



Rules of
Department of Public Safety
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration

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

11 CSR 45-1.010 Organization and Administration

PURPOSE: This rule establishes the organization and administration of the Missouri Gaming Commission.

(1) The chairman of the commission shall be the chief public spokesperson for the commission in all dealings with the media.

(2) The executive director (director) shall be responsible for the daily operation of the commission's business as delegated by the commission; provided, however, that any party aggrieved by any action of the director, by petition to the chairman, may request that action be reviewed as an agenda item in a commission meeting.

(3) The director shall have the power to appoint, fire and discipline commission employees as delegated by the commission.

(4) All records of the commission shall be maintained by the custodian of records at the commission's office at 3417 Knipp Drive, Jefferson City, MO 65109.

(5) Unless otherwise required, all gaming tax and admission fee records and forms, application forms, fees, documents, papers, and materials to be filed with the commission shall be submitted to the commission's office in Jefferson City, Missouri.

AUTHORITY: section 313.004, RSMo 2000 and section 313.805, RSMo Supp. 2010.* *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 Jan. 21, 1997, effective Aug. 30, 1997. Amended: Filed June 30, 2010, effective Jan. 30, 2011.*

*Original authority: 313.004, RSMo 1993, amended 1994 and 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010.

11 CSR 45-1.015 Code of Ethics

PURPOSE: The Missouri Gaming Commission is obligated to promote the public interest and maintain public confidence in the

commission's integrity and impartiality. As a state regulatory agency, the commission and its staff are held to the highest ethical and professional standards and must conduct all business in a manner which maintains the public trust. Furthermore the commission is charged with insuring the integrity of the legalized gaming in Missouri. Therefore, the following Code of Ethics prescribes measures to prohibit practices that possess a potential of wrong-doing or the appearance of impropriety.

(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. 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.

(2) Prohibition of Gratuities From Persons Subject to Commission Regulation. All members of the commission and commission employees are prohibited from accepting a gift from any holder of or applicant for a license issued by the commission or any representative or agent of such license holder or applicant.

(3) Recommendations for Employment Prohibited. Every commissioner and every person employed by the commission or appointed to a commission committee, is forbidden and prohibited to solicit, suggest, request, or recommend to any holder of or applicant for a license issued by the commission or any representative or agent of such license holder or applicant the appointment of any person to any office, place, position or employment.

(4) Stock Ownership and Non-Fair Market Value Contracts Prohibited. No commissioner or any employee of the commission, while in office or employed by the commission, or during the first two (2) years after termination of office or employment, may own any

stock or other ownership interest in any holder of or applicant for a license issued by the commission or enter into any contractual relationship with any holder of or applicant for a license issued by the commission or any representative or agent of such license holder or applicant in which the commissioner or commission employee receives consideration that is above fair market value.

(5) Prohibited Relationships. No person who is related to a member or employee of the commission within the second degree of consanguinity or affinity shall possess any type of license issued by the commission.

(6) Compensation. No member or employee of the commission shall solicit any thing of value, nor shall any member or employee of the commission accept any thing of value, in addition to that compensation received from Missouri in their official capacity, intended to influence the member or employee's official duties or in exchange for having exercised the member's or employee's official powers or performed the member's or employee's official duties in a particular manner. For the purposes of this section, grant or payment of a thing of value to another person on behalf of the member or employee shall be considered grant or payment to the member or employee and an offer of an employment opportunity to any person shall constitute a thing of value. Nothing in this section shall preclude the acceptance of any award, presentation, honor or memorabilia presented to the member or employee of the commission in recognition of his/her performance in his/her official capacity and not designed to influence any particular action taken by the member or employee of the commission.

(7) Gambling Prohibited at Certain Properties. No member or employee of the commission shall participate in any gaming at any location which is owned or operated by a licensee of the commission, a license applicant, or under the jurisdiction of the commission.

(8) Confidentiality. No information furnished to the commission by a corporation, organization, or person, except such matters as are specifically required to be open to public inspection by the provisions of Chapter 313 and Chapter 610, RSMo, shall be open to public inspection or made public except on order of the commission.

(9) *Ex Parte* Contacts. No commissioner shall knowingly have *ex parte* conversations related to matters under the jurisdiction of the commission with any applicant or licensee,



their representatives, or any party to a matter pending before the commission. As *ex parte* communications, either oral or written, may occur inadvertently, any member of the commission who receives such a communication, shall immediately prepare a written report concerning the communication and submit it to the chairman and each member of the commission. The report shall identify the person(s) who participated in the *ex parte* communication; the circumstances which resulted in the communication; the substance of the communication; and the relationship of the communication to a particular matter at issue before the commission.

