

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 45-20.630 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 849–850). 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 one (1) written comment on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

COMMENT #1: Section (1)-(3) – The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (1) – The Joint Committee on Administrative Rules suggested revising the language to qualify which employees receive notice of individuals placed on the SEP List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #3: Section (3) – The Joint Committee on Administrative Rules suggested revising the language to qualify which affiliates receive notice of individuals placed on the SEP List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Section (3) – A staff member suggested removing unnecessary language that states, “All disclosures must be made in accordance with procedures approved by the commission. Written approval of the commission is required prior to disclosing this information.”

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Section (3) – Rebecca London, from DraftKings, suggested revising this section to allow operators to share the exclusion list on a broader scale and to exclude individuals on the SEP List from other platforms offered by that operator.

RESPONSE: The restrictions on sharing the SEP List prevent unintended sharing of patrons’ sensitive information. Further, Article III, Section 39(g), of the *Missouri Constitution*, does not provide the commission the authority to exclude individuals from fantasy sports. No changes have been made to the rule as a result of this comment.

11 CSR 45-20.630 Confidentiality of the List of Self-Excluded Persons

(1) The commission may disclose to each Retail licensee and Mobile licensee and any of its agents or employees responsible for ensuring that individuals on the SEP List are not permitted to place wagers any or all information contained on the person's application. The commission shall make the current SEP List available to Retail and Mobile licensees for download.

(2) Each Retail licensee and Mobile licensee shall submit to the commission a plan for the dissemination of the information regarding persons placed on the SEP List, as well as persons who have been removed from the SEP List. The plan shall be designed to safeguard, as best as is reasonably possible, the confidentiality of the information but shall include dissemination to the agents or employees of the licensee whose duties require enforcement of the SEP List. Licensees or agents or employees of the licensee may not disclose the name of, or any information about, a person who has been placed on or removed from the SEP List to anyone other than employees and agents of the licensee whose duties and functions require access to the information. The plan must be approved by the commission. All information disclosed to any licensee regarding anyone placed on or removed from the SEP List shall be deemed a closed record; however, the information may be disclosed as authorized by the individual seeking placement on the SEP List, by law, and through the provisions contained in this chapter.

(3) Retail licensees and Mobile licensees may disclose the information contained in the applications to its affiliates or agents of such affiliates who require this information in the performance of their duties. The disclosed information shall be used solely for the limited purposes of assisting in the administration of problem and responsible gaming programs and allowing the affiliate or agent of the affiliate to determine whether to deny a person on the SEP List access to sports wagering or to areas where sports wagering is conducted. Licensees may also disclose the information contained in the applications to entities engaged in marketing activities on their behalf, solely to the extent necessary to prohibit excluded individuals from receiving direct marketing or promotional communications. The licensee is responsible for maintaining the confidentiality of any information disclosed. Such information shall not be used to deny services unrelated to sports wagering to a person on the SEP List.