

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

**PROPOSED RULE**

**11 CSR 45-20.570 Promotions and Marketing**

*PURPOSE: This rule establishes requirements for sports wagering promotions and marketing campaigns for Retail and Mobile licensees.*

(1) Retail licensees and Mobile licensees may offer sports wagering promotions, which are any events designed to attract patrons. Promotions include but are not limited to contests, drawings, games, player reward programs, coupons, giveaways, free play, and promotional credit offers. Licensees shall be responsible for the conduct of promotional activities.

(2) For the purposes of this rule, advertising and marketing includes but is not limited to—

- (A) Direct mail or electronic mail;
- (B) Telemarketing;
- (C) Broadcast media;
- (D) Billboards or signage;
- (E) Internet advertising;
- (F) Promotional material; and
- (G) Patron acquisition, referral, reward, or retention programs.

(3) Retail licensees and Mobile licensees shall create and maintain dated, written rules governing each promotion offered. The written rules shall—

(A) Include terms and conditions that are full, accurate, clear, concise, and transparent, and shall not contain misleading information;

(B) Disclose applicable terms if the patron has to risk or lose the patron's own money as part of the promotion or has conditions attached to the patron's own money as a result of the promotion;

(C) Not be described as risk-free if the patron needs to incur any loss or risk the patron's own money to use or withdraw winnings from the risk-free bet; and

(D) Not restrict the patron from withdrawing the patron's own funds or withdrawing winnings from bets placed using the patron's own funds.

(4) Retail licensees and Mobile licensees shall ensure advertising materials for promotions include material terms and conditions for that promotion and have those material terms in close proximity to the headline claim of the promotion and in a reasonably prominent size. Material conditions include information about the cost to participate and the nature of the promotion, to assist patrons in understanding the terms and conditions of the promotion.

(5) Retail licensees and Mobile licensees shall ensure the promotional rules pertaining to any available promotions are accessible to patrons and the commission upon request. Any advertisement or information provided to patrons for a promotion shall be consistent with the rules of the promotion.

(6) Retail licensees and Mobile licensees shall maintain a record of all promotional wagering offers for five (5) years in a file that shall be provided to the commission upon request. All promotional wagering offers shall be stated in clear and unambiguous terms and shall be readily accessible by the patron before and after the offer is accepted and prior to completion. Offer terms and the record of all offers shall include at a minimum—

- (A) The date and time made publicly available;
- (B) The date and time the offer is active and expires;
- (C) Patron eligibility, including any limitations on patron participation;
- (D) Any restriction on withdrawals of funds;
- (E) Wagering requirements and limitations;
- (F) The order in which funds are used for wagers;
- (G) Eligible events or wagers; and
- (H) Rules regarding cancellation.

(7) Retail licensees and Mobile licensees shall be responsible for the content and conduct of any and all advertising or marketing done on its behalf or to its benefit whether conducted by the licensee, an employee or agent of the licensee, an affiliated entity, or a third party pursuant to contract.

(8) Retail licensees and Mobile licensees shall retain a copy of all advertising and marketing materials intended to promote any sports wagering operation in the state of Missouri, including a publication log, to be retained for five (5) years, of when and how those materials have been published, aired, displayed, or distributed.

(9) All advertising and marketing materials and the publication log shall be made available to the commission upon request.

(10) Retail licensees and Mobile licensees shall use commercially and technologically reasonable means to ensure marketing and advertisements—

- (A) Do not purposefully target individuals under twenty-one (21) years of age;
- (B) Do not purposefully target individuals who have self-excluded from sports wagering;
- (C) Are not false, misleading, or deceptive to a reasonable consumer; and
- (D) Clearly and conspicuously disclose the material terms of any promotional offer in the advertisement. Any promotion or advertisement shall provide the consumer with the full and complete terms of a promotion by providing a website, or other location in the promotional advertisement, that directs the viewer to where the full and complete promotional terms can be viewed. This may be satisfied by the promotional advertisement containing a hyperlink that takes the viewer directly to the full and complete offer and terms.

(11) All advertising and marketing materials published, aired, displayed, or distributed by or on behalf of any Retail licensee or Mobile licensee—

- (A) Shall not directly advertise or promote sports wagering to individuals under twenty-one (21) years of age;
- (B) Shall prominently display information regarding compulsive gaming (e.g., toll-free helpline, problem gambling website, etc.);

- (C) Shall state patrons must be twenty-one (21) years of age or older to wager;
- (D) Shall not contain images, symbols, celebrity or entertainer endorsements, or language designed to appeal specifically to those under twenty-one (21) years of age;
- (E) Shall not feature anyone who is, or appears to be, under twenty-one (21) years of age;
- (F) Shall not be published, aired, displayed, or distributed in media outlets, including social media, that appeal primarily to individuals under twenty-one (21) years of age;
- (G) Shall not be placed before any audience where the majority of the viewers or participants are presumed to be under twenty-one (21) years of age;
- (H) Shall not imply greater chances of winning versus other licensees;
- (I) Shall not imply greater chances of winning based on wagering in greater quantity or amount;
- (J) Shall not indicate that any promotional credits or funds are “free” if there are any monetary conditions that are required to be met to obtain the promotional credits or funds; and
- (K) Shall, for all direct marketing, allow the option to unsubscribe.

(12) Retail licensees and Mobile licensees shall not enter into an agreement with a third party to conduct advertising or marketing on behalf of, or to the benefit of, the licensee when compensation is dependent on, or related to, the volume or outcome of wagers instead of the number of patrons acquired.

*AUTHORITY: section 39(g) of Article III, Mo. Const., section 313.004, RSMo 2016, and sections 313.800–313.850, RSMo 2016 and Supp. 2024. Original rule filed May 14, 2025.*