

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 40—Fantasy Sports Contests**

**PROPOSED RULE**

**11 CSR 45-40.010 Definitions**

*PURPOSE: This rule provides definitions for terms used relating to Fantasy Sports Contests (FSCs).*

- (1) Authorized internet website—an internet website or any platform operated by a licensed operator.
- (2) Entry fee—anything of value including, but not limited to, contest credit, free entry, cash, or a cash equivalent, that a fantasy sports contest operator collects in order to participate in a fantasy sports contest.
- (3) Fantasy sports contest (FSC)—any fantasy or simulated game or contest with an entry fee, conducted on an internet website or any platform, in which:
  - (A) The value of all prizes and awards offered to the winning participants is established and made known in advance of the contest;
  - (B) All winning outcomes reflect in part the relative knowledge and skill of the participants and are determined predominantly by the accumulated statistical results of the performance of individuals, including athletes in the case of sports events; and
  - (C) No winnings outcomes are based on the score, point spread, or any performance of any single actual team or combination of teams or solely on any single performance of an individual athlete or player in any single actual event.
- (4) Fantasy sports contest operator (FSCO)—any person or entity that offers FSCs for a prize.
- (5) Highly experienced player—a person who has either:
  - (A) Entered more than one thousand (1,000) contests offered by a single FSCO; or
  - (B) Won more than three (3) fantasy sports prizes of one thousand dollars (\$1,000) or more.
- (6) Key person—an officer, director, trustee, or principal salaried executive staff officer.
- (7) Licensed operator—a FSCO licensed pursuant to section 313.920, RSMo to offer FSCs for play on an authorized internet website in Missouri;
- (8) Net revenue—for all FSCs, the amount equal to the total entry fees collected from all participants entering such FSCs less winnings paid to participants in the contests, multiplied by the resident percentage.
- (9) Officer—the president, vice-president, treasurer, secretary, and other officer identified in an entity's bylaws or incorporation documents, a member or manager of a limited liability company, a sole proprietor, or a partner.

(10) Principal salaried executive staff officers—means the president, any vice president in charge of a principal business unit, division or function (such as sales, administration or finance), any other officer who performs a policy making function, or any other person who performs similar policy making functions for the FSCO. Executive officers of subsidiaries may be deemed executive officers of the FSCO if they perform such policy making functions for the FSCO.

(11) Prize—anything of value including, but not limited to, cash or a cash equivalent, contest credits, merchandise, or admission to another contest in which a prize may be awarded;

(12) Resident percentage—for all fantasy sports contests, the percentage, rounded to nearest one-tenth of one percent (.1%), of the total entry fees collected from Missouri residents divided by the total entry fees collected from all players, regardless of the players' location, of the fantasy sports contests.

*AUTHORITY: sections 313.1010 and 313.1020, RSMo (HB 1941, Second Regular Session, Ninety-eighth General Assembly, 2016). Emergency rule filed August 29, 2016, effective Sept. 8, 2016, expires March 6, 2017. Original rule filed Aug. 29, 2016.*

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

*PRIVATE COST: This proposed rule 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 rule 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 Wednesday, November 2, 2016, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*