(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.

(11) Confidential Information. A former member of the commission having information that s/he knows is confidential governmental information or knew was confidential governmental 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.

AUTHORITY: section 313.004.4, RSMo 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, effective Dec. 30, 2018.

*Original authority: 313.004.4, RSMo 1993, amended 1994, 2014.

11 CSR 45-1.020 Commission Meetings

PURPOSE: This rule establishes the conditions for a commission meeting.

(1) The meetings shall be conducted in accordance with *Robert's Rules of Order*.

(2) The chairman shall preside over each meeting of the commission. The commission shall elect officers from its membership as it determines, including vice-chairman and secretary.

(3) Minutes of each meeting, open or closed, including special meetings, shall be prepared in written form and shall be subject to the approval of the commission.

(4) The commission may delegate to the chairman of the commission the limited authority to extend any existing license for up to sixty (60) days without a prior vote of the commission. Any action taken by the chairman pursuant to such delegation of authority shall have the full force and effect of a majority vote of the commission, but must be ratified by a subsequent majority vote of the commission at the next public meeting. If such action is not ratified by the commission as provided herein, such action shall be cancelled, withdrawn or rescinded as of the date of the public commission meeting at which the ratification failed. Such delegation of commission authority to the chairman shall expire twelve (12) months after its adoption by a majority of the commission, unless rescinded or renewed by the commission prior to its expiration.

AUTHORITY: sections 313.004 and 313.805, RSMo 2000.* 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 Jan. 23, 2004, effective Aug. 30, 2004.

*Original authority: 313.004, RSMo 1993, amended 1994 and 313.805, RSMo 1991, amended 1993, 1994, 2000.

11 CSR 45-1.030 No Opinion or Approval by the Commission

PURPOSE: This rule establishes the meaning of a licensing decision.

(1) Any action of the commission relating to an applicant or a licensee shall not indicate or suggest that the commission has considered or passed in any way on the marketability of the applicant or licensee securities, or any other matter, other than the applicant or

licensee's suitability for licensure under Missouri law.

AUTHORITY: sections 313.004 and 313.805, RSMo Supp. 1993.* 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.

*Original authority: 313.004, RSMo 1993 and 313.805, RSMo 1991, amended 1993.

11 CSR 45-1.040 Enrollment of Attorneys and Scope of Practice
(Rescinded July 30, 2018)

AUTHORITY: sections 313.004 and 313.805, RSMo Supp. 1993. 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. Rescinded: Filed Dec. 7, 2017, effective July 30, 2018.

11 CSR 45-1.080 Participation in Games by Employees of the Commission

PURPOSE: This rule establishes the conditions under which employees may participate in regulated games.

(1) Unless participating in a regulatory investigation, no member of the commission, the director, or any employees or agents of the commission may—

(A) Participate in any game or activity, which is regulated by the Act, and is owned or operated by a licensee of the commission or license applicant;

(B) Gamble at any premises of a licensee or applicant; and

(C) Accept or request complimentaries for themselves or others from a Missouri licensee or applicant, or any properties owned or operated by the licensee or applicant.

AUTHORITY: section 313.004, RSMo 2000, and section 313.805, RSMo Supp. 2011.* 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 Sept. 29, 2011, effective May 30, 2012.

*Original authority: 313.004, RSMo 1993, amended 1994 and 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010.



11 CSR 45-1.090 Definitions

PURPOSE: This rule establishes definitions.

(1) Definitions beginning with A—

(A) Act—The Riverboat Gambling Act (sections 313.800–313.850, RSMo);

(B) Alcoholic liquor—Alcohol or intoxicating liquor for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing in excess of one-half of one percent (.5%) by volume;

(C) Attendant paid external bonus payout—The total value of cashable credits electronically awarded by an external bonusing system, which are paid by an attendant and are uniquely metered by the electronic gaming device (EGD); and

(D) Attributed interest—A direct or indirect interest in a business entity deemed to be held by a person not through the person's actual holdings but either through the holdings of the person's relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement, or agreement.

(2) Definitions beginning with B—

(A) Bill changer—Means any mechanical, electrical, or other device, contrivance, or machine designed for the purpose of dispensing an amount of tokens or credits equal to the amount of currency; and

(B) Bonusing system—A system external to and functionally independent of EGDs, that electronically communicates system bonuses to participating EGDs.

