, the third quarter is July through September, and the fourth quarter is October through December. The due dates will be April 30, July 31, October 31, and February 28, respectively. Reports not filed by the due dates will subject the licensee to the penalties described in 11 CSR 45-30.535 or the licensee/operator may have its license suspended or revoked pursuant to section 313.052, RSMo.

(4) Each licensee must submit with their quarterly report a progressive game activity report for each progressive game conducted. The report must indicate the following:

- (A) Date of each occasion;
- (B) The progressive prize offered;
- (C) The consolation prize offered;
- (D) The number of balls needed to win the

progressive prize; and
(E) The prize amount awarded.

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 July 3, 1995, effective Jan 30, 1996. 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 Oct. 29, 1999, effective May 30, 2000. Amended: Filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.220 Bank Account (Rescinded June 30, 2005)

AUTHORITY: section 313.065, RSMo Supp. 1998. 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 Aug. 5, 1996, effective March 30, 1997. Amended: Filed Oct. 29, 1999, effective May 30, 2000. Rescinded: Filed Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.225 Change of Day and/or Time of Bingo Occasion

PURPOSE: This rule sets forth the requirement that a licensee submit a request and obtain authorization from the commission prior to changing the day and/or time of its bingo occasion.

(1) Each applicant for licensure or organization licensed to conduct bingo is required to state the day(s) and time(s) the bingo occasion(s) will be conducted in the relevant application. Upon issuance of a new or renewal license, each licensed organization shall conduct its bingo games on the day(s) and time(s) so stated in the application. A licensed organization may request a change in the day(s) and/or time(s) of its bingo occasion(s) in writing to the commission. The licensed organization may change the day(s) and/or time(s) of its bingo occasion(s) upon receipt of written authorization from the

commission.

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 July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.235 Reasonable Market Rental Rate for Leased Premises and Leased Locations

PURPOSE: This rule stipulates that information can be required by the commission to substantiate 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.

(2) Hall providers who qualify to lease locations for the conduct of bingo may lease the location(s) to the type of (A), (B), and (C) licensees as described in 11 CSR 45-30.065, only if they have obtained a license from the commission.

(3) Licensees may not sublease the premises to any other licensee for the purpose of conducting bingo.

(4) Hall providers must 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) 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 313.065, 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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.240 Leased Locations
(Rescinded June 30, 2005)

AUTHORITY: section 313.065, RSMo Supp. 1997. Emergency rule filed July 29, 1994, effective Aug. 11, 1994, expired Dec. 5, 1994. Original rule filed July 29, 1994, effective Jan. 29, 1995. Amended: Filed Nov. 10, 1998, effective June 30, 1999. Rescinded: Filed Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.250 Subsidiary Body—Application for License

PURPOSE: This rule sets forth the guidelines by which the commission may grant a subsidiary body of a parent organization a license to conduct the game of bingo when the subsidiary body has been in existence for less than five years.

(1) A subsidiary body, post, chapter or auxiliary which has been in existence for a period of less than five (5) years may apply for bingo license. The commission may grant the license if the subsidiary body is otherwise eligible and the subsidiary body is authorized, controlled and governed by a bona fide religious, charitable, fraternal, veteran or service organization which meets all qualifications including the five (5)-year existence requirement. Each member of the subsidiary body must also be a member of the parent organization.

(2) A subsidiary body, post, chapter or auxiliary will not be granted or allowed to retain a license where persons involved in the management, operation or conduct of its game or its officers or employees were involved in the management, operation or conduct of games operated by its parent organization or by a

brother-sister organization or were officers and employees of the organization, when the parent or brother-sister organization had its license revoked.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993.*

11 CSR 45-30.260 Participation of Workers—Restricted

PURPOSE: This rule prohibits any hall provider, manufacturer or supplier of bingo equipment or its agents to participate in the management, operation or conduct of bingo games.

(1) No person, or the agents or employees thereof, who directly or indirectly leases the premises, as lessee sells, leases or otherwise distributes bingo supplies or equipment, or furnishes commodities or services to a bingo licensee shall take part in the management, operation or conduct of bingo games.

(2) This restriction may be waived by the commission for nonprofit organizations who are also licensed hall providers.

AUTHORITY: section 313.065, RSMo 1994. 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 3, 1995, effective Jan. 30, 1996.*

**Original authority: 313.065, RSMo 1981, amended 1993.*

11 CSR 45-30.270 Premises Defined, Inspections, All Gambling and Gambling Devices Prohibited

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.

(1) The word premises, as used in sections 313.005 to 313.085, RSMo, means an entire permanently affixed structure. The division of a structure by floors, rooms, or areas to create multiple premises for the conduct of bingo is prohibited. A bingo licensee must receive approval from the commission prior to using any structure in which it intends to play bingo.

(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 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.

