

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

PROPOSED RULE

11 CSR 45-40.070 Operational Fees

PURPOSE: This rule addresses the calculation, documentation, and the filing requirement of the annual operation fee to be paid by licensed operators.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here. The Annual Operation Fee (AOF) report may also be accessed at <http://www.mgc.dps.mo.gov>.

(1) A licensed operator shall pay an annual operation fee, by April 15 of each year, in a sum equal to eleven and one-half percent (11.5 %) of the licensed operator's net revenue from the previous calendar year. All revenue collected under this subsection shall be placed in the gaming proceeds for education fund created under section 313.822, RSMo. If a licensed operator fails to pay the annual operation fee by April 15, the licensed operator shall have its license immediately suspended by the commission until such payment is made.

(2) The applicant or licensed operator shall file an Annual Operation Fee (AOF) report and all required supporting documentation with the commission by January 15 of each year for the previous calendar year. The annual operation fee shall be reported on the AOF report, which the commission adopts and incorporates by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102, and which may be accessed at <http://www.mgc.dps.mo.gov>. The AOF report does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 313.920, 313.970, 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 mostly restates the requirements in 313.970, RSMo. Although private entities will incur costs in complying with the statute, 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.