

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 1—Organization and Administration**

**PROPOSED AMENDMENT**

**11 CSR 45-1.015 Code of Ethics.** The commission amending section (1), deleting sections (10) and (13), and renumbering sections (11) and (12).

*PURPOSE: This amendment removes unnecessary language.*

(1) Standard of Compliance for Commission and its Employees. Each member of the commission and all of its employees are directed to read and comply with this Code of Ethics and with Executive Order 92-04 dated January 31, 1992[*, a copy of which is attached hereto, and is incorporated by reference*]. For the purposes of this Code of Ethics, the term employee shall include all direct employees of the commission as well as all persons who are employed by entities which have contracted with the commission to perform investigations or have entered into a Memorandum of Understanding with the commission where specific mention is made of this Code of Ethics. The commission shall be responsible for the enforcement of applicable statutes, the provisions of the Executive Order and this rule by the suspension or discharge of the employee or other disciplinary action as the commission deems appropriate. The definitions at 11 CSR 45-5.056(1)(H) and (K) shall be applicable to this Code of Ethics.

*[(10) Violations of Sunshine Law Prohibited. The Missouri Gaming Commission and its employees are directed to set the highest standards for open meetings and compliance with Chapter 610, RSMo. No commissioner or commission employee shall conduct any official business unless there is proper compliance with Chapter 610, RSMo.]*

*[(11)] (10) Confidential Information.* No member or employee of the commission shall use or disclose confidential information gained in the course of or by reason of the member's or employee's official position or activities to further the member's or employee's own financial or political interests or the financial or political interests of anyone else.

*[(12)] (11) Confidential Information.* A former member of the commission having information that s/he knows is confidential governmental information, or knew was confidential government information at the time the member or employee acquired the information, about a person or matter subject to the jurisdiction of the commission while the member or employee was associated with the commission, may not disclose such information without the consent of the commission granted prior to such disclosure and after complete disclosure to the commission of the information sought to be disclosed, all persons to whom the information is to be disclosed, and the reasons for such disclosure. Confidential information means information that has been obtained under governmental authority and which, at the time this rule is applied, the government or the Missouri Gaming Commission is prohibited by law from disclosing to the public or has a legal privilege not to disclose, and which is not otherwise available to the public.

*[(13) No member or employee of the commission or person who has been a member or employee of the commission within the previous two (2) years may be a representative or agent of the holder of or applicant for a Class A or supplier's license.*

*EXECUTIVE ORDER*

*92-04*

*WHEREAS, public confidence in the integrity of the government of the State of Missouri is of utmost importance; and*

*WHEREAS, the executive branch of state government must discharge its duties in an independent and impartial manner; and*

*WHEREAS, executive branch employees must treat the public and fellow employees with respect, courtesy, and dignity, and provide equal access to services for all members of the public; and*

*WHEREAS, executive branch employees' conduct not only must be within the letter of the law but must seek to fulfill the spirit and intent of the law; and*

*WHEREAS, executive branch employees must provide a full day's work for a full day's pay, giving to the performance of their duties their earnest effort and best thought; and*

*WHEREAS, executive branch employees must demonstrate the highest standards of personal integrity and honesty and must not realize undue personal gain from the performance of any official duties; and*

*WHEREAS, executive branch employees are responsible for enhancing the mission of their agencies; and*

*WHEREAS, a clear statement of the code of conduct which guides the executive branch is both an assurance to the citizens of Missouri and an aid to our steadfast efforts;*

**NOW, THEREFORE, I, JOHN ASH-CROFT, GOVERNOR OF THE STATE OF MISSOURI, UNDER THE AUTHORITY VESTED IN ME UNDER THE CONSTITUTION AND THE LAWS OF THIS STATE, INCLUDING THE PROVISIONS OF SECTION 105.969 RSMO CUM. SUPP. 1992, DO HEREBY SET FORTH A CODE OF CONDUCT FOR EXECUTIVE BRANCH EMPLOYEES OF MISSOURI STATE GOVERNMENT (EXCEPTING THE EMPLOYEES OF THOSE ELECTED OFFICIALS WHO ARE TO ESTABLISH AN INTERNAL CODE OF CONDUCT FOR THEIR OFFICES):**