(3) Pursuant to section 313.035, RSMo, no unauthorized gambling or gambling devices, as defined by Chapter 572, RSMo, shall be permitted on the premises used by a bingo licensee. The bingo licensee, its officers and agents shall be responsible for any violations that may occur.

(4) The presence of gambling devices such as, but not limited to, slot machines, roulette wheels or other gambling games shall be prima facie evidence of violations of those provisions of Chapter 572, RSMo relating to gambling and gambling promoters.

(5) The commission shall have the right to 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: 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. 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.*



**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

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

PURPOSE: This rule explains the proper disposition of bingo receipts.

(1) 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.

(2) 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.

(3) 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 must be paid from the special bingo checking account on preprinted, serially numbered checks. Checks must 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 must 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 must be documented with a receipt or other supporting documentation to ensure proper use of bingo proceeds.

(4) If an organization uses starting cash, a check must 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 must 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 must be reported with other disbursements from the bingo checking account on the quarterly report, as required by 11 CSR 45-30.210.

(5) Bingo operators may not deposit receipts from any other fund-raising activities of the organization into the bingo checking account; except as needed, game operators may transfer funds from another account into the bingo checking account to cover bingo game related expenses. 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.

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

(7) 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: 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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.290 Co-Ownership of Bingo Equipment (Rescinded June 30, 2005)

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 Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.300 Equipment Leases, Reasonable Market Rental Rate (Rescinded: June 30, 2005)

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 Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.335 Participation of Auxiliary, Post or Organization Members in Licensee's Bingo Games

PURPOSE: This rule clarifies that, for purposes of assisting in the management, conduct or operation of bingo games, members of a post's or organization's auxiliary and members of an auxiliary's post or organization may assist in its bingo game.

(1) For purposes of section 313.040(2), RSMo, if any post or organization, by its national charter, has established an auxiliary organization for spouses, then members of the auxiliary organization shall be considered bona fide members of the licensed organization and members of the post or organization shall be considered bona fide members of the auxiliary organization. Regardless of which organization is licensed, the responsibility for the overall management, conduct and operation of bingo games shall be that of the members as defined in the licensee's constitution and/or bylaws.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.340 Participation of Full-Time Employee, Full-Time Staff Member or Ordained Member of Clergy

PURPOSE: This rule specifies the eligibility



requirements and defines positions of individuals which are eligible to participate in the management, conduct or operation of bingo.

(1) No full-time employee or full-time staff member employed by an organization licensed to conduct bingo may participate in the management, conduct or operation of bingo games until the time that the organization has submitted proof on forms prescribed by the commission to verify the eligibility of the employee or staff member to participate in the management, conduct, or operation of bingo. The commission shall approve or disapprove the participation of the full-time employee or full-time staff member within thirty (30) days of receipt of the proof of eligibility submitted by the organization. The commission may immediately suspend the participation of any full-time employee or full-time staff member upon determination by the commission that the employee or staff member is no longer eligible to participate in the management, conduct, or operation of bingo.

(2) The organization of any full-time employee or full-time staff member whose participation has been disapproved or suspended by the commission may resubmit proof on forms prescribed by the commission to verify the employee or staff member's eligibility to participate in the management, conduct, or operation of bingo at any time following the commission's disapproval or suspension of the employee or staff member's participation. The commission shall sustain, modify, or rescind the suspension of the full-time employee or full-time staff member or approve or disapprove the participation of the employee or staff member within thirty (30) days of receipt of the proof of eligibility resubmitted by the organization. No organization, without prior written permission from the commission, may resubmit proof of eligibility more than two (2) times within a one (1)-year period for any full-time employee or full-time staff member whose participation has been disapproved or suspended by the commission.

(3) The burden of proof as to the eligibility of a full-time employee or full-time staff member to participate in the management, conduct, or operation of bingo shall at all times rest with the organization seeking approval for the employee or staff member's participation. The approval, disapproval, or suspension of the participation of a full-time

employee or full-time staff member shall be within the sole discretion of the commission.

(4) Any person who is a duly ordained member of the clergy and who is a member of the church or church organization licensed to conduct bingo may participate in the management, conduct or operation of the organization's licensed bingo games without securing the approval of 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.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.350 Pull-Tab Cards
(Rescinded June 30, 2005)

AUTHORITY: section 313.065, RSMo Supp. 1996. 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 Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Rescinded: Filed Dec. 1, 2004, effective June 30, 2005.

11 CSR 45-30.355 Sale of Pull-Tab Cards by Bingo Licensees

PURPOSE: This rule establishes the period of time and place in which pull-tab cards may be sold by a licensed organization conducting bingo games.

(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, or pull-tab card. Such pull-tab cards must 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).

(3) The use of any pull-tabs card that is not within the definitions of Chapter 313, RSMo is prohibited.

