

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration**

PROPOSED AMENDMENT

11 CSR 45-1.090 Definitions. The commission is amending sections (1)-(4), (7), (10), (14), (16), and (18)-(23).

PURPOSE: This amendment adds, deletes, and modifies definitions for consistency with other rules.

(1) Definitions beginning with A—

(C) Associated equipment—Equipment used in conjunction with gaming equipment and supplies or associated systems to facilitate payouts to patrons, including but not limited to the following: redemption kiosks and jackpot kiosks;

(D) Associated systems—Any system connected to or interfacing with gaming devices or table games, including but not limited to the following: slot accounting systems, ticket validation systems, cashless systems, bonusing systems, promotional systems, progressive systems, hybrid table game systems, and operator content delivery systems;

~~[(C)]~~**(E) Attendant paid external bonus payout—The total value of cashable credits electronically awarded by an external bonusing system, which are paid by an attendant and are uniquely metered by the electronic gaming device (EGD); and**

~~[(D)]~~**(F) Attributed interest—A direct or indirect interest in a business entity deemed to be held by a person not through the person’s actual holdings but either through the holdings of the person’s relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement, or agreement.**

(2) Definitions beginning with B—

~~[(A)]~~**Bill changer—Means any mechanical, electrical, or other device, contrivance, or machine designed for the purpose of dispensing an amount of tokens or credits equal to the amount of currency; and]**

(A) Base amount—The initial amount of the progressive jackpot before it increments and the amount upon reset, not including any incrementation related to a secondary meter, following the progressive being awarded;

(B) Bill validator—Peripheral equipment attached to an electronic device for the purpose of dispensing an amount of credits equal to the amount of cash or cash equivalency inserted into the bill validator; and

~~[(B)]~~**(C) Bonusing system—A system external to and functionally independent of EGDs, that electronically communicates system bonuses to participating EGDs.**

(3) Definitions beginning with C—

(A) Cashable electronic promotion in (CEP In)—The total value of cashable credits electronically transferred to the EGD from a ~~[promotional]~~ **player reward account by means of an external connection between the EGD and a cashless system;**

(B) Cashable electronic promotion out (CEP Out)—The total value of cashable credits electronically transferred from the EGD to a *[promotional]* **player reward** account by means of an external connection between the EGD and a cashless system;

(J) Confidence intervals—A range of values calculated at a given assurance level to measure where the actual return to player (RTP) of an EGD game should statistically be, given the number of game plays;

[(J)] **(K) Continuously docked excursion—**A continuously docked excursion boat shall set a schedule of excursion as required by the definition of excursion. This schedule shall designate a specific time for boarding. On each scheduled excursion, no new passengers shall board after the specified time for boarding has expired;

[(K)] **(L) Counter check—**A type of credit instrument provided by the Class B licensee that is completed as is necessary to be presented by the Class B licensee to the patron's bank for payment; and

[(L)] **(M) Critical program storage media—**Any *[program storage media that contains]* **media device containing controlled** software that may affect the integrity of *[gaming]* **a gambling game or associated equipment, [including but not limited to game accounting, system, and peripheral firmware devices involved in]** or which significantly influences the operation and calculation of game play, game display, game result determination, **or game accounting**, *[revenue, or security, and which must be verified utilizing an external third-party methodology approved by the commission and which may, as determined by the commission, have security seals attached thereto]*.

(4) Definitions beginning with D—

(B) Dependent—Any individual who received over half of his *[/]* **or** her support in a calendar year from any other individual;

(C) Digital wallet—An electronic monetary account maintained outside the Class A and B *[L]* licensees' operations funded by patrons and used to transfer patron funds **directly** to and from approved gaming devices and other authorized devices through the cashless system **without the use of a wagering account;**

(7) Terms beginning with G—

(C) Gaming equipment and supplies—Any machine, mechanism, device, or implement which affects the result of a game by determining win or loss including, without limitation, electronic, electrical or mechanical devices or machines, **progressive controllers, shufflers,** software, cards, **and dice**, *[/]*; and any representative of value used with any game including, without limitation, chips, tokens, or electronic debit cards and related hardware and software; and

(10) *[(Reserved)]* **Definitions beginning with J—**

(A) Jackpot kiosk—A slot attendant interface unit used to process jackpots from the slot accounting system and dispense the proper payment amount.

