

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

PROPOSED RULE

11 CSR 45-20.060 Suitability for Licensure

PURPOSE: This rule establishes the requirements for the suitability for licensure.

(1) All applicants have an obligation to demonstrate suitability for licensure.

(2) An applicant for a Retail, Mobile, SW Supplier, Official League Data Provider, or SW Occupational license shall not be granted the respective license if the applicant, any owner of the applicant, any key person of the applicant, or any employee who participates in the management of sports wagering operations has been convicted of a felony or any gambling offense in any state or federal court of the United States.

(3) The commission may deny or refuse to renew a license or revoke or suspend a license if the applicant or licensee, or a key person of the applicant or licensee—

(A) Associates in business affairs with or employs a person—

1. Of notorious or unsavory reputation or who has extensive police records; or

2. Who has failed to cooperate with any officially constituted investigatory or administrative body, including but not limited to the commission;

(B) Has been convicted of a crime involving dishonesty or moral turpitude;

(C) Has submitted an application for a license, or any other documentation, to the commission that contains false information or has failed to disclose required information;

(D) Has had a sports wagering or gaming-related license revoked, suspended, or denied in Missouri or any other jurisdiction, or is an affiliate of a person who has had a sports wagering or gaming-related license revoked, suspended, or denied in any other jurisdiction;

(E) Has a background, including a criminal record, reputation, habits, business associations, or prior activities that—

1. Poses a threat to the public interests of the state of Missouri or to the security and integrity of sports wagering;

2. Poses a threat to public health, safety, morals, good order, and general welfare of the people of the state of Missouri; or

3. Discredits or tends to discredit the Missouri sports wagering industry or the state of Missouri;

(F) Creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of sports wagering; or

(G) Presents questionable business practices and financial arrangements relating to the conduct of sports wagering.

(4) The commission may refuse to issue or renew an SW Occupational license to any person or revoke or suspend an SW Occupational license of any person who has failed to prove his or her suitability for licensure, including but not limited to any applicant or licensee —

(A) Who has been convicted of a crime or has been found guilty of, pleaded guilty or *nolo contendere* to, or entered an Alford plea to a crime, or received a suspended imposition of sentence, for violations of any federal, state, county, or city law including ordinance violations;

(B) Who is unqualified to perform the duties required;

(C) Who fails to disclose or states falsely information called for in the application process or uses fraud, deception, misrepresentation, or bribery in securing a license issued by the commission;

(D) Who has failed to comply with or make provision for complying with any federal, state, or local law or regulation, or internal controls of the licensed entity;

(E) Who fails to comply with any rule, order, or ruling of the commission;

(F) Whose license has been suspended, revoked, or denied in any jurisdiction;

(G) Who is a past or present member or participant in organized crime as such membership or participation may be found or determined by the commission;

(H) Who is an illegal alien;

(I) Who is an employee of the commission or is a spouse, child, brother, sister, parent, son-in-law, daughter-in-law, stepchild, or stepparent of any employee or member of the commission;

(J) Who demonstrates a pattern of being financially irresponsible;

(K) Who is not of good moral character or has associated in business affairs with or employed a person of notorious or unsavory reputation or who has an extensive police record, or who has failed to cooperate with any officially constituted investigatory or administrative body;

(L) Who would adversely affect public confidence and trust in gambling;

(M) Who provides the commission with false or misleading information, documents, or data or who makes false or misleading statements to the commission;

(N) Who fails to cooperate with any licensing or regulatory investigation;

(O) Who commits an act or omission that, if committed by any licensee, would be grounds for discipline or denial of an application;

(P) Who obtains or attempts to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(Q) Who demonstrates incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties regulated by Article III, Section 39(g) of the *Missouri Constitution* or Chapter 313, RSMo; or

(R) Who pleaded guilty to or was convicted of any offense that would prohibit any licensee from employing the applicant pursuant to the terms of Chapter 313, RSMo.

(5) All licensees shall have an ongoing obligation to demonstrate suitability to hold a license. The commission may reopen the investigation of a licensee at any time.

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 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 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.*