

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 45-20.650 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 850–851). 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 three (3) written comments on the proposed rule. Commission staff made two (2) comments on the proposed rule.

COMMENT #1: Section (1) – A staff member suggested revising the language to specify that updates to the SEP List will include individuals added to the List as well as individuals who are being removed from the List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (2) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising this language to allow licensees forty-five (45) days to remove individuals placed on the SEP List from direct marketing and advertising.

RESPONSE: Licensees have a responsibility to download updates to the SEP List every seven (7) days and update SEP List information within three (3) days of download. Such updates would require communication with marketing affiliates in a timely manner. No changes have been made to the rule as a result of this comment.

COMMENT #3: Subsection (5)(B) – A staff member suggested revising the language to be consistent with the revision made to 11 CSR 45-20.600(6)(C)6.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Subsection (8)(C) – Cory Fox, with FanDuel, suggested revising the language to remove the subsection because it would encourage bad actors to avoid unfavorable betting outcomes.

RESPONSE: The commission's SEP List is an automatic five- (5-) year ban from all sports wagering across all Retail and Mobile licensees in Missouri. Therefore, the commission believes that individuals using this rule as a tactic to avoid unfavorable wagering outcomes would be minimal. In addition, this approach allows the individual to end their contact with Retail and

Mobile licensees in a faster manner. This approach is also consistent with other jurisdictions. No changes have been made to the rule as a result of this comment.

COMMENT #5: Subsection (8)(C) – Rebecca London, with DraftKings, suggested revising the language to remove the subsection because allowing these wagers to settle maintains wagering integrity and prevents potential abuse of the self-exclusion process, such as voiding unfavorable bets after placement.

RESPONSE: The commission's SEP List is an automatic five- (5-) year ban from all sports wagering across all Retail and Mobile licensees in Missouri. Therefore, the commission believes that individuals using this rule as a tactic to avoid unfavorable wagering outcomes would be minimal. In addition, this approach allows the individual to end their contact with Retail and Mobile licensees in a faster manner. This approach is also consistent with other jurisdictions. No changes have been made to the rule as a result of this comment.

11 CSR 45-20.650 Duties of Licensees Regarding the List of Self-Excluded Persons

(1) Retail and Mobile licensees shall download the updates to the SEP List from the designated commission server at least once every seven (7) calendar days and update SEP List information in all associated applications within three (3) calendar days of the download of new or updated information. The updates to the SEP List will include individuals added to and removed from the SEP List since the last update.

(5) Prior to performing any of the following transactions with a patron, the Retail licensee shall require the patron to present valid, non-expired state or federal government-issued photo identification. The licensee shall perform a search of the individual's date of birth as listed on the identification in the downloaded SEP List or the MGC Web SEP List to determine whether the patron is a self-excluded person (SEP). If the search generates any names that have the same first or last name as recorded on the photo identification, the licensee shall research further to determine if the individual presenting the ID is a SEP. The Retail licensee shall check the SEP List prior to performing any of the following transactions:

(B) Redeeming a winning ticket greater than three-thousand dollars (\$3,000);