(14) Definitions beginning with N—

(A) Nominee—Any individual or business entity that holds, as owner of record, the legal title to tangible or intangible personal or real property, including without limitation any stock, bond, debenture, note, investment contract, or real estate on behalf of another individual or business entity, and is designated and authorized to act on his *[/]*, her *[/]*, **or** its behalf with respect to the property;

(B) Non-cashable electronic promotion in (NCEP In)—The total value of non-cashable credits electronically transferred to the EGD from a *[promotional]* **player reward** account by means of an external connection between the EGD and a cashless system;

(C) Non-cashable electronic promotion out (NCEP Out)—The total value of non-cashable credits electronically transferred from the EGD to a *[promotional]* **player reward** account by means of an external connection between the EGD and a cashless system; and

(16) Definitions beginning with P—

(B) Peripheral equipment—An internal or external device connected to an EGD or kiosk that supports credit acceptance, credit issuance, player interaction, or other specialized function(s);

[(B)](C) Person—Any individual, corporation, partnership, limited partnership, joint venture, limited liability corporation, or unincorporated association;

[(C)](D) Petitioner—A person, applicant, licensee, or excluded person who requests a hearing before the commission;

[(D)](E) Pit or pit area—An area that is completely enclosed or encircled by gaming tables and into which access is restricted to specific casino employees and officials whose job descriptions authorize them being within the enclosed area;

(F) Player reward account—An account assigned to a patron in the player tracking system which is used to record the patron’s play and may allow for the direct electronic transfer of promotional giveaway credits, player reward credits, or another source of credits approved by the commission to an EGD;

[(E)](G) Player reward credits—**Player reward points that are converted into** *[D]*downloadable credits;

(H) Player reward points—Points earned by patrons *[and]*, **which increment with play and are based on predetermined formulas** *[(e.g. player reward points)]*;

[(F)](I) Poker—Approved gambling games which are played in a poker room and use poker cards dealt by a nonplaying dealer in which a maximum of eleven (11) players wager on the superiority of their individual hands against the hands of the other players;

[(G)](J) Political contribution—The making of any gift of any kind or paying or giving money or any other thing of value to—

1. Any candidate or nominee for any public office in Missouri;

2. Any public official; or

3. Any fund-raising committee or other fund-raising entity, whether located in Missouri or elsewhere, that gives, lends, or otherwise provides funds to meet the expenses of any candidate for public office or public official;

(K) Probability accounting report (PAR sheet)—A document describing the math of a game, including return to player (RTP) percentages and all possible payouts/awards;

[(H)](L) Progressive controller—The hardware and software that controls all communications within a progressive game link and its associated progressive meter;

(M) Progressive incremental amount—The difference between the amount of a progressive jackpot and its base amount;

[(I)](N) Progressive jackpot—*[A value determined by a holder of a Class B license and arrived at by income of an independent, local, or interlinked gambling game. This value shall be clearly displayed to players of the interlinked gambling game and metered incrementally by a progressive controller. A progressive game must prominently display signage indicating either that a progressive jackpot is to be paid or indicating the current amount of the jackpot. An automated*

controller is not required in games of live poker where the incrementing and distribution processes are defined in the approved rules of the game] **An EGD or table game payoff that increases over time solely as a function of the wagers played on the progressive game at an EGD, a table game, or a group of EGDs or table games;**

[(J)] **Promotional account**—A patron account enabled to allow the direct electronic transfer of promotional giveaway credits, player reward credits, or another source of credits approved by the commission to an EGD;]

[(K)] **(O) Promotional system(s)**—A collection of files which electronically transfers credits bi-directionally between any *[promotional]* **player reward** account and EGD through the use of a cashless system;

[(L)] **(P) Promotional giveaway credits**—Downloadable credits awarded to a player's account based on predefined criteria outlined by the rules of a promotion, where the patron provides no consideration; and

[(M)] **(Q) Proprietary**—Relating to financial, ownership, legal, security, operational, or contractual matters.

(18) Definitions beginning with R—

(A) Redemption Kiosk—A patron interface unit used to accept redeemable tickets by communicating ticket information to the ticket validation system and pay the ticket amount to the patron. Redemption kiosks may also perform various other tasks including, but not limited to: bill breaking, check cashing, and ATM functions;

[(A)] **(B) Regulatory and review agency**—Any United States classification society or its agents recognized by the United States Secretary of Transportation under authority of 46 U.S.C. 3316(c)(1) to conduct inspections, make examinations of, and issue certificates for vessels of the United States;

[(B)] **(C) Relative**—Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law, whether by whole or half blood, by marriage, adoption, or natural relationship, and their dependents;

(D) Return to player (RTP)—A ratio of the total amount won to the total amount wagered by a player. Such a return may be “theoretical”, which is based on the mathematical calculations or simulations, or “actual”, which is based on the amounts wagered and won by patrons on a gaming device;

[(C)] **(E) Riverboat gaming operation**—The conducting of gaming and all related activities including, without limitation, the purveying of food, beverages, retail goods and services, and transportation, on a riverboat and at its support facilities; and

[(D)] **(F) ROM**—Read-only memory.