(4) Licensees possessing a type A or B license, as identified in 11 CSR 45-30.065(1)(A) and (B) must comply with the following:

(A) On each occasion, pull-tab cards may be sold no more than two (2) 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) Licensees possessing a type C license, as identified in 11 CSR 45-30.065(1)(C), 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 313.065, 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 Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed Aug. 28, 1998, effective March 30, 1999. Amended: Filed Feb. 1, 2002, effective Aug. 30, 2002. Amended: Filed Dec. 1, 2004,*



effective July 30, 2005. Amended: Filed July 28, 2010, effective Jan. 30, 2011.

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.360 Unit Container/Box of Pull-Tab Cards Sold, Total Gross Receipts Restricted and Gross Receipts Tax Due
(Rescinded January 30, 1996)

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 July 3, 1995, effective Jan. 30, 1996.

11 CSR 45-30.370 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 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 each occasion until the progressive prize is awarded.

(2) 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 each occasion during which the progressive game is played.

(4) If the progressive game prize is not awarded at a bingo occasion, the progressive game shall be continued at each succeeding occasion until such time a winner is determined. The winning prize does not have to be the full amount, but one stated consolation prize may 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 be offered and/or awarded per occasion.

(5) All progressive bingo games must be fully described and posted in the house rules prior to the start of the occasion and must comply with all other statutory and rule and regulation requirements. Said description shall include dates and times when the progressive games shall be played to include type (B) special events, if any. Each game operator must submit a progressive game activity report for each progressive game with their quarterly report as defined in 11 CSR 45-30.210. The report must indicate the date, progressive prize offered, number of balls needed to win progressive prize and 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) Each operator's/licensee's progressive game set of rules must remain in effect until the game ends and the 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.

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

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

(11) Progressive game may be played on electronic bingo card monitoring devices.

AUTHORITY: section 313.065, RSMo 2000. 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.

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.390 Manufacturer Defined

PURPOSE: This rule defines the term manufacturer and clarifies that a manufacturer may be considered a supplier.

(1) A manufacturer shall include any person, firm, partnership, corporation and/or business, which:

(A) Invents, fabricates, concocts or assembles bingo cards, bingo supplies, pull-tab games, a coin board game, or any electronic device used in the playing of bingo or pull-tabs;

(B) Adds prizes to any pull-tab or coin board game; or

(C) Invents, modifies, or seeks approval for use of any software used in conjunction with any electronic device.

(2) Any manufacturer who manufactures bingo supplies or equipment in Missouri shall be required to obtain a manufacturer's license.

(3) Any person who derives income directly or indirectly as a sales representative or commissioned agent from a licensed manufacturer for the purpose of selling, leasing or otherwise distributing bingo supplies, equipment, and/or cards to an end user, (licensee or nonlicensee) shall also be required to obtain a bingo supplier's license.

(4) Printers who only print bingo tally cards or programs at the request of the licensed organization shall not be required to obtain a license.

AUTHORITY: section 313.065, RSMo 2000. Original rule filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006.*

*Original authority: 313.065, RSMo 1981, amended 1993, 1995.

11 CSR 45-30.395 Manufacturer Record Keeping Requirements

PURPOSE: This rule describes the record keeping requirements and record retention



requirements for manufacturers licensed by the commission, effective January 1, 1995.

(1) A manufacturer shall maintain copies of all sales invoices. Invoices shall include name of manufacturer, manufacturer's Missouri license number, name and license number of the Missouri supplier, invoice number, full description of bingo equipment/merchandise shipped, serial number of equipment/merchandise, shipping destination and date equipment/merchandise was shipped.

(2) Invoices reflecting sales of bingo paper and pull tabs shall also include the total number of bingo cards or bingo sheets in a packet of bingo paper and the total number of pull tabs per deal, retail price per tab and the color and the serial number of the top sheet of bingo paper or pull tab.

(3) All documents generated by the manufacturer with each product sold must also be maintained. Documents such as order forms, bills of lading or other documents must be retained with the invoice.

(4) In packaging the bingo paper or pull-tabs, the manufacturer shall comply with the following packaging requirements:

(A) Each package, box or container shall be sealed; and

(B) The serial number shall be placed on the outside of the package so that it can be clearly viewed from the outside.

(5) All records, reports and receipts required by this rule and Chapter 313, RSMo shall be maintained for a minimum of three (3) years and stored in such a manner as to be available for inspection by the commission upon request at no charge.

(6) Manufacturers are only allowed to sell their bingo equipment, as defined in 11 CSR 45-30.155, in the state of Missouri to 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 manufacturer's license could be subject to immediate suspension or revocation.

AUTHORITY: section 313.065, RSMo 2000. Original rule filed Dec. 15, 1994, effective May 28, 1995. Amended: Filed July 3, 1995, effective Jan. 30, 1996. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed Oct. 1, 2001, effective May 30, 2002.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.480 Package Deals and Tying Arrangements Prohibited

PURPOSE: This rule interprets the bingo law as it applies to purchases of supplies and equipment when connected or tied to lease of a particular premises.

