

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

PROPOSED AMENDMENT

11 CSR 45-30.235 *[Reasonable Market Rental Rate for Leased Premises and Leased Locations]* **Hall Provider License**. The commission is amending the title, the purpose, adding sections (1) and (4), amending sections (2)–(4), and renumbering the remaining sections.

PURPOSE: This amendment clarifies hall provider’s responsibilities.

PURPOSE: This rule [stipulates that information can be required by the commission to substantiate] specifies who shall obtain a Hall Provider License and the rental rate charged by a lessor to a bingo licensee.

[(1) Pursuant to section 313.025(1), RSMo the reasonable market rental rate for leased premises on which bingo will be conducted shall be determined by the commission. In determining if the rental rate is reasonable, the commission may request the applicant for licensure or licensed organization to submit documentation to substantiate that the rental rate is reasonable. The type of documentation shall be at the discretion of the commission.]

(1) A person who or business entity which owns or has a lease for at least five (5) years of a premises and intends to lease said premises to conduct bingo games shall obtain a Hall Provider License.

(2) [Hall] Licensed hall providers [who qualify to lease locations for the conduct of bingo] may only lease the location(s) for the conduct of bingo to [the type of (A), (B), and (C) licensees as described in 11 CSR 45-30.065, only if they] organizations which have obtained a [license] Regular/Annual Bingo License, Special Bingo and Pull-Tab License, or Special Abbreviated Pull-Tab License from the commission.

(3) [Licensees] Bingo licensees may not sublease the premises to any other bingo licensee for the purpose of conducting bingo without first obtaining a Hall Provider License.

(4) Pursuant to section 313.025(1), RSMo the reasonable market rental rate for leased premises on which bingo will be conducted shall be determined by the commission. The commission may request the applicant for licensure or licensed organization to submit documentation to support the proposed rental rate. The type of documentation shall be at the discretion of the commission.

[(4)] (5) Hall providers [must] shall charge each licensee their equal prorated amount of the rent which shall not exceed the prorated amount each licensee is charged for the same time under the terms of the lease. [(A)] Example: If a hall provider’s total weekly rental charge to four (4) bingo licensees is twelve hundred dollars (\$1,200), the hall provider must charge each organization twenty-five percent (25%) of the weekly rental charge or in this example three hundred dollars (\$300).

[(5)] (6) Each licensee is responsible for paying the rent directly to the licensed hall provider from a check drawn from the licensee's bingo checking account.

AUTHORITY: section 313.025, RSMo Supp. 2014, and 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 Dec. 1, 2004, effective June 30, 2005. Amended: Filed June 25, 2015.

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 Wednesday, September 9, 2015, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*