### **CODE OF CONDUCT**

*1. Executive branch employees shall conduct the business of state government in a manner which inspires public confidence and trust.*

*A. Employees shall avoid any interest or activity which improperly influences, or gives the appearance of improperly influencing, the conduct of their official duties.*

*B. Employees shall act impartially and neither dispense nor accept special favors or privileges which might be construed to improperly influence the performance of their official duties.*

*C. Employees shall not allow political participation or affiliation to improperly influence the performance of their duties to the public.*

*D. Employees shall not engage in business with state government, hold financial interests, or engage in outside employment when such actions are inconsistent with the conscientious performance of their official duties.*

*E. Employees shall not use or improperly possess an illegal controlled substance or alcohol in the workplace or during working hours.*

*F. Employees of the State are expected to comply with the statutes of Missouri at all times.*

*2. Executive branch employees shall conduct themselves in scrupulous compliance with applicable federal, state and local law.*

*A. Employees shall observe all conflict of interest provisions in law applicable to their agencies and positions of employment.*

*B. Employees shall adhere to all laws providing equal opportunity to all citizens.*

*C. Employees shall perform their responsibilities as they are specified in law or other authority establishing those responsibilities.*

*3. Financial compensation of state employment consists of only authorized salaries and fringe benefits.*

*A. Employees shall not use their public positions in a manner designed to create personal gain.*

*B. Employees shall not disclose confidential information gained by reason of their public positions, nor shall employees use such information for personal gain or benefit.*

*C. Employees shall not directly or indirectly attempt to influence agency decisions in matters relating to prospective employers with whom employment has been accepted or is being negotiated.*

*4. Executive branch employees owe the public the diligent application of their knowledge, skills and abilities for which they are compensated.*

*A. Employees shall not perform outside employment or other activities not appropriate during hours compensated for state employment and will use leave and other benefits provided by the State only for the purposes intended.*

*B. Employees shall carry out all lawful instructions of designated supervisors, and will report instructions not consistent with law to the proper authorities.*

*5. Equipment, material and supplies purchased with public funds are intended for the performance of public purposes only.*

*A. Employees shall use and maintain state equipment, materials and supplies in an efficient manner which will conserve future usefulness.*

*B. Employees shall use state equipment, materials and supplies solely for purposes related to the performance of state business.*

*6. The work of state government will be conducted with respect, concern and courtesy toward clients, co-workers and the general public.*

*A. Employees shall approach their duties with a positive attitude and constructively support open communication, dedication and compassion.*

*B. Employees shall conduct their duties with courtesy toward clients, co-workers, patients, inmates and the general public, recognizing the diverse background, characteristics and beliefs of all those with whom they conduct state business.*

*C. Employees shall not engage in any form of illegal harassment or discrimination in the workplace, including on the basis of race, color, religion, national origin, ancestry, sex, age or disability.*

*D. Employees, in connection with the performance of their duties, shall not seek sexual favors from a client, co-worker, patient, inmate or member of the public.*

*7. This code shall provide guidance to the officials and employees of the executive branch of Missouri state government in matters of employment related conduct.*

*A. When questions arise in the application of this code, the public interest will receive primary consideration in any resolution.*

*B. This code is not intended to fully prescribe the proper conduct of employees and the failure to prohibit an employee action in this code does not constitute approval of the action.*

*C. This code is intended as a supplement to the provisions in law which govern employee conduct, and in no instance does it decrease the requirements in law.*

*D. Agency heads are responsible for promoting and enforcing this code of conduct among the employees of their agencies in accordance with their respective agency procedures, and shall supplement it with additional provisions to meet the needs of their agencies.*

*E. This code is intended to provide guidance for employment related conduct and is not intended to create any right or benefit enforceable by law.*

*F. No state agency or appointing authority shall discharge, threaten or otherwise retaliate against an employee for reporting in good faith any violation of this code.*

*G. In applying this code to specific situations, the standard to be used is that of a reasonable person having knowledge of the pertinent circumstances.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, this 31st day of January, 1992.*