(1) No licensee shall be required to purchase supplies or equipment from a particular vendor in order to lease a particular premises for the conduct of bingo.

(2) No supplier or hall provider shall encourage or permit the sale of its supplies or equipment as a condition precedent to the lease of a particular premises.

(3) No licensee shall enter into any agreement or understanding, either written, verbal or implied, whereby the licensee is required or encouraged to purchase supplies from a particular vendor as a prerequisite to obtaining equipment, supplies or a particular premises for the conduct of bingo.

(4) No supplier shall enter into an agreement or understanding whereby a lessor or potential lessor of premises will rent solely to licensees who use the supplies or equipment of that supplier or whereby the lessor will discourage its lessees from obtaining its supplies or equipment from other suppliers.

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 Jan. 27, 2006, effective Sept. 30, 2006.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.500 Bingo on Military Installations

PURPOSE: This rule informs the public of the status of the bingo tax on military installations.

(1) Instrumentalities of the United States are not required to obtain a Missouri bingo license in order to conduct bingo for military

personnel and their guests on land within the state ceded to the federal government for military purposes and upon which active military installations exist.

(2) No tax shall be imposed on the products used to conduct the bingo game which is conducted by instrumentalities of the United States for military personnel and their guests on land within the state ceded to the federal government for military purposes and upon which active military installations exist, if the products (paper and pull tabs) are paid for with checks drawn from the Defense Finance and Accounting Office or by the Federal Central Accounting Office.

(3) Instrumentalities of the United States which conduct bingo on active military installations for military personnel and their guests are exempt from the filing requirements imposed upon organizations which conduct bingo.

AUTHORITY: section 313.065, RSMo Supp. 1996. 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. 13, 1996, effective June 30, 1997.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.515 Organization Bona Fide Member Definition

PURPOSE: This rule defines the term bona fide member as it relates to bingo licensing requirements.

(1) For purposes of sections 313.005–313.080, RSMo and rules thereto, the definition of the term bona fide member shall be an individual who:

(A) Is defined as a member in the organization's by-laws, constitution and/or articles of incorporation;

(B) Has made an affirmative effort to join the organization, thereby, forming an identifiable association with the organization; and

(C) Participates in the organization's activities other than bingo.

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.

*Original authority: 313.065, RSMo 1981, amended 1993.

11 CSR 45-30.520 Waiver of Requirements

PURPOSE: This rule establishes process for waiver of requirements.

(1) The commission may waive any licensing requirement or procedure for any type of license if it determines that the waiver is in the best interests of the public.

AUTHORITY: sections 313.004 and 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.

*Original authority: 313.004, RSMo 1993; and 313.065, RSMo 1981, amended 1993.

11 CSR 45-30.525 Supplier Record Keeping Requirements

PURPOSE: This rule describes the record keeping and record retention requirements for bingo suppliers licensed by 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 be maintained.

(2) All documents generated by the supplier with each order of product(s) from the manufacturer or each product sold to the operator must also be maintained. Documents such as order forms, bills of lading or other documents must be retained with the invoice.

(3) Suppliers shall record sales transactions of the products listed above on a preprinted serially numbered sales invoice. A minimum of three (3) copies of each invoice are required or two (2) copies and a payment stub. Two (2) copies are to be sent to the operator or one (1) copy and the payment stub with the order and/or billing. One (1) copy is to be retained by the operator and one (1) copy or the payment stub is to be returned

with the payment to the supplier. The supplier must retain a copy of the original invoice. The date of the sale will be evidenced by the date on the invoice. Voided invoices must also be retained.

(4) A sales invoice shall include:

- (A) The invoice number;
- (B) Date of sale;
- (C) License number and name of the operator;
- (D) Destination;
- (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;

(G) Serial number of each piece of bingo equipment and description of the equipment;

- (H) Applicable bingo tax(es) or fees;
- (I) Supplier name and license number; and
- (J) Other information may be substituted only if the supplier has received approval from the commission.

(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 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 indicate the same type of information as the sales invoice. The amounts should 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 be on the sales invoice. When the supplier files the monthly report, the returned merchandise should 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 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

include the same information as invoices to operator sales.

(7) All records, reports and receipts required by this rule or Chapter 313, RSMo shall be maintained for a period of three (3) years and stored by the supplier in such a manner as to be available for inspection upon request by the commission at no charge.

(8) Suppliers are only allowed to buy bingo products from manufacturers licensed in Missouri and are only allowed to sell bingo products to suppliers or operators licensed in Missouri. Suppliers may, however, sell bingo paper to entities who are not licensed with the commission, if the paper is used for a free, no-charge bingo game. Prior approval must be obtained from the commission by the entity that is going to use the bingo paper each time a purchase of such items is made. The supplier must maintain a copy of the approval with the original invoice. The paper must be marked as prescribed by the commission, to reflect the paper may not be used in conjunction with a licensed bingo game. Suppliers are allowed to sell products tax free to suppliers or operators in other states (export sales), if the record keeping requirements listed in sections (2)–(4) of this rule are followed. Suppliers shall maintain a separate invoice file for all Missouri tax-exempt sales. If violations of this restriction or the other restrictions listed in this rule or Chapter 313, RSMo are identified by the commission, the supplier's license could be subject to immediate suspension or revocation.

