

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

EMERGENCY RULE

11 CSR 45-20.100 Duties of Licensees and Applicants

PURPOSE: This rule outlines duties of licensees and applicants.

*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) Each licensee and applicant for licensure has an ongoing duty to:

- (A) Comply with all federal, state, and local laws and regulations;
- (B) Comply with all internal controls;
- (C) Conduct themselves in a professional manner when communicating with licensees, the public, and the commission;
- (D) Conduct the licensee’s sports wagering operation in a manner that does not pose a threat to the public health, safety, morals, good order, or general welfare of the people of the State of Missouri;
- (E) Conduct the licensee’s sports wagering operation in a manner that does not discredit or tend to discredit the Missouri gaming or sports wagering industry or the State of Missouri;
- (F) Conduct the licensee’s sports wagering operation in a manner that does not reflect adversely on the security or integrity of the Missouri sports wagering industry;
- (G) Keep current in all payments and obligations to the State of Missouri and to other licensees with whom sports wagering business is conducted;
- (H) Maintain suitability for licensure at all times; and
- (I) Cooperate with investigations conducted by law enforcement agencies, regulatory bodies, and sports governing bodies.

(2) Each Retail and Mobile licensee has an ongoing duty to comply with the following:

(A) Maintain secure premises for the conduct of a retail sports wagering operation and a secure platform for the conduct of a mobile sports wagering operation;

(B) Prevent unaccompanied access to designated nonpublic gaming areas by individuals who do not hold occupational licenses;

(C) Maintain an approved method of payout for valid vouchers and redeem for currency each valid voucher;

(D) Assume the primary responsibility for the sports wagering operation;

(E) Assume responsibility for payment of tax remittance to the State of Missouri;

(F) As required by the commission, obtain and install, at no cost to the State of Missouri, all hardware, software, and related accessories necessary to allow for remote monitoring of sports wagering by the commission;

(G) Accept no prohibited wagers;

(H) Install, post, and display signage as required by the commission, including signage indicating that sports wagering is limited to persons twenty-one (21) years of age or older and signage relating to problem gambling;

(I) Provide the commission, upon request, an accounting of all wagering activity or any subset of the wagering activity;

(J) To promptly notify the commission and any relevant sports governing body of any information relating to:

1. Abnormal betting activity or patterns that may indicate a concern with the integrity of a sporting event or events;

2. Suspicious or illegal betting activities if known to the licensee;

3. Any potential violation of the relevant sports governing body's internal rules and codes of conduct pertaining to sports wagering of which a licensee has knowledge; and

4. Any other conduct that corrupts a betting outcome of a sporting event or events for purposes of financial gain, including match fixing;

(K) To promptly notify the commission of any information relating to:

1. Criminal, disciplinary, or regulatory proceedings commenced against the licensee or affiliated person in connection with its gaming or sports wagering operations in any jurisdiction; and

2. Suspicious or illegal wagering activities, including use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, using agents to place wagers, and using false identification;

(L) Provide to the commission any contract or commercial agreement to operate sports wagering on behalf of an excursion gambling boat or professional sports team;

(M) Document and investigate any report by an employee of any violation of Article III, Section 39(g) of the *Missouri Constitution*, state or federal laws or regulations, or the licensee's internal control system related to operations in Missouri, and provide a summary of those reports and investigations to the commission upon completion; and

(N) Report to the commission any facts the licensee has reasonable grounds to believe indicate a violation of Article III, Section 39(g) of the *Missouri Constitution*, state or federal laws or regulations, or the licensee's internal control system related to operations in Missouri.

(3) Each SW Supplier licensee has an ongoing duty to comply with the following:

(A) Provide technical assistance and training to its customers and commission staff, as requested;

(B) Obtain all approvals and certifications;

(C) Sell, distribute, lease, or market in the State of Missouri only sports wagering equipment that has been tested and certified for use in the State of Missouri; and

(D) Promptly notify Retail and Mobile licensees with which the licensed SW Supplier does business if the licensed SW Supplier's hardware or software used in the operation of sports wagering is compromised or revoked under any circumstances.

(4) Each Official League Data Provider licensee has an ongoing duty to comply with the following:

(A) Provide to the commission copies of any contracts between the licensee and sports governing bodies pursuant to which the licensee will be providing official league data;

(B) Provide to the commission copies of any contracts between the licensee and any Retail or Mobile licensees pursuant to which the licensee will be providing official league data in the State of Missouri; and

(C) Provide official league data to Retail or Mobile licensees on commercially reasonable terms.