*(Signature)* \_\_\_\_\_  
**GOVERNOR**

**ATTEST**

*(Signature)* \_\_\_\_\_  
**SECRETARY OF STATE]**

*AUTHORITY: section 313.004.4, RSMo [2000] **2016**. Original rule filed March 29, 1994, effective Sept. 30, 1994. Emergency rule filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Amended: Filed Feb. 19, 1998, effective Aug. 30, 1998. Amended: Filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed Sept. 29, 2011, effective May 30, 2012. Amended: Filed: April 26, 2018.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 1—Organization and Administration**

**PROPOSED AMENDMENT**

**11 CSR 45-1.090 Definitions.** The commission is amending sections (11) and (19).

*PURPOSE: This amendment adds a definition for “key business entity” and changes “gambling equipment” to “gaming equipment.”*

(11) Definitions beginning with K—

**(A) Key business entity—A holder of any direct or indirect legal or beneficial publicly traded or privately held interest whose combined direct, indirect, or attributed publicly traded interest is five percent (5%) or more or privately held interest is one percent (1%) or more in an applicant or licensee or in a key business entity of an applicant or licensee—**

~~[(A)]~~ **(B) Key person—**Includes the following individuals or business entities:

1. An officer, director, trustee, proprietor, managing agent, or general manager of an applicant or licensee or of a business entity key person of an applicant or licensee;
2. A holder of any direct or indirect legal or beneficial publicly traded interest whose combined direct, indirect, or attributed publicly traded interest is five percent (5%) or more in an applicant or licensee or in a business entity key person of an applicant or licensee;
3. A holder of any direct or indirect legal or beneficial privately held interest whose combined direct, indirect, or attributed privately held interest is one percent (1%) or more in an applicant or licensee or in a business entity key person of an applicant or licensee;
4. A holder of any direct or indirect legal or beneficial interest in an applicant or licensee or in a business entity key person of an applicant or licensee if the interest was required to be issued under agreement with or authority of a government entity;
5. An owner of an excursion gambling boat; and
6. Any individual or business entity so designated by the commission or director.

(19) Definitions beginning with S—

**(H) Supplier—**A person who sells or leases *[gambling]* **gaming** equipment and *[gambling]* supplies to any licensee; and

*AUTHORITY: [section 313.805, RSMo Supp. 2013, and] sections 313.004, 313.800, and 313.805, [313.812, 313.817, and 313.830], RSMo [Supp. 2014] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 26, 2018.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 4—Licenses**

**PROPOSED AMENDMENT**

**11 CSR 45-4.020 Licenses, Restrictions on Licenses, Licensing Authority of the Executive Director, and Other Definitions.** The commission is amending sections (3), (6), and (7).

*PURPOSE: This amendment changes terms regarding key persons and key business entities, requirements for appointees to Level I positions, and the term for gaming equipment.*

(3) **Exemptions**— *[A key person/key business entity license shall include:*

*(A) An officer, director, trustee, proprietor, managing agent, or general manager of an applicant or licensee, or of a key business entity of an applicant or licensee;*

*(B) A holder of any direct or indirect legal or beneficial publicly traded or privately held interest whose combined direct, indirect, or attributed publicly traded interest is five percent (5%) or more or privately held interest is one percent (1%) or more in an applicant or licensee or in a key business entity of an applicant or licensee—*

*1.] (A) A **key person or key business entity who is the** holder of five percent (5%) or more publicly traded interest or one percent (1%) or more privately held interest, but not more than ten percent (10%) publicly traded or privately held interest, who holds such interest only for passive (“Not involving active participation; esp., of or relating to a business enterprise in which an investor does not have immediate control over the activity that produces income.” *Black’s Law Dictionary* Seventh Edition) investment purposes (including economic purposes) may be exempted from licensure by the executive director [;].*

*[2.] (B) The commission by majority vote may grant exemption from licensure for holdings of up to twenty percent (20%) [;].*

*[3.] (C) Exemptions may be granted to institutional investors in advance to hold interest in multiple licensees [;].*

*[4.] (D) Exemptions shall be for two (2) years unless renewed [;].*

*[5.] (E) Requests for exemption from licensure must be submitted on a Request of Waiver for Licensure of Institutional Investor form, which is available for public inspection at the offices of the commission and online at the commission’s website ([www.mgc.dps.mo.gov](http://www.mgc.dps.mo.gov)). Request forms shall be submitted in advance of acquiring such interest or within ten (10) days thereafter certifying under oath—*

