

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

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission adopts a rule as follows:

11 CSR 45-20.150 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 16, 2025 (50 MoReg 790). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 16, 2025, and the commission held a public hearing on the proposed rule on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received six (6) written comments on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

COMMENT #1: Subsection (1)(C) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it is overly broad and lacks clear, enforceable criteria, making it difficult for regulators and operators to apply consistently. He suggested revising it to state, “willfully failing to disclose an ineligibility determination, license denial, suspension, or revocation in any state or gaming jurisdiction...”

RESPONSE: “Willfully failing to disclose an ineligibility determination, license denial, suspension, or revocation in any state or gaming jurisdiction” is a substantially different standard from the current language. No changes have been made to the rule as a result of this comment.

COMMENT #2: Subsection (1)(D) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it lacks a clear, enforceable standard, making it difficult for both regulators and operators to apply consistently. Without a uniform definition of what constitutes an “organized crime group” or “recognized organized crime figure,” he stated that enforcement could become arbitrary and subjective. By specifying “knowingly” and requiring formal identification by a law enforcement or regulatory agency, he suggested that this revision ensures that operators can implement clear compliance processes to prevent such associations while allowing regulators to enforce the rule based on objective, verifiable criteria.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to remove this subsection in its entirety. Renumbered remaining subsections.

COMMENT #3: Subsection (1)(E) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it lacks a clear, enforceable standard, making it difficult for both regulators and operators to apply consistently.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and removed paragraph (1)(E)1.

Retained and renumbered remaining paragraphs.

COMMENT #4: Subsection (1)(Q) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it is too broad and lacks a clear standard for enforcement.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Subsection (1)(R) – The Joint Committee on Administrative Rules suggested the addition of “of this state or any other state or country” to clarify the restriction.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #6: Subsection (1)(U) – Cory Fox, with FanDuel, suggested revising the language to add the qualifier that states, “willfully or repeatedly.”

RESPONSE: Violations under this section could be significant enough that one instance could be grounds for disciplinary action. Additionally, requiring the conduct to be willful substantially changes the standard of this subsection. No changes have been made to the rule as a result of this comment.

COMMENT #7: Section (3) – The Joint Committee on Administrative Rules suggested revising this section to provide clarification on how individuals can seek permission to reapply for licensure after having a license revoked.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #8: Section (3) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to only require a one-year waiting period to reapply after a revocation.

RESPONSE: Once a license has been revoked it is highly unlikely the commission would grant a license a year later. No changes have been made to the rule as a result of this comment.

COMMENT #9: Section (4) – The Joint Committee on Administrative Rules suggested removal of this section as it appears duplicative of section (1).

RESPONSE AND EXPLANATION OF CHANGE: Revised to clarify the commission has the authority to fine any person who is required to have a license but does not, as noted in Article III, Section 39(g), of the *Missouri Constitution*.

11 CSR 45-20.150 Disciplinary Actions

(1) Licensees shall be subject to the imposition of fines, license probation, license suspension, license revocation, or other disciplinary action for any violation of Article III, Section 39(g), of the *Missouri Constitution*, law, or regulation. The following acts or omissions may be grounds for discipline:

(D) Employing, associating with, or participating in any enterprise or business with persons—

1. Who have law enforcement records involving crimes of moral turpitude; or

2. Who have failed to cooperate with any officially constituted investigatory or administrative body;

(E) Failing to establish and maintain standards and procedures designed to prevent ineligible or unsuitable persons from being employed by the licensee;

- (F) Misrepresenting any information to the commission;
- (G) Intentionally making, causing to be made, or aiding, assisting, or procuring another to make any false statement in any report, disclosure, application, permit, form, or any other document, including improperly notarized documents;
- (H) Submitting tardy, inaccurate, or incomplete material or information to the commission;
- (I) Obstructing or impeding the lawful activities of the commission;
- (J) Willfully or repeatedly failing to pay amounts due or to be remitted to the state of Missouri;
- (K) Failing to timely pay amounts due or to be remitted to the state of Missouri;
- (L) Failing to timely pay a fine imposed by the commission;
- (M) Failing to respond in a timely manner to communications from the commission;
- (N) Aiding and abetting a violation by a commission member or employee, or other government official, of a requirement established by statute, resolution, ordinance, personnel code, or code of conduct;
- (O) Violations of Article III, Section 39(g), of the *Missouri Constitution* and laws, rules, and regulations by any person identified as a key person;
- (P) Knowingly employing or associating in business affairs with any enterprise or business with a person determined unsuitable to be a licensee or a key person of an applicant or licensee by the commission or any other gaming jurisdiction;
- (Q) Facilitating, enabling, or participating in sports wagering other than in accordance with Article III, Section 39(g), of the *Missouri Constitution* and laws, rules, and regulations of this state or any other state or country;
- (R) Engaging in, or facilitating, unfair methods of competition or unfair or deceptive acts or practices, including the use or employment of any deception, fraud, false pretense, false promise or misrepresentation, or the concealment, suppression, or omission of any material fact in the conduct of any sports wagering operation;
- (S) Acting in bad faith in the conduct of any business, transaction, or interaction with any other applicant, licensee, or the commission;
- (T) Being found, through final determination by a court or regulatory body, to have engaged in unfair labor practices, discrimination, or violations of regulation of gaming or sports wagering;
- (U) Failing to satisfy any judgments, orders, or decrees of any court;
- (V) Failing to maintain suitability for licensure; or
- (W) Any cause that, if known to the commission, would have resulted in the denial of a license.

(3) A person who has had a license revoked by the commission may not reapply for a license without permission from the commission. Permission may be requested by submission of written correspondence to the commission for consideration at a regularly scheduled commission meeting.

(4) The commission may impose fines upon any person required to hold a license but does not.