(9) Damaged or obsolete returned products subject to the bingo taxes pursuant to Chapter 313, RSMo, which the supplier does not intend to resell must be itemized to include the applicable serial number(s), before it can be destroyed. A copy of the list must be filed with the commission. The destruction of the product(s) must be witnessed by commission personnel or the supplier must have obtained prior written approval from the commission before it can be destroyed.

AUTHORITY: 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.



**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.535 Penalties

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

(1) Any licensee required to collect, account for and pay over any tax or fee, who willfully, with intent to defraud, fails to collect the tax or fee, or truthfully account for and pay over the tax or fee, or willfully attempts in any manner to evade the tax or fee, or the payment of it, in addition to other penalties provided by law, shall be liable for a penalty equal to the total amount of the tax, fee or penalty evaded, or fifty dollars (\$50) per occurrence, (whichever is larger) or not remitted, or not accounted for and paid over.

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

(3) For operators who fail to file a renewal application as required in sections 313.015 and 313.057, RSMo, by the required date the commission may assess a late penalty of five dollars (\$5) per day from the date due until filed.

(4) For operators who fail to file quarterly reports as required in section 313.045, RSMo, and 11 CSR 45-30.210, by the required due dates, the commission may assess a late penalty of five dollars (\$5) per day from the date due until filed. The maximum late penalty for one (1) report shall be one hundred dollars (\$100).

(5) Any manufacturer or supplier may be assessed tax, interest and/or a penalty to 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.

(6) In addition to the above penalties, the commission may also revoke or suspend any existing license required by the bingo statutes.

(7) For purposes of this rule, the term licensee includes an individual or an officer or employee of the licensee or a member or

employee of the licensee who is under a duty to perform the act in respect of which the violation occurs.

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 July 28, 2010, effective Jan. 30, 2011.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.540 Approval of Bingo Paraphernalia

PURPOSE: This rule clarifies items that must be approved by the commission, the party responsible for getting approval, and the approval process.

(1) Licensed manufacturers shall submit 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 also be submitted with the request for approval.

(2) Licensed manufacturers shall submit 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.

(3) No unapproved pull-tabs or coin boards shall be provided to, or be possessed or used by, any licensed bingo organization in this state. Bingo paper that does not meet the definition contained in section 313.005, RSMo, shall not be provided to, or be possessed or used by, any licensed bingo organization. Any such bingo paper that may be provided to or possessed by a licensed bingo organization is declared contraband.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.545 Contraband

PURPOSE: This rule defines bingo products considered contraband and the action the commission will take if items are identified as contraband by the commission.

(1) On or after January 1, 1995, 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 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 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 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.

(5) Bingo paper that does not meet the statutory requirements of sections 313.004 to 313.085, RSMo, or has not been approved by the commission is declared contraband.

(6) The commission or its agents may seize any and all contraband and determine its lawful disposition.

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.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*



11 CSR 45-30.550 Licensee's Duty to Report and Prevent Misconduct

PURPOSE: This rule establishes a licensee's duty to report and prevent misconduct associated with charitable gaming.

(1) Licensees, workers, 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 workers or employees.

(2) At no time shall any licensed bingo organization or its workers fail to 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, or a worker or employee of a licensee, knows that an illegal or violent act has been committed in association with bingo activities, the individual shall promptly report the occurrence to the commission (and local law enforcement officials, if applicable) and shall cooperate with authorities and agents of the commission during the course of any investigation of the occurrence.

AUTHORITY: section 313.065, RSMo 2000. Original ruled filed May 6, 2003, effective Jan. 30, 2004.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.555 Agreements Restricting Freedom to Buy and Sell—Prohibited

PURPOSE: This rule establishes guidelines for compliance with Article III, section 39(a)(5) of the Missouri Constitution and section 313.025, RSMo.

(1) No person shall enter into any agreement, expressly or implied, with any other person which requires any person to purchase exclusively from, or sell exclusively to, any other person, or which prohibits any person from purchasing from or selling to any other person, any devices, materials, products, equipment or services which are used or offered in any way in connection with bingo. No person shall enter into any agreement, express or

implied, wherein any person is prohibited from, or required to, make a purchase or sales only within a particular geographic area. Provided that nothing in this section shall restrict a licensee from exercising proprietary rights gained through patents, copyrights, trademarks, or other similar rights bestowed by state or federal governments or by courts.

(2) No manufacturer or supplier shall make or have an agreement or understanding with any licensee that either of them shall be restricted in the operation and carrying on of business to a specific geographic area, or areas, and such a restriction shall not be a condition of any other licensee.