(3) Definitions beginning with C—

(A) Cashable electronic promotion in (CEP In)—The total value of cashable credits electronically transferred to the EGD from a promotional account by means of an external connection between the EGD and a cashless system;

(B) Cashable electronic promotion out (CEP Out)—The total value of cashable credits electronically transferred from the EGD to a promotional account by means of an external connection between the EGD and a cashless system;

(C) Cashless system—Any system used to facilitate the electronic transfer of promotional funds, wagering account funds, or digital wallet funds to and from approved gaming devices and other authorized devices. The system may also allow patrons to deposit funds to and withdraw funds from wagering accounts and digital wallets at the cage. The

system includes the collective hardware, software, communications technology, and other ancillary equipment used to conduct cashless transactions;

(D) Casino surveillance room—A room on a riverboat used by authorized personnel of a Class B licensee to monitor and record gaming and other activities conducted within the riverboat gaming operation;

(E) Certification by independent testing laboratories (ITLs)—A written document issued by an independent testing laboratory attesting to the compliance of a particular product with applicable Missouri laws, regulations, Minimum Internal Control Standards (MICS), and adopted technical standards;

(F) Chief administrative officer—Means the president of a corporation, the managing partner of a partnership, the general partner(s) of a limited partnership, the individual of a sole proprietorship, the managing agent of a joint venture, or the managing agent of a limited liability company. For a consortium of financial participants where no formal chief administrative officer exists, chief administrative officer shall mean the chief administrative officer of the largest financial participant;

(G) Chip—A nonmetal or partly metal representative of value, redeemable for cash, and issued and sold by a holder of a Class B license for use in gaming other than in electronic gaming devices on the license holder's riverboat;

(H) Commission—The Missouri Gaming Commission or its agents;

(I) Commission surveillance room—A room(s) on each riverboat for the exclusive use of the commission or commission agents for monitoring and recording of gaming and other activities;

(J) Continuously docked excursion—A continuously docked excursion boat shall set a schedule of excursion as required by the definition of excursion. This schedule shall designate a specific time for boarding. On each scheduled excursion, no new passengers shall board after the specified time for boarding has expired;

(K) Counter check—A type of credit instrument provided by the Class B licensee that is completed as is necessary to be presented by the Class B licensee to the patron's bank for payment; and

(L) Critical program storage media—Any program storage media that contains software that may affect the integrity of gaming, including but not limited to game accounting, system, and peripheral firmware devices involved in or which significantly influence the operation and calculation of game play, game display, game result determination,

game accounting, revenue, or security, and which must be verified utilizing an external third-party methodology approved by the commission and which may, as determined by the commission, have security seals attached thereto.

(4) Definitions beginning with D—

(A) Debt instrument—Any bond, loan, mortgage, trust deed, note, debenture, subordination, guaranty, letter of credit, security agreement, surety agreement, pledge, chattel mortgage, or other form of indebtedness;

(B) Dependent—Any individual who received over half of his/her support in a calendar year from any other individual;

(C) Digital wallet—An electronic monetary account maintained outside the Class A and B Licensees' operations funded by patrons and used to transfer patron funds to and from approved gaming devices and other authorized devices through the cashless system;

(D) Director—The executive director employed by the commission;

(E) Docksite commission offices—Offices at the dockside, approved by the commission, for the exclusive use of commission agents; and

(F) Drop bucket—That portion of gaming equipment internally contained which serves as a repository for tokens.

(5) Definitions beginning with E—

(A) Electronic card—A card used for cash or cash equivalent;

(B) Electronic gaming device (EGD)—Any electrical device or machine which upon payment of consideration is available to play or operate, the operation of which, whether by reason of the skill of the operator, application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive premiums, merchandise, tokens, redeemable game credits, or anything of value other than unredeemable free games whether the payoff is made automatically from the machines or in any other manner;

(C) Electronic gaming device drop—The total value of tokens contained in the drop bucket;

(D) Electronic gaming device win—The electronic gaming device drop minus hand-paid jackpots minus hopper fills plus hopper credits;

(E) EPROM—Literally means erasable, programmable, read-only memory, but also applies to all main game program storage media on electronic games built after 2002;

(F) Excluded person—Any person whose name appears on any exclusion list, or any person whose name does not appear on an



exclusion list, but is excluded or ejected pursuant to the law;

(G) Exclusion list—A list(s) which contains identities of persons who are to be excluded or ejected from any licensed gaming operation in any jurisdiction; and

(H) Excursion—A two- (2-) hour period approved by the commission that an excursion gaming boat shall operate and, if required, cruise. The commission may allow patrons to board and exit the boat at will if the integrity of the admission fee collection process can be maintained. Gaming may be permitted at any time during the excursion. The commission shall approve all schedules of excursion prior to the schedule becoming effective. The provisions of this definition to the contrary notwithstanding, the commission may approve an excursion schedule that includes a single three- (3-) hour excursion if it is the last excursion of the gaming day.

