

TITLE 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming

PROPOSED AMENDMENT

11 CSR 45-5.190 Minimum Standards for Electronic Gaming Devices (EGDs). The commission is amending the title, purpose statement, and sections (1)-(5), adding new sections (5), (6), and (8), and renumbering accordingly.

PURPOSE: This amendment updates standards for EGDs.

PURPOSE: This rule establishes the minimum standards for [electronic gaming devices] EGDs.

(1) *[Electronic gaming devices]*EGDs shall not be programmed to pay out less than eighty percent (80%) of all wagers, including bonus games, for ten (10) million handle pulls using the volatility index calculated at a ninety-five percent (95%) confidence level. The minimum payout percentage requirement shall be met regardless of the amount wagered per game.

(2) *[Electronic gaming devices]*EGDs that may be affected by player skill must meet the minimum payout percentage requirement even when the skill of the player provides the lowest possible return to the player from the skill portion of the game.

(3) *[The probability of obtaining the maximum]***Any advertised** payout on *[any electronic gaming device]***an EGD shall [not be less than one (1)] occur, statistically, at least once** in fifty (50) million games.

(4) *[Electronic gaming devices]*EGDs shall—

(A) Be subject to testing prior to implementation within the state and at any time thereafter by the commission or an independent testing laboratory *[designated]* **(ITL) licensed** by the commission, and subject to review and approval by the commission for adherence to the *[regulatory]***regulations** and technical standards*[adopted or approved by the commission]*;

(B) Be controlled by a microprocessor or the equivalent in such a manner that the game outcome is completely controlled by the microprocessor or equivalent device as approved by the commission;

(C) Utilize an **industry standard** communication protocol **approved by the commission** that is compatible with and interfaces with the communication protocol used by all *[online computerized data monitoring, data management, and ticket validation systems]* **slot accounting systems** approved by the commission for use at *[licensed gaming establishments. Electronic gaming devices]* **an excursion gambling boat. Any new EGDs and any [peripheral equipment or devices]new slot machine interface board (SMIB), including the [equipment's or device's operating systems and]device's or board's communication** software, shall, prior to approval for use within the state, be tested for interoperability **with all slot accounting systems utilized in Missouri excursion gambling boats**, by a *[commission-approved independent testing laboratory]* **licensed ITL**, to ensure compliance with this *[subsection]***chapter**. Once approved, *[no]* modifications *[shall be made]* to said *[gaming devices, peripheral equipment, systems]* **EGDs, SMIBs, or the device's or board's communication** software *[that would cause them to be non-compliant]***shall be further tested for interoperability to ensure compliance** with this *[subsection]***chapter, unless otherwise approved by the commission;**

(D) Have a logic area in a separate locked internal enclosure within the device which houses electronic components that have the potential to significantly influence the operation of the gaming device. Electronic components required to be housed within the logic area include computer processor units (CPUs) and all critical program storage media;

(E) *[After January 1, 2006, c]* Clearly and accurately display, via Attendant Menu, the identification number and version, as applicable, of all software and firmware contained within the *[electronic gaming device]* **EGD** and its top box which are involved in game communication or the operation and calculation of game play, game display, or game result determination;

(F) Be able to recover to the state the gaming devices were in immediately prior to the occurrence of a program interruption or power loss and continue a game with no data loss. Upon program resumption, the following procedures must be performed:

1. Any communications to an external device shall not begin until the program resumption routine, including self-tests, is completed successfully;

2. Gaming device control programs test themselves for possible corruption due to failure of the program storage media; and

3. The integrity of all critical memory is checked;

(G) Have game data recall capable of providing all information required to fully reconstruct at least the last *[five (5)]***ten (10)** games, retrievable upon the operation of an external key-switch or other secure method not available to the player. The *[five- (5-)]***ten- (10-)** game recall shall reflect bonus rounds in their entirety. For *[games]***bonus rounds** that may have *[infinite]***a variable number of free [games]spins**, there shall be a minimum of fifty (50) *[games]* recallable **spins for each bonus round**;

(H) Have a random selection process that must not produce detectable patterns of game elements or detectable dependency upon any previous game outcome, the amount wagered, or upon the style or method of play; however, the commission may allow a game with a game feature or play mechanic with a detectable dependency if a white paper for the game feature or play mechanic is submitted to and approved by the commission prior to testing by an *[independent testing laboratory (ITL)]***ITL**. The commission reserves the right to require the removal of the program if it determines, in its sole discretion, that removal is in the best interest of the state of Missouri;

