

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 17—Voluntary Exclusions

PROPOSED AMENDMENT

11 CSR 45-17.010 Disassociated Persons List Created—Right to Remove From Premises. The commission is deleting sections (3) and (6) and renumbering sections (4), (5), and (7).

PURPOSE: This amendment removes language that is duplicative of statutory provisions.

[(3) Any wager placed by a person on the List is hereby declared to be an unauthorized transaction and all chips and electronic credits in the possession of a Disassociated Person at the time s/he is discovered on an excursion gambling boat are presumed to be items used in exchange for or to facilitate, through the enactment of this rule, a violation of section 313.805, RSMo, and therefore subject to forfeiture as provided under sections 513.600 to 513.646, RSMo.]

[(4)] (3) A Class B licensee or its agent(s) or employee(s) may be disciplined by the commission if—

(A) It can be shown by a preponderance of the evidence that the Class B licensee or its employee(s) or agent(s) knew a person on the List was present on the excursion gambling boat and, despite such knowledge, failed to follow the procedures required by this rule; or

(B) The Class B licensee or its employee(s) or agent(s) failed to follow its procedures for complying with the provisions of 11 CSR 45-17 et seq.

[(5)] (4) All Class B licensees shall have thirty (30) days from the effective date of this rule to submit internal controls that are subject to approval by the commission which set forth the following:

(A) The licensee's plan for removing those persons on the List from mailing lists advertising its Missouri operation, such as marketing offers, slot club programs, VIP member programs, telemarketing programs, and other such marketing promotions, however this rule shall not be construed to prohibit mass mailings to "Resident"; and

(B) The licensee's plan for denying access by persons on the List to—

1. Check cashing privileges, cash advances, credit/debit card transactions, and wire transfers;
2. Special club programs such as slot clubs and VIP cards;
3. The issuance of credit, if applicable; and
4. Gaming privileges, tournaments, promotions, and payment of taxable winnings or prizes.

[(6) Any individual who had been placed on the List and who receives any mailing or marketing material prohibited by subsection (5)(A) shall have a continuing obligation to notify the commission of the receipt of such mailing.]

[(7)] (5) After an individual's application for placement on the List has been processed by the commission staff and the individual's name is added to the List, that individual shall remain on the List until such time as the requirements for removal from the List as described in 11 CSR 45-17.060 have been met.

AUTHORITY: sections 313.004, 313.805, 313.813, and 313.832, RSMo [2000, and section 313.805, RSMo Supp. 2011] 2016. Original rule filed April 18, 1996, effective Dec. 30, 1996. Emergency amendment filed Aug. 28, 1998, effective Sept. 7, 1998, expired March 5, 1999. Amended: Filed Aug. 28, 1998, effective March 30, 1999. Amended: Filed Aug. 25, 2011, effective March 30, 2012. Amended: Filed March 1, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500)

in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00, in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*