(6) Terms beginning with F—

(A) FEIN—Federal Employer Identification Number.

(7) Terms beginning with G—

(A) Gambling game—Includes games of skill or games of chance approved by the commission to be offered for public play by a Class B licensee;

(B) Gaming—The dealing, operating, carrying on, conducting, maintaining, or exposing for play of any game;

(C) Gaming equipment and supplies—Any machine, mechanism, device, or implement which affects the result of a game by determining win or loss including, without limitation, electronic, electrical or mechanical devices or machines, software, cards, dice, and any representative of value used with any game including, without limitation, chips, tokens, or electronic debit cards and related hardware and software; and

(D) Gaming operations manager—A person or business entity other than the holder of a Class B license who has the ultimate responsibility to manage, direct, or administer the conducting of gaming.

(8) Definitions beginning with H—

(A) Hand—Either one (1) game in a series, one (1) deal in a card game, or the cards held by a player.

(9) Definitions beginning with I—

(A) Independent testing laboratory (ITL)—A testing laboratory that tests and evaluates gaming devices and associated systems and equipment against applicable Missouri laws, regulations, MICS, and adopted technical standards. To be considered independent, the

testing laboratory shall not have developed or manufactured any of the products it tests;

(B) Indirect interest—An interest in a business entity that is deemed to be held by the holder of a Class B license not through the holder’s actual holdings in the business entity but through the holder’s holdings in other business entities; and

(C) Internal control system—Administrative and accounting controls designed by the holder of a Class B license, for the purpose of exercising control over the riverboat gaming operation.

(10) (Reserved)

(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, any entity, excluding any governmental entity, that owns the real estate of an excursion gambling boat, or any business entity so designated by the commission or director; and

(B) Key person—Includes the following individuals:

1. 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;

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 key business entity 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 key business entity 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 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;

5. An owner of an excursion gambling boat; and

6. Any individual so designated by the commission or director.

(12) (Reserved)

(13) Definitions beginning with M—

(A) Machine paid external bonus payout—The total value of cashable credits electronically awarded by an external bonusing system to the credit meter and are uniquely metered by the EGD.

(14) Definitions beginning with N—

(A) Nominee—Any individual or business entity that holds, as owner of record, the legal title to tangible or intangible personal or real property, including without limitation any stock, bond, debenture, note, investment contract, or real estate on behalf of another individual or business entity, and is designated and authorized to act on his/her/its behalf with respect to the property;

(B) Non-cashable electronic promotion in (NCEP In)—The total value of non-cashable credits electronically transferred to the EGD from a promotional account by means of an external connection between the EGD and a cashless system;

(C) Non-cashable electronic promotion out (NCEP Out)—The total value of non-cashable credits electronically transferred from the EGD to a promotional account by means of an external connection between the EGD and a cashless system; and

(D) Nonvalue chip—A chip, clearly and permanently impressed, engraved, or imprinted with the name of the riverboat, but bearing no value designation.

(15) (Reserved)

(16) Definitions beginning with P—

(A) Payout—Winnings earned on a wager;

(B) Person—Any individual, corporation, partnership, limited partnership, joint venture, limited liability corporation, or unincorporated association;

(C) Petitioner—A person, applicant, licensee, or excluded person who requests a hearing before the commission;

(D) Pit or pit area—An area that is completely enclosed or encircled by gaming tables and into which access is restricted to specific casino employees and officials whose job descriptions authorize them being within the enclosed area;

(E) Player reward credits—Downloadable credits earned by patrons and increment with play based on predetermined formulas (e.g. player reward points);

(F) Poker—Approved gambling games which are played in a poker room and use poker cards dealt by a nonplaying dealer in which a maximum of eleven (11) players wager on the superiority of their individual hands against the hands of the other players;

(G) Political contribution—The making of any gift of any kind or paying or giving



money or any other thing of value to—

1. Any candidate or nominee for any public office in Missouri;

2. Any public official; or

3. Any fund-raising committee or other fund-raising entity, whether located in Missouri or elsewhere, that gives, lends, or otherwise provides funds to meet the expenses of any candidate for public office or public official;