(5) Each SW Occupational licensee has an ongoing duty to comply with the following:

(A) Carry and display the appropriate occupational license badge issued by the commission when working at a retail sports wagering operation; and

(B) Report violations of Article III, Section 39(g) of the *Missouri Constitution*, state or federal laws or regulations, or the internal control system to his or her employer and the commission.

(6) All licensees shall provide all information requested by the commission. Access to this information shall be immediate and copies of the information shall be delivered within seven (7) calendar days or less if the commission so orders.

(7) All Retail, Mobile, SW Supplier, Official League Data Provider, and Occupational Level I-SW, and Occupational Level I-SWC licensees shall have a continuing duty to disclose in writing, within fifteen (15) calendar days, any material change in the information provided in the application and requested materials submitted to the commission. Any change in information that is not material shall be disclosed to the commission during the licensee's subsequent application for license renewal.

(8) All Occupational Level II-SW and Occupational Level II-SWC licensees shall have a continuing duty to disclose in writing, within ten (10) calendar days, any material change in the information provided in the application and requested materials submitted to the commission.

(9) For the purposes of this rule, "material change" shall mean any change in personal identification or residence information, such as name, address, and phone number; or information that might affect a licensee's suitability to hold a sports wagering license, including, but not limited to, arrests, convictions, guilty pleas, or disciplinary actions or license denials in other jurisdiction(s).

(10) All licensees shall promptly report to the commission any facts which the licensee has reasonable grounds to believe indicate a violation of law (other than minor traffic violations), the commission's published minimum internal control standards, the licensee's internal controls for Missouri operations, or commission rules committed by licensees, their employees, or others, including, without limitation, the performance of licensed activities different from those permitted under their license.

(11) In the event that a licensee or any employee of the licensee knows or should have known that an illegal or violent act has been committed at the retail sports wagering location or on the online sports wagering platform, they shall immediately report the occurrence to law enforcement authorities and the commission and shall cooperate with law enforcement authorities and agents of the commission during the course of any investigation into the occurrence.

(12) Licensees shall take reasonable actions to safeguard from loss all tickets, vouchers, cash, checks, funds, and other sports wagering assets.

(13) Licensees shall take reasonable actions to safeguard from loss, tampering, alteration, destruction, and unauthorized access to all sports wagering-related reports, records, files, automated data, accounting information, and data systems.

(14) Retail, Mobile, SW Supplier, Official League Data Provider, and applicable Class B licensees shall ensure that all agents and SW Occupational licensees employed by said licensees have a working knowledge of Article III, Section 39(g) of the *Missouri Constitution*, Title 11 Division 45 of the *Code of State Regulations*, the commission's published minimum internal control standards, and the licensee's system of internal controls as they pertain to the responsibilities and limitations of their respective job positions.

(15) All SW Occupational licensees shall have a working knowledge of Article III, Section 39(g) of the *Missouri Constitution*, Title 11 Division 45 of the *Code of State Regulations*, the commission's published minimum internal control standards, and the internal controls of the licensees for whom they are currently employed by as they pertain to the responsibilities and limitations of their respective job positions.

(16) When a patron informs a licensee that he or she desires to speak to a commission agent, the licensee shall contact a commission agent without delay. If the licensee is unable to contact a commission agent or the commission agent is not available, the licensee shall prepare a detailed written report describing the facts of the incident and the method(s) used to contact the commission agent. The licensee shall submit the report to the commission prior to the end of the next calendar day.

(17) Each Retail, Mobile, SW Supplier, and Official League Data Provider licensee shall investigate the background and qualifications of all applicants for jobs that require licensure in the State of Missouri. No licensee may solely rely on the commission's issuance of an SW Occupational license as the sole criterion for hiring a job applicant.

(18) In addition to all other reporting requirements, Retail, Mobile, SW Supplier, and Official League Data Provider licensees shall notify the commission within fifteen (15) calendar days after receiving notification that any of the following persons is being investigated by a regulatory, administrative, or prosecutorial agency for a violation of a rule, regulation, or statute relating to licensed gambling, Securities and Exchange Commission (SEC) regulations, FinCEN regulations, or criminal offenses, or has been disciplined or charged with a violation by such agencies:

- (A) The licensee;
- (B) The licensee's parent corporation; or
- (C) The licensee's officers or key persons.

*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.