

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

PROPOSED AMENDMENT

11 CSR 45-5.235 Analysis of Questioned Electronic Gaming Devices. The commission is amending sections (1) and (2).

PURPOSE (of the Amendment): This amendment updates the class designation and terminology.

(1) If the operation of any electronic gaming device is questioned by any holder of a Class [A] B license, patron or commission agent, the questioned device will be examined in the presence of a commission agent and a representative of the holder of a Class [A]B license. If the malfunction cannot be cleared by other means to the mutual satisfaction of the patron and the holder of a Class [A]B license the electronic gaming device will be subjected to [an EPROM (erasable, programmable, read-only memory)] a **CPSM (Critical Program Storage Media)** memory test to verify signature comparison by a commission agent.

(2) In the event that the malfunction cannot be determined and corrected by this testing, the electronic gaming device may be removed from service and secured in a remote, locked compartment. The electronic gaming device may then be transported to an industry-recognized **independent testing** laboratory (**ITL**) [selected by the commission] where the device will be fully analyzed to determine the status and cause of the malfunction. All costs for transportation and analysis will be borne by the holder of a Class [A]B license[and the commission will bill the holder of a Class A license].

*AUTHORITY: sections 313.004 and 313.807, RSMo 2016, and sections 313.800 and 313.805, RSMo [1994] Supp. 2022. * 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 May 13, 1998, effective Oct. 30, 1998. Amended: Filed August 31, 2023.*

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 via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, 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 November 2, 2023, at 10 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO.*