(H) Progressive controller—The hardware and software that controls all communications within a progressive game link and its associated progressive meter;

(I) Progressive jackpot—A value determined by a holder of a Class B license and arrived at by income of an independent, local, or interlinked gambling game. This value shall be clearly displayed to players of the interlinked gambling game and metered incrementally by a progressive controller. A progressive game must prominently display signage indicating either that a progressive jackpot is to be paid or indicating the current amount of the jackpot. An automated controller is not required in games of live poker where the incrementing and distribution processes are defined in the approved rules of the game;

(J) Promotional account—A patron account enabled to allow the direct electronic transfer of promotional giveaway credits, player reward credits, or another source of credits approved by the commission to an EGD;

(K) Promotional system(s)—A collection of files which electronically transfers credits bi-directionally between any promotional account and EGD through the use of a cashless system;

(L) Promotional giveaway credits—Downloadable credits awarded to a player's account based on predefined criteria outlined by the rules of a promotion, where the patron provides no consideration; and

(M) Proprietary—Relating to financial, ownership, legal, security, operational, or contractual matters.

(17) *(Reserved)*

(18) Definitions beginning with R—

(A) Regulatory and review agency—Any United States classification society or its agents recognized by the United States Secretary of Transportation under authority of 46 U.S.C. 3316(c)(1) to conduct inspections, make examinations of, and issue certificates for vessels of the United States;

(B) Relative—Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-

in-law and sisters-in-law, whether by whole or half blood, by marriage, adoption or natural relationship, and their dependents;

(C) Riverboat gaming operation—The conducting of gaming and all related activities including, without limitation, the purveying of food, beverages, retail goods and services, and transportation, on a riverboat and at its support facilities; and

(D) ROM—Read-only memory.

(19) Definitions beginning with S—

(A) Server(s)—Physical computer hardware or virtual software that manages network resources and provides services in response to requests;

(B) Shoe—A device used to dispense cards in gambling games;

(C) Signature—The definitive identity of an individual specific ROM or EPROM chip, determined by electronic analysis and reflective of the ROM or EPROM chip's game behavior capability;

(D) Slot machine—A type of electronic gaming device;

(E) Slot machine interface board (SMIB)—An interface device which permits systems to bi-directionally communicate to EGDs;

(F) Sole proprietor—A person who in his/her own name owns one hundred percent (100%) of the assets and is solely liable for the debts of a business;

(G) Substantial creditor—The holder of any debt instrument of whatever character, against an individual or business entity, whether secured or unsecured, matured or unmatured, liquidated or unliquidated, absolute, fixed, or contingent, the aggregate amount of which is fifty thousand dollars (\$50,000) or more;

(H) Substantial owner—The holder of at least twenty-five percent (25%) of the total combined voting power of a corporation or at least twenty-five percent (25%) of the total value of shares of all classes of stock of a corporation; or at least a twenty-five percent (25%) interest in a partnership, or at least twenty-five percent (25%) of the value of a trust computed actuarially; or at least twenty-five percent (25%) of the legal or beneficial interest in any other business entity. For purposes of computing these percentages, a holder shall be deemed to own any stock or other interest in a business entity, whether owned directly or indirectly;

(I) Supervisor—a person with one (1) or more identified subordinate job position(s) reporting to his or her job position according to the Class B licensee's organizational chart;

(J) Supplier—Any independent testing laboratory or a person who manufactures, sells, or leases gaming equipment and supplies to

any licensee or any person whose product connects with approved gaming devices;

(K) Support facility—A place of business which is part of, or operates in connection with, a riverboat gaming operation and is owned in whole or in part by a holder of a Class B license, or any of their key persons including, without limitation, riverboats, offices, docking facilities, parking facilities, and land-based hotels or restaurants; and

(L) System bonus—A promotional award external to an approved gaming device, in the form of credits added directly to the credit meter or paid by an attendant, triggered by an event in accordance with the rules of a promotion.

