

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 20—Sports Wagering

PROPOSED RULE

11 CSR 45-20.040 License Application

PURPOSE: This rule establishes the application process for licenses.

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 Retail and Mobile License Application, the SW Supplier and Official League Data Provider License Application, the Occupational Level I-SW License Application, the Occupational Level I-SWC License Application, the Occupational Level II-SW License Application, the Occupational Level II-SWC License Application, and the SW Personal Disclosure Form may also be accessed at <http://www.mgc.dps.mo.gov>.

(1) The following forms are incorporated by reference and made part of this rule as adopted by the commission and 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>:

(A) Retail and Mobile License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions;

(B) SW Supplier and Official League Data Provider License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions;

(C) Occupational Level I-SW License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions;

(D) Occupational Level I-SWC License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions;

(E) Occupational Level II-SW License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions;

(F) Occupational Level II-SWC License Application as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions; and

(G) SW Personal Disclosure Form as adopted by the commission on February 18, 2025. This rule does not incorporate any subsequent amendments or additions.

(2) An applicant for a Retail or Mobile license shall submit—

(A) The Retail and Mobile License Application; and

(B) An SW Personal Disclosure Form for each key person associated with the applicant.

(3) An applicant for an SW Supplier or Official League Data Provider license shall submit—

(A) The SW Supplier and Official League Data Provider License Application; and

- (B) An SW Personal Disclosure Form for each key person associated with the applicant.
- (4) Every person upon becoming a key person shall file the SW Personal Disclosure Form within sixty (60) days.
- (5) An applicant for an Occupational Level I-SW license shall submit an Occupational Level I-SW License Application.
- (6) An applicant for an Occupational Level I-SWC license shall submit an Occupational Level I-SWC License Application.
- (7) Every person upon being assigned to a position that requires an Occupational Level I-SW or an Occupational Level I-SWC license shall file the appropriate application within sixty (60) days. No duties shall be performed by that person until the appropriate license has been obtained.
- (8) An applicant for an Occupational Level II-SWC license shall submit an Occupational Level II-SWC License Application.
- (9) In addition to submitting an application, each applicant for an SW Occupational license is required to be photographed or provide a photograph, be interviewed if requested, and provide any documentation requested by the commission.
- (10) An applicant for an SW Supplier license that holds a valid license pursuant to 11 CSR 45-4 is required to submit an application and pay the application fee and initial annual license fee to obtain an SW Supplier license.
- (11) An independent testing laboratory (ITL) shall have an SW Supplier license to test and evaluate sports wagering equipment. An ITL that holds a valid license pursuant to 11 CSR 45-4, is required to submit an application and pay the application fee and initial annual license fee to obtain an SW Supplier license. In addition to any requirements provided in this chapter, the ITL shall comply with all applicable requirements and duties of ITLs in 11 CSR 45-4.
- (12) The commission may require other materials in addition to those required by the application if the commission determines the information is necessary to determine the applicant's suitability for licensure. The commission may also require an affidavit, signed on behalf of the applicant, to be submitted as an addendum to the application, regarding matters related to the applicant.
- (13) The applicant shall be responsible for keeping the application current at all times. The applicant shall notify the commission in writing within ten (10) calendar days of any material changes to any response in the application and this responsibility shall continue throughout any period during which an application is being considered by the commission. All updates to applications shall be submitted by exhibit so that each affected exhibit is resubmitted with the updated information and with the date of resubmission. If any application update is not made in this manner, the commission may deem the update not to be effective.

(14) The commission may serve any applicant and his or her employer with written notice by personal delivery, electronic mail, or regular mail, requiring the applicant to complete all or any specific portion of the application process or provide additional information, on or before the date set forth in the notice. If the applicant fails to comply with the notice, the commission may consider the application withdrawn and the application process closed.

(15) An application shall not be considered filed until the completed application form, including all required documents and materials, has been received by the commission.

(16) A temporary Retail or Mobile license may be issued to an applicant pending a determination on the application for licensure. The executive director may revoke a temporary license at any time. If an applicant's temporary license is revoked, the applicant shall immediately cease any sports wagering operations in the state of Missouri. Should the executive director revoke a temporary license and seek denial of licensure by the commission, this action shall be reported to the commission and the applicant.

(17) The executive director may issue to the applicant for an SW Supplier license or Official League Data Provider license a temporary license during the time the application is pending with the commission. The executive director may revoke a temporary license at any time. If an applicant's temporary license is revoked, the applicant shall not provide any Retail or Mobile licensee any equipment, supplies, or services that would otherwise require a license. Should the executive director revoke a temporary license and seek denial of licensure by the commission, this action shall be reported to the commission and the applicant. The executive director shall also notify all Retail or Mobile licensees of the revocation of the applicant's temporary license.

(18) The executive director may issue to the applicant for an SW Occupational license a temporary license, allowing the individual to perform his or her duties during the time the application is pending with the commission. The executive director may revoke or suspend a temporary license at any time. If the temporary license is revoked or suspended, the individual shall immediately cease performing any duties for the licensed entity that would otherwise require an SW Occupational license. Should the executive director revoke or suspend a temporary license and seek denial of licensure by the commission, this action shall be reported to the commission, the licensee who employed the applicant, and the applicant.

(19) If a temporary license expires prior to completion of the background investigation, another temporary license may be issued.

AUTHORITY: section 39(g) of Article III, Mo. Const., sections 313.004 and 313.800–313.850, RSMo 2016 and Supp. 2024. Original rule filed Feb. 18, 2025.

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 cost private entities an estimated three hundred eighty-two thousand dollars (\$382,000.00) 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 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 April 17, 2025, at 10 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*