*[A.] 1. The interest is being acquired for passive investment purposes;*

*[B.] 2. The holder does not nor will it have any involvement in the management activities of the entity;*

*[C.] 3. The holder does not have any intention of controlling the entity regardless of additional stock that may be acquired;*

*[D.] 4. The holder will within ten (10) days notify the commission of any purchase of stock in the entity which causes the total holding of the entity’s outstanding stock to exceed the threshold for which the waiver is granted;*

[E.] 5. In the event the holder subsequently develops an intention of controlling or participating in the management of said entity, said holder shall notify the commission of said change and refrain from participating in management or exercising such control until approved for licensure by the commission;

[F.] 6. The home and business address, occupation, employer, and title if the applicant is an individual; and

[G.] 7. The type of entity (corporation, partnership, limited partnership, LLC, LLP, etc.), state of charter, and the names and both home and business address of the following personnel if the applicant is a business entity—

[(I)] A. Chief executive officer (CEO);

[(II)] B. Chief financial officer (CFO);

[(III)] C. Chief operating officer (COO);

[(IV)] D. Managing partner(s);

[(V)] E. General partner(s);

[(VI)] F. Members of the Board of Directors; and

[(VII)] G. The registered agent;

[6.] 8. The executive director shall keep a record of all such exemptions granted and the positions held by each entity and shall present a written report on the same to the commission on a monthly basis; and

[7.] 9. Nothing in this section including the granting of an exemption shall prohibit the commission, at a future date, in its sole discretion, with or without cause from requiring any owner of any interest in a licensee from becoming licensed by the commission or to divest itself of stock ownership[;].

*[(C) A holder of any direct or indirect legal or beneficial interest in an applicant or licensee or in a key business entity of an applicant or licensee if the interest was required to be issued under agreement with or authority of a government entity;*

*(D) An owner of an excursion gambling boat; and*

*(E) Any individual or business entity so designated by the commission or the executive director.]*

(6) In the event that one of the positions, *[other than the surveillance manager/director,]* required by section (5) becomes vacant, an interim replacement licensee shall be immediately appointed to serve. *[The]* **Except for the surveillance manager/director position, the** interim appointee may be one of the current Level I licensees required by section (5). The permanent position shall be staffed within one hundred eighty (180) days, unless otherwise approved by the commission.

(7) Occupational License Level II includes any of the following positions that are not required to hold an Occupational License Level I:

(C) Any position with a licensed gaming supplier company that would require the holder to have access to the excursion gambling boat to perform his or her function or duties if such function or duties involve installation, servicing, maintenance, repair or accessing secured or locked components of any *[gambling]* **gaming** equipment or supplies, or involve verification or payment of patron awards; and



*AUTHORITY: sections 313.004, [RSMo Supp. 2014,] **313.805**, and [section] 313.807, RSMo [Supp. 2013] **2016**. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 26, 2018.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**PROPOSED AMENDMENT**

**11 CSR 45-4.210 Temporary Supplier's License.** The commission is amending sections (5) and (7).

*PURPOSE: This amendment corrects references to the type of licensee referenced in sections (5) and (7), and corrects a misstated term.*

(5) The following procedure may be used to revoke a temporary license issued under the provisions of this rule:

(A) The executive director may, upon written notice to the temporary licensee, revoke a temporary supplier's license if the executive director determines that the background investigation reveals information that would lead the commission staff to recommend that the applicant be found not suitable for licensure. The executive director shall also notify all Class *[A]* **B** licensees of the revocation of the applicant's temporary supplier's license;

(7) A temporary supplier's license entitles the holder to sell or lease *[gambling]* **gaming** equipment~~*[, gambling]*~~ **and supplies** *[suppliers, or both]* to any Class *[A]* **B** licensee, subject to the conditions and restrictions imposed by this rule.

