

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 20—Sports Wagering**

EMERGENCY RULE

11 CSR 45-20.050 Direct Mobile License Competitive Application Process

PURPOSE: This rule establishes the competitive application process for a direct Mobile license.

*EMERGENCY STATEMENT: This emergency rule is necessary to address Article III, Section 39(g) of the Missouri Constitution, which became law on December 5, 2024. The passage of Amendment 2 authorized retail and mobile sports wagering in the State of Missouri and required it to be regulated by the Missouri Gaming Commission. Amendment 2 specifically states, “the commission shall have the power to adopt and enforce commercially reasonable rules, including emergency rules, to implement the provisions of this section.” Furthermore, Amendment 2 requires a start date for sports wagering that is not later than December 1, 2025. In order to meet this deadline, the commission is submitting emergency rules to provide a process for the application, investigation, and granting of sports wagering licenses. In addition, the emergency rules include responsibilities for applicants and licensees to ensure a well-regulated sports wagering industry, consistent with the language in Amendment 2. The emergency rules provide for a fair and consistent application process for all stakeholders. As a result, the Missouri Gaming Commission finds a compelling governmental interest to regulate sports wagering, which requires this emergency action. A proposed rule which covers the same material is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The Missouri Gaming Commission believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed Feb. 18, 2025, becomes effective March 4, 2025, and expires Aug. 30, 2025.*

- (1) A direct Mobile license is a Mobile license issued directly to qualified applicants that are sports wagering operators. A direct Mobile license is not affiliated with an excursion gambling boat or a sports district.
- (2) When a direct Mobile license is available, the commission will post a notice on the commission’s website that the commission is accepting applications for a direct Mobile license and include the application period for such license.
- (3) No application for a direct Mobile license will be accepted after the close of the application period. Any application that is not complete by the close of the application period shall be disqualified.
- (4) In evaluating and prioritizing the applications for any available direct Mobile license, the commission will consider the following:
 - (A) Expertise in the business of online sports wagering;
 - (B) The integrity, sustainability, and safety of the applicant’s online sports wagering platform;
 - (C) Past relevant experience of the applicant;
 - (D) Advertising and promotional plans to increase and sustain revenue;

- (E) Ability to generate, maximize, and sustain revenues for the state;
- (F) Demonstrated commitment to and plans for the promotion of responsible gaming; and
- (G) Capacity to increase the number of bettors on the applicant's online sports wagering platform.

(5) After evaluation, the commission shall select the top qualified applicant(s) for the available direct Mobile license(s) for investigation for licensure by the commission. Such top applicant(s) will be invoiced for the applicant license fee.

(6) If during the investigation into the top qualified applicant(s) and before the issuance of any available license, the commission determines that any of the selected applicants are not suitable for licensure, that applicant shall be denied a license. The commission shall select another top applicant from the remaining qualified applicants.

*AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004 and 313.800–313.850, RSMo 2016 and Supp. 2024. Emergency rule filed Feb. 18, 2025, effective March 4, 2025, expires Aug. 30, 2025. A proposed rule covering this same material is published in this issue of the **Missouri Register**.*

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

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.