

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 45-20.550 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 838–842). 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 twelve (12) written comments on the proposed rule. Commission staff made four (4) comments on the proposed rule.

COMMENT #1: Section (4) – Rebecca London, with DraftKings, requested clarification as to whether this section applies only to Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to specifically reference Retail licensees.

COMMENT #2: Section (10) – Rebecca London, with DraftKings, suggested revising this section to remove Mobile licensees from the requirements.

RESPONSE: Mobile licensees have electronic tickets and audits of these are necessary for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (10) – A staff member suggested revising the language to require a monthly review instead of daily.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised daily to monthly.

COMMENT #4: Sections (10) and (13) – Daniel Rainieri, with BetMGM, suggested revising these sections to remove Mobile licensees from these requirements.

RESPONSE: Mobile licensees have electronic tickets that need to be audited and system exception reports that need to be reviewed for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #5: Section (13) – A staff member suggested revising the language to require a weekly review instead of daily.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised daily to weekly.

COMMENT #6: Section (14) – Daniel Rainieri, with BetMGM, suggested revising the current language to clarify if the monthly attestation needs to be submitted on a specific day of the month and if a specific format will be required.

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised to clarify when the attestation shall be remitted. No change was made requiring a specific format.

COMMENT #7: Section (16) – A staff member suggested revising the language to reference federal law in general, instead of noting the specific law.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #8: Section (17) – Rebecca London, with DraftKings, requested confirmation that Mobile licensees are not required to maintain separate documentation for each promotion offered because Mobile platforms automatically document the requested information.

RESPONSE: This rule does not require duplicate or separate documentation. It requires that Mobile licensees maintain, in a manner consistent with their respective platforms, the necessary information regarding promotions. No changes have been made to the rule as a result of this comment.

COMMENT #9: Section (18) – Rebecca London, with DraftKings, suggested revising the current language to remove Mobile licensees from the requirements of this rule as Mobile licensees operate with automated systems that are programmed to enforce promotional terms, track user eligibility, and execute payouts in accordance with preset conditions.

RESPONSE: Preset conditions are still subject to human error and, as Retail and Mobile licensees may take deductions based on promotional activity, it is necessary to ensure that promotions are run according to the promotional rules. No changes have been made to the rule as a result of this comment.

COMMENT #10: Section (19) – Rebecca London, with DraftKings, suggested specifying that this section pertains only to Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to note this addresses sensitive keys for Retail licensees.

COMMENT #11: Section (20) – Rebecca London, with DraftKings, suggested revising the current language to remove Mobile licensees from the requirements of this rule as mobile platforms operate through automated systems that log all activity digitally and include audit trails, account status changes, and system exceptions.

RESPONSE: While mobile platforms are highly automated and digitized, human input is still present and confirming the accuracy of point addition/deletion, exception reports, and account statuses is necessary for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #12: Subsection (20)(C) – Daniel Rainieri, with BetMGM, suggested revising the current language to replace requiring two employees to review an inactive account, and instead, apply the Mobile license's patron reactivation procedures noted in the Mobile license's internal controls.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #13: Section (21) – Rebecca London, with DraftKings, suggested removal of this section as it is duplicative of existing regulatory frameworks and Gaming Laboratories International (GLI) testing.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised this section in its entirety. Renumbered remaining section.

COMMENT #14: Section (21) – Adam Kates, with PENN Entertainment, requested clarification as to whether third-party testing would be compliant with this section.

RESPONSE: This section has been removed. No changes have been made to the rule as a result of this comment.

COMMENT #15: Section (22) – Rebecca London, with DraftKings, suggested revising the language to only apply to Retail licenses.

RESPONSE: Audit procedures for both Retail and Mobile licensees shall be documented. No changes have been made to the rule as a result of this comment.

COMMENT #16: Private Cost Statement – A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

11 CSR 45-20.550 Procedures for Accounting and Revenue Audit

(4) Any overages identified on the Retail licensee's sports wagering intake summary report shall be added to sports wagering revenue, unless otherwise authorized by the tax section of the commission.

(10) For Retail and Mobile licensees, a revenue auditor or compliance employee shall, on a monthly basis, perform the following for all winning tickets in excess of ten thousand dollars (\$10,000) and for a random sample of ten (10) of all other winning tickets:

(13) For Retail and Mobile licensees, on a weekly basis, system exception reports shall be reviewed, by an individual independent of the transaction, for propriety of transactions and unusual occurrences including but not limited to changes in odds, cut-off times, results, and event data (both information input by book employees, and information provided directly by a disseminator); in-progress events and void authorizations. All noted improper transactions or unusual occurrences noted during the review of exception reports shall be investigated with the results documented. If a regulatory violation is found, it shall be reported to the commission. An exception report is defined as a report produced by the computerized system identifying unusual occurrences, changes to system configuration parameters, alteration to initially recorded data, voids, etc.

(14) For the last day of each month, Retail and Mobile licensees shall verify the cash reserve meets all requirements of this chapter. By the fifteenth day of the following month, each licensee shall

remit to the commission a monthly attestation of the cash reserve compliance with accompanying documentation.

(16) For Retail licensees, revenue audit or compliance personnel shall, on a daily basis, review all wagering multiple transaction logs and either ensure that Currency Transaction Reports (CTRs) have been completed for all reportable transactions or prepare CTRs for all reportable transactions pursuant to federal law.

(19) Sensitive keys for Retail licensees include but are not limited to keys used to access designated nonpublic gaming areas, date and time stamping machines, ticket writer drawers, and kiosks. Quarterly, an inventory of all sensitive keys shall be performed and reconciled to records of keys made, issued, and destroyed. Investigations shall be performed for all keys unaccounted for, with the investigations being documented.

(20) For sports wagering computerized player tracking systems for Retail and Mobile, an accounting or revenue audit employee shall perform the following procedures at least one (1) day per quarter:

(C) Review the documentation related to reactivating inactive and closed accounts to verify an employee reviewed the inactive account and affirmed that the account is permitted to be reopened prior to reopening.

(21) Documentation (e.g., log, checklist, notation on reports, and tapes attached to original documents) shall be maintained evidencing the performance of sports wagering audit procedures, including any reviews, the exceptions noted, and follow-up of all audit exceptions.

REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,135,000 versus the estimated annual cost of \$1,395,000, which was submitted in the original estimate.