*AUTHORITY: sections 313.004, 313.805, [and 313.800–313.850] 313.807, and 313.812, RSMo [2000 and Supp. 2007] 2016. Original rule filed March 18, 1996, effective Sept. 30, 1996. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Dec. 3, 2007, effective May 30, 2008. Amended: Filed April 26, 2018.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**PROPOSED AMENDMENT**

**11 CSR 45-4.260 Occupational Licenses for Class A, Class B, and Suppliers.** The commission is amending section (7).

*PURPOSE: This amendment eliminates language that is duplicated in another rule.*

*(7) [The] Any key person[/key business entity] employed by a supplier[s] will be required to be licensed by the Missouri Gaming Commission. [The supplier key person/key business entity application shall require a one (1)-time nonrefundable fee of one thousand dollars (\$1,000) plus the annual licensing fee of one hundred dollars (\$100). The applicant or licensee shall be assessed fees, if any, to cover the additional costs of the investigation. The licensing and renewal fees for Level I and Level II occupational licenses shall be the same as set forth for Class A and Class B occupational licensees. Additionally, the executive director may waive or modify licensing fees.]*

*AUTHORITY: sections 313.004[, RSMo 2000, and section] and 313.805, RSMo [Supp. 2013] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 26, 2018.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**PROPOSED AMENDMENT**

**11 CSR 45-4.380 Occupational and Key Person/Key Business Entity License Application and Annual Fees.** The commission is amending the purpose statement and section (2).

*PURPOSE: This amendment corrects terminology for supplier license.*

*PURPOSE: This rule establishes license fees for occupational and key person/key business entity licensees of Class A, [and] Class B, and **supplier** licensees.*

(2) The annual licensing fee shall be—

(A) Key person/key business  
entity—

- |                  |    |     |
|------------------|----|-----|
| 1. Class A and B | \$ | 250 |
| 2. Supplier[s]   | \$ | 100 |

*AUTHORITY: sections 313.004, [and 313.800–313.850] **313.805, and 313.807** RSMo [2000 and Supp. 2013]**2016**. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 26, 2018.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 5—Conduct of Gaming**

**PROPOSED AMENDMENT**

**11 CSR 45-5.065 Patrons Unlawfully on Excursion Gambling Boat—Not Eligible for Gambling Game Winnings.** The commission is amending section (2).

*PURPOSE:* This amendment removes a reference to a rule that has been rescinded.

(2) Patrons that are excluded from excursion gambling boats pursuant to [11 CSR 45-10.115,] 11 CSR 45-15 et seq., 11 CSR 45-17 et seq., and patrons who are under twenty-one (21) years of age are not eligible to claim gambling game payouts.

*AUTHORITY:* sections 313.004, [RSMo 2000, and sections] 313.805, 313.817, and 313.822, RSMo [Supp. 2011] **2016**. Original rule filed Dec. 27, 2000, effective July 30, 2001. Amended: Filed Sept. 29, 2011, effective May 30, 2012. Amended: Filed April 26, 2018.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 6—[Operation of the Riverboat] Safety and Environment Standards and Inspections**

**PROPOSED AMENDMENT**

**11 CSR 45-6.030 Firearms on the Riverboat.** The commission is amending section (1).

*PURPOSE: This amendment updates the class designation of Class A to Class B and corrects the statutory references.*

(1) The only individuals who may carry a firearm on an excursion gambling boat without the approval of the owner or general manager of the excursion gambling boat are commission agents, law enforcement officials as described in section 571.030.2, RSMo, security personnel authorized by the excursion gambling boat, and security personnel under contract with Class [A] **B** licensees to transport money. Any other person must obtain approval from the owner or general manager of the excursion gambling boat prior to carrying any firearm on an excursion gambling boat. Any owner or general manager giving permission for a person to carry a firearm onto an excursion gambling boat shall notify the commission agent on duty in writing on a form approved by the commission immediately upon granting permission. Such notice to the commission agent shall identify the person to whom the permission was granted, verify that the person to whom permission was granted is in possession of a current, valid concealed carry endorsement issued pursuant to sections [571.094] **571.101 to 571.121**, RSMo, and contain the signature of the owner or general manager. Each Class [A] **B** licensee shall provide to the commission a current list of all persons authorized to execute on its behalf the notice required by this section.