AUTHORITY: section 313.065, RSMo Supp. 1997. Emergency rule filed Aug. 30, 1996, effective Sept. 13, 1996, expired March 9, 1997. Original rule filed Aug. 30, 1996, effective March 30, 1997. Amended: Filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed Nov. 10, 1998, effective June 30, 1999.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.570 Price Reporting

PURPOSE: This rule establishes price-reporting requirements for manufacturers and suppliers of bingo paper and pull-tabs to facilitate compliance with section 313.025(2), RSMo.

(1) Licensed manufacturers shall submit a list of all bingo paper and bingo pull-tab products intended to be marketed, sold, or distributed in this state and the price of each to the commission no later than the last calendar day of each March, June, September, and December. New applicants for a manufacturer's license shall submit a price list with their license application.

(2) Price lists shall include the prices charged to licensed suppliers including any special offers, discounts, or rebates and any price ranges associated with special offers, discounts, or rebates. Price lists for bingo paper shall clearly reflect the cost per thousand for each type, i.e., collated or straight stock, whether the border is colored, striped, or plain, etc. Pull-tab price lists shall reflect the cost per ticket charged to licensed suppliers for each type of ticket, i.e., three (3)-window,

five (5)-window, etc. Pricing information shall be reported in a format prescribed by the commission.

(3) Manufacturers shall submit proposed price changes in writing so the information is received by the commission at least ten (10) days prior to the effective date of the change.

(4) When any bingo supplies and/or equipment will be sold by a licensed supplier below the price paid for the supplies, the supplier shall submit the following information in writing so the information is received by the commission at least ten (10) days prior to the effective date of the sale: the original purchase price, the sale price to be charged, and the reason for selling the supplies at a loss.

AUTHORITY: section 313.065, RSMo 2000. Original rule filed May 29, 2002, effective Dec. 30, 2002.*

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.575 Pull-Tab Packaging, Assembly and Distribution

PURPOSE: This rule establishes pull-tab packaging, distribution and randomization requirements to be followed by manufacturers, suppliers and operators to ensure fairness and integrity of the tabs when sold to the players pursuant to section 313.057(10), RSMo.

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

(A) Each series of pull tabs shall contain a packing slip placed inside or attached to the box(es) or container(s); and

(B) The packing slip must 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 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 of winners or losers exists that allows the possibility of prize manipulation or "pick out."



(3) Manufacturers must mix pull tabs prior to placing them in their final packaging container(s). The mix shall insure 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 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 this seal or shrink wrap be removed by a supplier. Suppliers are prohibited from repackaging or bundling, etc., the pull tabs.

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

(6) The commission shall have the authority to select any pull-tab deal or series, whether held by an operator, supplier, or manufacturer and to examine the quality and/or integrity of the pull-tab series in any manner including pulling all chances. Manufacturers shall be responsible for reimbursing suppliers or operators for unused games selected by the commission for quality control testing purposes.

(7) Pull-tabs shall be manufactured so that it is impossible to determine by any method or device the covered or concealed numbers, symbol, set of symbols, or game protection on the pull-tab until it has been dispensed to and opened by the player.

(8) All pull-tabs will 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) 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: 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.

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.580 Procedure for Entry of Names to the Ineligible Persons List

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

(1) Upon a determination by the commission that a person comes under any one (1) of the criteria listed in 313.035, RSMo, this person shall be deemed a candidate for placement on the ineligible persons list, and the commission shall 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, 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 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 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) When a person is determined to be ineligible, 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.

(3) If the commission or a subsequent judicial review finds in favor of the candidate or ineligible person, then his/her name shall be removed from the ineligible persons list and his/her ineligibility shall be terminated as of the date of the action by the commission or court.

AUTHORITY: sections 313.004, RSMo 1994 and 313.065, RSMo Supp. 1998. Original*

rule filed Feb. 16, 1999, effective Oct. 30, 1999.

**Original authority: 313.004, RSMo 1993, amended 1994; and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.585 Maintenance of the List of Ineligible Persons

PURPOSE: This rule establishes procedures for the maintenance of the list and requires that all licensees submit the names of all employees/workers prior to their employment so that they may be checked against the list.

(1) The commission shall maintain a list of persons who are ineligible for any license under the provisions of 313.005 to 313.080, RSMo, and who 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. The list shall be maintained at the commission's office in Jefferson City. All bingo licensees, including those listed pursuant to section 313.057, RSMo, shall submit the names of all employees/workers to the commission prior to their employment so that they may be checked against the list.

AUTHORITY: sections 313.004, RSMo 1994 and 313.065, RSMo Supp. 1998. Original rule filed Feb. 16, 1999, effective Oct. 30, 1999.*

**Original authority: 313.004, RSMo 1993, amended 1994; and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.590 Duty of Licensee to Exclude Ineligible Persons

PURPOSE: This rule requires licensed organizations to exclude persons on the 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.