(20) Definitions beginning with T—

(A) Table drop—The total amount of cash or cash equivalents contained in the drop box for chips purchased at a live gaming device;

(B) Table game—A gambling game (other than poker played in a poker room) using playing cards, dice, wheels, balls, or other approved equipment in which the players wager against the house and the table used for the game is one of several gaming tables used to form a pit;

(C) Table win—The dollar amount won by the holder of a Class B license through play at a live game which is the total of the table drop plus ending chip inventory plus credits minus opening chip inventory minus fills;

(D) Test cases—A description of processes utilized by the ITL to assess compliance with test scripts;

(E) Test scripts—A template to record findings constructed by the ITL to assess compliance with all applicable Missouri statutes, regulations, adopted technical standards, and MICS;

(F) Theoretical payout percentage—The sum of the number of tokens expected to be paid as a result of jackpots divided by the number of different possible outcomes;

(G) Ticket of admission—A physical or electronic implement, approved by the commission, which records and verifies the admission of patrons onto an excursion gambling boat for the purpose of accounting for the admission fee imposed by section 313.820, RSMo; and

(H) Token—A metal object or other representation of value that is authorized by statute and/or approved by the commission, which is redeemable for cash only at the issuing riverboat gaming operation, and issued and sold by a holder of a Class B license for use in electronic gaming devices.

(21) Definitions beginning with U—

(A) Unauthorized gambling games—Any



gambling game not defined as such in this rule, allowed by law or any such defined game which has not been approved by the commission.

(22) Definitions beginning with V—

(A) Value chip—A chip, clearly and permanently impressed, engraved, or imprinted with the name of the riverboat and the specific value of the chip.

(23) Definitions beginning with W—

(A) Wagering account—A patron account held by the Class A or B Licensee that allows the electronic transfer of the patron’s funds to or from an approved gaming device and other authorized devices through the cashless system;

(B) Wagering account transfer in (WAT In)—The total value of cashable credits electronically transferred to the EGD from a wagering account or digital wallet by means of an external connection between the EGD and a cashless system; and

(C) Wagering account transfer out (WAT Out)—The total value of cashable credits electronically transferred from the EGD to the wagering account or digital wallet by means of an external connection between the EGD and a cashless system.

(24) (Reserved)

(25) (Reserved)

(26) (Reserved)

AUTHORITY: section 313.004, RSMo 2016, and sections 313.800 and 313.805, RSMo Supp. 2021. 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. Emergency amendment filed March 2, 1995, effective March 12, 1995, expired July 9, 1995. Amended: Filed March 2, 1995, effective Aug. 30, 1995. Amended: Filed June 2, 1995, effective Dec. 30, 1995. Amended: Filed March 18, 1996, effective Oct. 30, 1996. Emergency amendment filed June 25, 1996, effective July 5, 1996, expired Dec. 31, 1996. Amended: Filed June 25, 1996, effective Feb. 28, 1997. Amended: Filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed June 4, 1999, effective Jan. 30, 2000. Amended: Filed March 30, 2000, effective Oct. 30, 2000. Amended: Filed Dec. 7, 2001, effective June 30, 2002. Amended: Filed Jan. 18, 2005, effective Aug. 30, 2005. Amended: Filed Feb. 28, 2007, effective Oct. 30, 2007.*

Emergency amendment filed Oct. 29, 2008, effective Nov. 15, 2008, expired May 13, 2009. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed July 28, 2010, effective Feb. 28, 2011. Amended: Filed Jan. 30, 2014, effective Sept. 30, 2014. Amended: Filed July 31, 2014, effective Feb. 28, 2015. Amended: Filed Aug. 27, 2015, effective March 30, 2016. Amended: Filed April 26, 2018, effective Dec. 30, 2018. Amended: Filed Feb. 25, 2022, effective Sept. 30, 2022.

**Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014, 2016, 2021; and 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010, 2021.*

11 CSR 45-1.100 Waivers and Variances

PURPOSE: This rule permits licensees to apply for and receive waivers or variances to regulatory requirements.

(1) The commission may waive or grant a variance from the provisions of Title 11, Division 45, Chapters 1–40 of the *Code of State Regulations* upon a licensee’s or a Fantasy Sports Contest Operator applicant’s written request, if the commission determines that the waiver or variance is in the best interests of the public. Any waiver or variance granted pursuant to this section constitutes an order of the commission pertaining to gaming, violation of which subjects a licensee to discipline under section 313.812.14(2) and 313.950, RSMo.

(2) In granting any variance authorized by this section, the commission may impose certain conditions and restrictions with which the licensee must comply to accept and use the variance. Failure to meet the conditions or restrictions contained in the variance will immediately render the variance void, and the licensee may be subject to discipline in the same manner as if the variance had never been issued.

AUTHORITY: sections 313.004, 313.805, 313.950, and 313.955, RSMo 2016. Original rule filed Aug. 27, 2004, effective March 30, 2005. Emergency amendment filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Amended: Filed Aug. 29, 2016, effective March 30, 2017.*

**Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; 313.950, RSMo 2016; and 313.955, RSMo 2016.*