*AUTHORITY: sections 313.004, [and] 313.805, 313.824, and 571.107, RSMo [2000] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 18, 1996, effective Oct. 30, 1996. Amended: Filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed April 28, 2004, effective Dec. 30, 2004. Amended: Filed April 26, 2018.*

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**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 30—Bingo**

**PROPOSED AMENDMENT**

**11 CSR 45-30.065 Licenses Required.** The commission is amending this rule by adding a new section (4).

*PURPOSE: This amendment combines language from another regulation that the commission is rescinding to remove duplicative language found in both regulations.*

**(4) As part of the supplier license application process, a supplier shall either post a bond or provide an irrevocable letter of credit in an amount to be determined by the commission.**

*AUTHORITY: sections 313.004 and 313.065, RSMo [Supp. 1996] 2016. Emergency rule filed March 1, 1995, effective March 11, 1995, expired July 8, 1995. Original rule filed March 1, 1995, effective Aug. 30, 1995. Emergency amendment filed Aug. 5, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Amended: Filed Aug. 5, 1996, effective March 30, 1997. Amended: Filed April 26, 2018.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 30—Bingo**

**PROPOSED RESCISSION**

**11 CSR 45-30.480 Package Deals and Tying Arrangements Prohibited.** This rule interpreted the bingo law as it applied to purchases of supplies and equipment when connected or tied to lease of a particular premises.

*PURPOSE: This rule is being rescinded because it is duplicative of another regulation.*

*AUTHORITY: section 313.065, RSMo 2000. Emergency rule filed June 21, 1994, effective July 1, 1994, Expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Amended: Filed Jan. 27, 2006, effective Sept. 30, 2006. Rescinded: Filed April 26, 2018.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*



**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 30—Bingo**

**PROPOSED RESCISSION**

**11 CSR 45-30.523 Supplier License.** This rule defined the supplier license and set the requirements for the supplier license, including bonding procedures.

*PURPOSE: This rule is being rescinded because it is duplicative of another regulation.*

*AUTHORITY: sections 313.005 and 313.057, RSMo Supp. 2013, and section 313.065, RSMo 2000. Original rule filed June 25, 2015, effective Feb. 29, 2016. Rescinded: Filed April 26, 2018.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 30—Bingo**

**PROPOSED AMENDMENT**

**11 CSR 45-30.555 Agreements Restricting Freedom to Buy and Sell-Prohibited.** The commission is amending sections (1) and (2) and adding a new section (3).

*PURPOSE: This amendment combines language from another regulation that the Commission is rescinding to remove duplicative language found in both regulations.*

(1) No *[person]* **licensee, supplier, or hall provider** shall enter into any agreement, express<sup>[ly]</sup> or implied, with any other person **or entity** which requires any person **or entity** to purchase exclusively from, or sell exclusively to, any other person **or entity**, or which prohibits any person **or entity** from purchasing from or selling to any other person **or entity**, any devices, materials, products, equipment or services which are reused or offered in any way in connection with bingo.

(2) No person **or entity** shall enter into any agreement, express or implied, wherein any person **or entity** is prohibited from, or required to, make a purchase or sales only within a particular geographic area **or as a condition precedent or prerequisite to obtaining by sale or lease any equipment, supplies, or a particular premises for the conduct of bingo.** *[Provided that]* [n] Nothing in this section shall restrict a licensee from exercising proprietary rights gained through patents, copyrights, trademarks, or other similar rights bestowed by state or federal governments or by courts.

(3) **No supplier shall enter into an agreement or understanding whereby a lessor or potential lessor of premises will rent solely to licensees who use the supplies or equipment of that supplier or whereby the lessor will discourage its lessees from obtaining its supplies or equipment from other suppliers.**

[2] (4) No manufacturer or supplier shall make or have an agreement or understanding with any licensee that either of them shall be restricted in the operation and carrying on of business to a specific geographic area, or areas, and such a restriction shall not be a condition of any other licensee.

*AUTHORITY: sections 313.004 and 313.065, RSMo [Supp. 1997] 2016. Emergency rule filed Aug. 30, 1996, effective Sept. 13, 1996, expired March 9, 1997. Original rule filed Aug. 30, 1996, effective March 30, 1997. Amended: Filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed Nov. 10, 1998, effective June 30, 1999. Amended: Filed April 26, 2018.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Tuesday, July 10, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*