(1) No person who has been placed on the list of ineligible persons shall be permitted to participate in the management, conduct or operation of any bingo game. It shall be the duty of any licensee to exclude persons on the list from engaging in any of the above activities when the licensee or any employee/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. 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.

AUTHORITY: sections 313.004, RSMo 1994 and 313.065, RSMo Supp. 1998. Original rule filed Feb. 16, 1999, effective Oct. 30, 1999.*

**Original authority: 313.004, RSMo 1993, amended 1994; and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.595 Petition for Removal of Name from the List of Ineligible Persons

PURPOSE: This rule establishes procedures to petition for removal from the list.

(1) Any person who has been placed on the list of ineligible persons may petition the executive director of the commission in writing and request that his/her name be removed from the list after a period of two (2) years has elapsed from the initial placement.

(2) The executive director at his/her discretion may remove the person's name from the list if sufficient evidence exists to show that such person is no longer a threat to the public interest or to the effective regulation and control of bingo or the carrying on of the business and financial arrangements incidental to the conduct of bingo. To assist in this determination, the executive director may order that an evidentiary hearing be held to determine if sufficient evidence exists to warrant a name's removal from the list.

AUTHORITY: sections 313.004, RSMo 1994 and 313.065, RSMo Supp. 1998. Original rule filed Feb. 16, 1999, effective Oct. 30, 1999.*

**Original authority: 313.004, RSMo 1993, amended 1994; and 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.600 Electronic Bingo Card Monitoring Devices

PURPOSE: This rule defines Electronic Bingo Card Monitoring Devices (EBCMD) and the requirements licensees must follow when using EBCMDs in this state.

(1) "Electronic Bingo Card Monitoring Device (EBCMD)" means "bingo card monitoring device" as defined by section 313.005(3), RSMo. The EBCMD shall be approved by the commission prior to the sale, installation, or use of the EBCMD by a licensed bingo organization or in a licensed bingo facility.

(2) "Electronic bingo card" means an electronic representative of a bingo card as defined in section 313.005(2), RSMo.

(3) "EBCMD bingo sheet" means a disposable piece of paper containing one or more bingo cards which is a physical representation of the electronic bingo cards loaded into an EBCMD. All EBCMD bingo sheets printed from the EBCMD site system must be in a form approved by the commission.

(4) "Site system," means the computer hardware, software, and peripheral equipment, approved by the commission, that is used by a licensed organization at the site of its bingo occasion which provides bingo card monitoring devices to players, and which receipts the sale or rental of such cards and devices and generates reports relative to such sales or rentals.

(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 procure and maintain a dedicated phone line at the bingo hall for the commission and the licensed supplier and/or licensed manufacturer to remotely connect to the system.

(6) All aspects of an EBCMD unit and site system, including all hardware and software used therein, shall be subject to testing by the commission or an independent testing laboratory designated by the commission prior to the sale, installation, or use of the EBCMD network by a licensed bingo organization or in a licensed bingo facility and prior to any changes thereto following the initial installation, or at any other time the commission deems appropriate, the cost for which in all cases shall be borne by the licensed manufacturer. In addition, all aspects must be reviewed and approved by the commission and the licensed manufacturer will be required to provide the following before installation in a licensed bingo facility:

(A) A demonstration of the equipment and software to commission staff as deemed necessary by the commission;

(B) A computer system to be housed at the commission which will allow the commission uninterrupted access to remotely connect to the licensed bingo facilities using the licensed manufacturer's system to verify sales information and to verify that the approved version of software is being utilized;

(C) Training for the system, as deemed necessary by the commission; and

(D) Additional information as deemed necessary by the commission. Any changes or upgrades to the approved system or system hardware or software must meet the same review and approval standards as original equipment and the changes or upgrades must also be made to the system housed at the commission.

(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 be completed prior to the drawing of the first ball for that bingo game. If an EBCMD must be voided and reissued after the start of the game, the EBCMD must 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 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 turning off the device after the last bingo game of the occasion has been played, and b) by some secondary timing method.

(9) No EBCMD may be designed to allow bingo players the ability to design their own bingo cards by choosing, rearranging, or placing numbers on a card.

(10) A site system shall not be able to engage in any type of sale, void, or reload transaction unless the EBCMD is connected to and communicating with the site system.

(11) A site system shall not be able to load more than fifty-four (54) electronic bingo cards per bingo game into any one EBCMD. The site system must be interfaced with a printer which produces a continuous hard copy transaction log, including all sale, void and reload transactions and a printout showing the device identification number, and all of the bingo cards and their face numbers loaded into the device. A receipting function for electronic bingo cards must be self-contained within the site system and must record and print out on a copy which is given to the player, 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 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.

(13) If the commission detects or discovers any malfunction or problem with an EBCMD or site system that could affect the security or integrity of the bingo game or if the commission is unable to remotely connect to a licensed bingo facility, the commission may direct the supplier or licensed organization to cease providing or using the EBCMD or site system, as applicable. The commission may require the supplier to correct the problem or

recall the devices or system immediately upon notification by the commission to the supplier.

