

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

PROPOSED AMENDMENT

11 CSR 45-5.235 Analysis of Questioned Electronic Gaming Devices (EGDs). The commission is amending the title, purpose statement, and sections (1) and (2).

PURPOSE: This amendment modifies the process for investigating EGD anomalies.

*PURPOSE: This rule establishes the process for **the** analysis of questioned [electronic gaming devices]**EGDs**.*

(1) If the operation of any [electronic gaming device]**EGD** is questioned **due to an unexplainable game event or graphic anomaly** by any [holder of a] Class B licensee, patron, or commission agent, the questioned device [will]**shall** be examined in the presence of a commission agent and a representative of the [holder of a] Class B licensee. If the [malfunction]**question** cannot be [cleared by other means to the mutual satisfaction of the patron and the holder of a Class B license the electronic gaming device will be subjected to a critical program storage media (CPSM) memory test to verify signature comparison by a commission agent]**resolved, the EGD shall be evaluated as determined by the commission.**

(2) [In the event that the malfunction cannot be determined and corrected by this testing, the electronic gaming device may]**If the evaluation is inconclusive, a commission agent may require the EGD** be removed from service and secured in a [remote.] locked [compartment]**area to preserve its forensic integrity.** The [electronic gaming device]**EGD** may then be transported to [an industry-recognized]**a licensed** independent testing laboratory (ITL) where the device will be fully analyzed to determine the status and cause of the malfunction. All costs for transportation and analysis [will]**shall** be borne by the [holder of a] Class B licensee.

*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 May 13, 1998, effective Oct. 30, 1998. Amended: Filed Aug. 31, 2023, effective March 30, 2024. **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, 2022; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010, 2021, 2022; and 313.807, RSMo 1991, amended 1993, 2000, 2012.*

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.*