(I) Clearly and accurately display applicable rules of play and the award that will be paid to the player when the player obtains a specific win, including mystery awards. The displays shall clearly indicate whether awards are designated in denominational units, currency, credits or some other unit. All pay[-]/table information must be able to be accessed by a player prior to the player committing to a wager. Pay glass and its corresponding artwork for mechanical displays must be submitted to an *[independent testing laboratory]* **ITL** designated by the commission for review and approval prior to implementation within the state;

(J) Display an accurate representation of each game outcome. After selection of the game outcome, the *[electronic gaming device]* **EGD** must not make a variable secondary decision which affects the result shown to the player;

(K) Have a complete set of nonvolatile meters including coin in, coin out, bills in, tickets in, tickets out, coupons in, cashable electronic promotion in (CEP In), cashable electronic promotion out (CEP Out), non-cashable electronic promotion in (NCEP In), non-cashable electronic promotion out (NCEP Out), attendant paid external bonus payout, machine paid external bonus payout, wagering account transfer in (WAT In), wagering account transfer out (WAT Out), number of games played, attendant paid progressive, machine paid progressive, attendant paid cancel credits, and attendant paid jackpots, or their equivalent as approved by the commission;

(L) Have available for random selection at the initiation of each play based upon the selected wager, each possible permutation or combination of game elements which produce winning or losing game outcomes for that wager; however, the commission may allow a game with a game feature or play mechanic that does not offer each possible winning or losing game outcome if a white paper for the game feature or play mechanic is submitted to and approved by the commission prior to testing by an ITL. The commission reserves the right to require the removal of the program if it determines, in its sole discretion, that removal is in the best interest of the state of Missouri; and

(M) Not automatically alter pay[-]/tables or any function of the *[electronic gaming device]*EGD based on internal computation of the hold percentage.

(5) For games which utilize physical reel strips, the EGD shall have the capability to perform a reel strip and payable test for each award, which allows the Class B licensee to verify the combination and payout listed on the pay glass/pay screen matches the reel strip combination and the award credits displayed.

(6) EGDs shall not display the highest advertised award following a Random Access Memory (RAM) clear or when exiting a tilt condition, except when returning to the last known play state.

[(5)](7) When an *[electronic gaming device]*EGD is unable to automatically provide payment of jackpots requiring the payment to be made by the excursion gambling boat, jackpot *[payout tickets]*slips must be prepared either by the *[computerized slot monitoring]*slot accounting system or manually by casino personnel. *[containing the following information:*

(A) The location of the electronic gaming device;

(B) The date;

(C) The time of day;

(D) The electronic gaming device number;

(E) The denomination of the game played;

(F) The amount of the jackpot payout in written and numeric form;

(G) Total before taxes and taxes withheld, if applicable;

(H) Amount to patron;

(I) Total amount played and game outcome of award, if applicable;

(J) The signature of a holder of a Class B license or the licensee employee making the payment, as approved by the commission; and

(K) A signature of at least one (1) other riverboat gaming operation employee attesting to the accuracy of the form.]

(8) An EGD and its associated equipment or associated system shall not display a payout to the patron that is not achievable on that EGD.

[(6)](9) In addition to the requirements of this rule, all licensees shall comply with Chapter E of the Minimum Internal Control Standards as authorized by 11 CSR 45-9.105.

*AUTHORITY: sections 313.004 and 313.807, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. [2023]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. Amended: Filed June 25, 1996, effective Feb. 28, 1997. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed March 31, 2005, effective Oct. 30, 2005. Amended: Filed Aug. 30, 2006, effective March 30, 2007. Amended: Filed Jan. 30, 2014, effective Sept. 30, 2014. Amended: Filed April 25, 2019, effective Dec. 30, 2019. Amended: Filed Feb. 25, 2022, effective Sept. 30, 2022. Amended: Filed June 29, 2023, effective Feb. 29, 2024.*

Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014, 2016, 2021, 2022; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010, 2021, 2022; and 313.807, RSMo 1991, amended 1993, 2000, 2012. **Amended: Filed Dec. 5, 2024.*

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.*