

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-26-091
HGI – Mark Twain, LLC)
d/b/a Mark Twain Casino)

PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the “Commission” or “MGC”) is a state commission created under Chapter 313, RSMo, with jurisdiction over gaming activities, including riverboat gambling activities, in the state of Missouri.
2. The Commission issued a Class A gaming license to Affinity Interactive to develop and operate Class B gaming licensees in the state of Missouri.
3. Affinity Interactive is the parent organization or controlling entity of HGI – Mark Twain, LLC.
4. The Commission issued a Class B riverboat gambling license to HGI – Mark Twain, LLC, to conduct games on and operate the excursion gambling boat known as Mark Twain Casino (the “Casino”).
5. As the holder of a Class B license, HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, is subject to the provisions of Sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. MGC auditors completed a compliance audit at the Casino for the period of October 1, 2021, through October 31, 2024, and issued MGC Audit Report No. 24-14 on December 31, 2024. In October 2025, a follow-up was conducted to determine if the audit findings from the final audit report had been corrected. One (1) significant finding was found not to be implemented.
7. MGC Audit Report No. 24-14, Finding B-9 stated that the progressive funds from twenty-three (23) progressive Electronic Gaming Devices (EGD) that were no longer listed on the progressive list could not be accounted for. A review of the progressive slot file from May 3, 2021, revealed that of the progressive EGDs listed on the file, twenty-three (23) EGDs could not be accounted for on the current progressive list. Through a review of progressive EGD removals and conversions listed in the MGC

¹ GR 20260303001

EGD portal and e-mail interviews with the Director of Casino Operations, it was found that explanations for changes regarding these EGDs could not be provided.

8. After multiple attempts to obtain documentation for these twenty-three (23) progressive EGDs during the course of the audit, the casino failed to provide this information or supporting documentation. The incomplete and inaccurate records maintained by the casino resulted in the inability to track the movement of the progressive funds. In response to the audit finding, the Casino provided information regarding EGDs listed, however, the information has remained unverified.
9. During procedures to follow up on Finding B-9, a review of the slot files from September 28, 2024, and September 15, 2025, was performed to determine which progressives had been removed or converted during that time period. It was found that thirty (30) of the thirty-one (31) EGDs with progressive funds, which had been removed or converted, could be accounted for with submissions of EGD removals and conversions in the MGC EGD portal. However, one (1) of the EGDs with a progressive (Asset #9817) removed on November 15, 2024, could not be accounted for. There was a submission in the MGC EGD portal for this progressive (Request ID #5717), but it was marked as "cancelled". The standalone progressive on this machine was removed from the floor on November 15, 2024, and those funds, which were an unknown amount, could not be accounted for. Assets #9816 and #9817 were both a linked progressive and each had a standalone progressive. The linked progressive for both machines and the standalone progressive for Asset #9816 were submitted in the MGC EGD portal on November 15, 2024, and both the linked progressive funds from both machines and standalone progressive funds for Asset #9816 were moved to Asset #9778 on November 19, 2024. The standalone progressive funds for Asset #9817, which were an unknown amount, were not accounted for. A review of the end of month progressive readings for September 2024, and October 2024, as well as the PAR sheet supplied from the manufacturer confirmed that the standalone progressive amounts were separate for each asset on the progressive link and that both amounts should have been submitted for movement.
10. A review of the documentation indicates that there was a total of five hundred ninety-eight dollars and ninety cents (\$598.90) on the Major progressive meter for Asset #9817 on November 1, 2024. There is no documentation that shows these funds were moved to another EGD when this machine was removed from the floor on November 15, 2024.

LAW

11. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

12. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it 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 this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, 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 gaming[.]

13. Title 11 CSR 45-5.200² states, in pertinent part, as follows:

(5) A licensee shall not reduce the amount displayed on a progressive jackpot meter or otherwise reduce or eliminate a progressive jackpot unless –

(D) The licensee distributes the incremental amount to another progressive jackpot as approved in writing by the commission and –

1. The licensee documents the distribution;

² 11 CSR 45-5.200 was revised effective 3/30/2024. The cited CSR was in effect at the time of the violation.

2. Any machine offering the jackpot to which the licensee distributes the incremental amount does not require that more money be played on a single play to win the jackpot than the machine from which the incremental amount is distributed;
 3. Any machine offering the jackpot to which the incremental amount is distributed complies with the minimum theoretical payout requirement of 11 CSR 45-5.190(1); and
 4. The distribution is completed within thirty (30) days after the progressive jackpot is removed from play or within a longer period as the commission for good cause may approve[.]
14. The Commission's Minimum Internal Control Standards ("MICS") and the Casino's Internal Control System ("ICS"), Chapter E states, in pertinent part, as follows:
- 11.06 If a progressive EGD is removed from the floor, or is to be converted, the MGC EGD department shall be notified in writing at least five (5) calendar days prior to the removal or conversion in a format approved by the MGC. MGC will be notified of the amount in excess of the old base jackpot amount and whether this amount will be added to the new base jackpot amount or to an existing progressive jackpot already on the floor.

VIOLATIONS

15. The acts or omissions of employees or agents of the Casino, as described above, constitute a failure to document and timely move funds on a progressive EGD in violation of 11 CSR 45-5.200(5) and Commission's MICS and the Casino's ICS, Chapter E, section 11.06.
16. HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, is therefore subject to discipline for such violations pursuant to sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

17. Under section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against HGI – Mark Twain, LLC, as the holder of a Class B license.
18. THEREFORE, it is proposed that the Commission fine HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, the amount of five thousand dollars (\$5,000.00) for the violations set forth herein.


Roger Stottlemire
Commissioner
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this ____ day of August, 2026, to:

Mr. Ryan Lounsbury
General Manager
Mark Twain Casino
104 Pierce Street
LaGrange, MO 63448


Roger Stottlemire
Commissioner
Missouri Gaming Commission