

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 45-20.310 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 812–813). 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. Commission staff made one (1) comment on the proposed rule.

COMMENT #1: Section (4) – Rebecca London, with DraftKings, suggested revising the language to the substantial change provision to provide additional regulatory certainty and an extra layer of flexibility in the event a change to a licensee’s sports wagering system is isolated to the state of Missouri. She also suggested revising the language to add that “a substantial change shall include core system software changes that amount to a new version of the sports wagering system and shall not include routine, customary software adjustments that do not significantly affect the sports wagering patron experience or system compliance controls.”

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised subsection (1)(A) to clarify that it applies to sports wagering systems in Missouri. Section (1) defines core function and what is considered a substantial change, therefore the suggested language was not added.

COMMENT #2: Section (5) – Cory Fox, with FanDuel, suggested removing the language “by the end of the following calendar day” or revising it to state, “the next business day.”

RESPONSE: This industry operates 24 hours a day, 7 days a week; therefore, it is important for the notification of these incidents to be reported within the specified timeframe. No changes have been made to the rule as a result of this comment.

COMMENT #3: Sections (5) and (6) – Adam Kates, with PENN Entertainment, suggested revising the language to state “twenty-four (24) business hours” to provide adequate time to collect all appropriate information from the issue.

RESPONSE: Business hours is an unclear standard and could vary within the industry. No changes have been made to the rule as a result of this comment.

COMMENT #4: Section (6) – Cory Fox, with FanDuel, suggested revising the language to revise

“immediately” to “promptly” or to remove “immediately” to relieve restrictive timelines on licensees.

RESPONSE: The word “promptly” is too subjective. No changes have been made to the rule as a result of this comment.

COMMENT #5: Section (6) – Rebecca London, with DraftKings, suggested revising the timeline from “immediately” to within “twenty-four (24) hours” to align with industry standards.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #6: Subsection (7)(B) – Rebecca London, with DraftKings, suggested removing “requestor” from the requirement as this is not logged information and is not required under the Gaming Laboratories International (GLI) Standard 33.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #7: Private Cost Statement – A staff member suggested revising the fiscal note to clarify the number of Retail licensees affected and revised the assumptions to address the number of systems used by the licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note.

11 CSR 45-20.310 Software Change Management

(1) As used in this rule, the following terms shall have the following meaning:

(A) A core function is any function related to the placement, recording, and resolution of wagers, or any other function or feature that affects the security, integrity, availability, or recordkeeping of the sports wagering system in Missouri.

(6) Emergency changes shall be documented in the change log and the Retail or Mobile licensee shall notify the commission in writing within twenty-four (24) hours upon implementation of any emergency changes. The notification to the commission shall include the information documented on the change log. Upon review of the change, the commission may order the change be tested, certified, and approved.

(7) The change log shall—

(B) Include the date of change, summary of change, implementer, and results of the change; and

REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,033,600 versus the estimated annual cost of \$1,060,000, which was submitted in the original estimate.