(A) If a supplier or licensed organization detects or discovers any malfunction or problem with the EBCMD or site system which could affect the security or integrity of the bingo game, EBCMD, or site system, the supplier or licensed organization, as applicable, shall discontinue use of the devices or site system and notify the commission the next working day.

(B) Failure to discontinue use of the EBCMD or site system in such instances will result in disciplinary action by the commission.

(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 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 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.

(16) EBCMDs may be transported by a licensed supplier from one location to another for use by more than one licensed organization provided the supplier notifies the commission of the rotation schedule of the EBCMD. However, each licensed organization utilizing a site system must have its own site system, which cannot be moved from its bingo location or be used by another organization without prior approval from the commission. A licensed organization may obtain computer terminals and/or printers to be used in conjunction with site system software obtained from a licensed supplier, from any source.

(17) The use of a player-owned EBCMD at a bingo occasion is prohibited.

(18) EBCMDs shall be rented or leased to bingo players only by the licensed organization conducting the bingo occasion, and only at the time and place of the bingo occasion. A bingo player using an EBCMD must be physically present on the premises, during the time of the bingo occasion, in order to be eligible to play bingo or win any bingo prize.

(19) Regardless of the number of EBCMDs made available for play, at least one device shall be reserved by the licensed organization as a back-up device, in the event a device in play malfunctions.

(20) EBCMDs shall be made available to players on a first-come, first-serve basis. No EBCMD may be reserved for any player, except that a device may be reserved for any player with a disability that would restrict his or her ability to mark cards and such disability is consistent with definitions set forth in the Americans with Disabilities Act.

(21) No bingo player shall be allowed to utilize more than one EBCMD at any time during a bingo occasion.

(22) A bingo player may, in addition to the maximum fifty-four (54) bingo cards per game which he or she purchases to monitor with an EBCMD, purchase additional disposable paper bingo cards to play.

(23) A licensed organization may, at its discretion, charge a separate fee to players for the use of an EBCMD; however, if an organization charges a separate fee for the use of an EBCMD—

(A) The fee charged must be a flat fee, regardless of the number of bingo cards purchased or any other factor; and

(B) The fee charged must be separately stated.

(24) All bingo cards used in conjunction with EBCMDs must 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 be verified in the presence of the majority of the players or 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) The site system must 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 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 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) 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 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 be attached to the supplier's original sales invoices.

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

AUTHORITY: 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.

**Original authority: 313.065, RSMo 1981, amended 1993, 1995.*

11 CSR 45-30.610 Wireless Technology

PURPOSE: This rule sets forth the requirements for using wireless electronic products in the conduct of bingo games.

(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 by the commission.

(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.

(9) 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) 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 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.

(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 313.004 and 313.065, RSMo 2000. Original rule filed Jan. 27, 2006, effective Sept. 30, 2006.*

**Original authority: 313.004, RSMo 1993, amended 1994 and 313.065, RSMo 1981, amended 1993, 1995.*

BINGO POLICIES

Policy Summary

Date

2/2/2000

Policy Number

-9

Summary

SECTION 313.057.4, RSMo, ALLOWS THE MO GAMING COMMISSION TO REQUIRE SUPPLIERS TO POST A BOND; HOWEVER, BINGO STATUTES DO NOT DEFINE THE TYPE OF BOND WHICH MAY BE REQUIRED. IRREVOCABLE LETTERS OF CREDIT (ILC) WERE DETERMINED BY THE COMMISSION TO BE SUFFICIENT BONDING. THEREFORE, COMMISSION AGREED TO ACCEPT ILC'S IN LIEU OF SURETY BONDS.

Policy Summary

Date

7/26/2001

Policy Number

-16

Summary

PULL-TABS THAT ARE CONSIDERED TO BE NO LONGER MARKETABLE MAY BE DISPOSED OF IN ONE OF THE FOLLOWING MANNERS: 1) OFFER THE REMAINING TABS FOR SALE AT A DISCOUNTED PRICE, EITHER INDIVIDUALLY OR IN BUNDLES; 2) OFFER THE PULL-TABS AS A FREE PROMOTION IN ACCORDANCE WITH REGULATION 11 CSR 45-30.025; 3) COMBINE THE REMAINING TABS WITH ANOTHER TAB OF THE SAME FACE VALUE; OR 4) IF ENOUGH PRIZES HAVE BEEN AWARDED TO MEET STATUTORY REQUIREMENTS AS OUTLINED IN SECTION 313.057.11, RSM_o, THE GAME MAY BE DECLARED "DEAD" BY COMPLETING A FORM PROVIDED BY THE COMMISSION, AND BY FOLLOWING THE INSTRUCTIONS FOR RETENTION OUTLINED IN THE FORM.