(19) Definitions beginning with S—

(F) Sole proprietor—A person who in his~~[/]~~ or her own name owns one hundred percent (100%) of the assets and is solely liable for the debts of a business;

(20) Definitions beginning with T—

(F) Theoretical payout percentage—The *[sum of the number of tokens]* **total value of wins** expected to be paid *[as a result of jackpots]* **by an EGD** divided by the *[number]* **total value of EGD wagers expected to be made on that EGD for the series** of *[different]* **all possible outcomes;**

(G) Ticket of admission—A physical or electronic implement, approved by the commission, which records and verifies the admission of patrons onto an excursion gambling boat for the purpose of accounting for the admission fee imposed by section 313.820, RSMo; [and]

(H) Ticket validation system—Any system used to print and redeem tickets to and from approved gaming devices and other authorized devices. The system includes the ticket database, collective hardware, software, communications technology, and other peripheral equipment used to conduct ticketing transactions;

[(H)]**(I) Token—A metal object or other representation of value that is authorized by statute and/or approved by the commission, which is redeemable for cash only at the issuing riverboat gaming operation, and issued and sold by a holder of a Class B license for use in electronic gaming devices[.]; and**

(J) Tournament chip—A chip issued by a Class B licensee for use in tournaments at the licensee’s gaming establishment.

(21) Definitions beginning with U—

(A) Unauthorized gambling games—Any gambling game not defined as such in this rule, allowed by law or any such defined game which has not been approved by the commission[.]; **and**

(B) United States government agency securities—Negotiable, senior, non-callable, debt obligations issued by a United States agency that on the date of funding, possess an issuer credit rating equivalent to the highest investment grade rating given by Standard & Poor’s or Moody’s Investors Service.

(22) Definitions beginning with V—

(A) Value chip—A chip, clearly and permanently impressed, engraved, or imprinted with the name of the riverboat and the specific value of the chip[.]; **and**

(B) Volatility index (VI)—A calculation of an EGD’s payout volatility used to calculate confidence intervals.

(23) Definitions beginning with W—

(A) Wagering account—A patron account held by the Class A or B [L]licensee that allows the electronic transfer of the patron’s funds to or from an approved gaming device and other authorized devices through the cashless system;

(B) Wagering account transfer in (WAT In)—The total value of cashable credits electronically transferred to the EGD from a wagering account or digital wallet by means of an external connection between the EGD and a cashless system; [and]

(C) Wagering account transfer out (WAT Out)—The total value of cashable credits electronically transferred from the EGD to the wagering account or digital wallet by means of an external connection between the EGD and a cashless system[.]; **and**

(D) Wide-area progressive system—A system linked across a communication network at multiple Class B licensees, which allows the same progressive jackpots to be offered on multiple EGDs.

AUTHORITY: section 313.004, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2021]2024. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed March 2, 1995, effective March 12, 1995, expired July 9, 1995. Amended: Filed March 2, 1995, effective Aug. 30, 1995. Amended: Filed June 2, 1995, effective Dec. 30, 1995. Amended: Filed March 18, 1996, effective*

Oct. 30, 1996. Emergency amendment filed June 25, 1996, effective July 5, 1996, expired Dec. 31, 1996. Amended: Filed June 25, 1996, effective Feb. 28, 1997. Amended: Filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed June 4, 1999, effective Jan. 30, 2000. Amended: Filed March 30, 2000, effective Oct. 30, 2000. Amended: Filed Dec. 7, 2001, effective June 30, 2002. Amended: Filed Jan. 18, 2005, effective Aug. 30, 2005. Amended: Filed Feb. 28, 2007, effective Oct. 30, 2007. Emergency amendment filed Oct. 29, 2008, effective Nov. 15, 2008, expired May 13, 2009. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed July 28, 2010, effective Feb. 28, 2011. Amended: Filed Jan. 30, 2014, effective Sept. 30, 2014. Amended: Filed July 31, 2014, effective Feb. 28, 2015. Amended: Filed Aug. 27, 2015, effective March 30, 2016. Amended: Filed April 26, 2018, effective Dec. 30, 2018. Amended: Filed Feb. 25, 2022, effective Sept. 30, 2022. **Amended: Filed Dec. 5, 2024.**

**Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014, 2016, 2021; and 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010, 2021.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 February 18, 2025, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*