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# MISSOURI



# REGISTER

Denny Hoskins



Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at [sos.mo.gov/adrules/pubsched](https://sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

The rules are codified in the *Code of State Regulations* in this system–

<b>Title</b>	<b>CSR</b>	<b>Division</b>	<b>Chapter</b>	<b>Rule</b>
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [sos.mo.gov/adrules/csr/csr](http://sos.mo.gov/adrules/csr/csr)

The *Register* address is [sos.mo.gov/adrules/moreg/moreg](http://sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

**T**he text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## TITLE 13 – DEPARTMENT OF SOCIAL SERVICES

### Division 70 – MO HealthNet Division

#### Chapter 15 – Hospital Program

#### PROPOSED AMENDMENT

**13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Methodology.** The division is amending sections (1) – (5), deleting sections (6) – (12) and (16), and renumbering sections (13) – (15).

*PURPOSE: This amendment adds the All-Patient Refined Diagnosis Related Group (APR-DRG) payment methodology, updates the per diem payment methodology, adds and updates some definitions, and removes the supplemental payments.*

(1) General Reimbursement Principles.

(B) The Title XIX reimbursement for hospitals, excluding those located outside Missouri, shall include the payments as

outlined below. Reimbursement shall be subject to availability of federal financial participation (FFP).

1. Inpatient *[Per Diem]* reimbursement *[is]* **methodologies** are established in accordance with sections (4), *[and]* (5), **and** (6).

2. Outpatient reimbursement is established in accordance with 13 CSR 70-15.160.

*[3. Acuity adjustment payment (AAP) is established in accordance with section (6).]*

*[4. Poison control (PC) payment is established in accordance with section (7).]*

*[5. Stop loss payment (SLP) is established in accordance with section (8).]*

**3. Supplemental payments, graduate medical education (GME) payments, and psych adjustment payments are established in accordance with 13 CSR 70-15.015.**

*[6.]4. Disproportionate share hospital (DSH) payment is established in accordance with 13 CSR 70-15.220.*

*[7. Graduate medical education (GME) payment is established in accordance with section (9).]*

*[8.]5. Upper payment limit (UPL) payment is established in accordance with 13 CSR 70-15.230.*

*[9. Children's outlier (CO) payment is established in accordance with section (10).]*

*[10. Psych adjustment (PA) payment is established in accordance with section (11).]*

(2) Definitions.

*[(D) Case mix index (CMI). The hospital CMI for the AAP is determined based on the hospital's MO HealthNet inpatient claims and 3M™ All-Patient Refined Diagnosis Related Groups (APR-DRG) software, a grouping algorithm to categorize inpatient discharges with similar treatment characteristics requiring similar hospital resources.*

*1. For State Fiscal Year (SFY) 2023, each hospital's CMI was calculated as follows:*

*A. A dataset of complete inpatient stays was established using MO HealthNet fee-for-service claims and managed care encounters combined for calendar years 2019 and 2020. A two-(2-) year dataset was used to account for the potential impact of changes to hospital utilization, costs, and mix of patients due to the COVID-19 public health emergency;*

*B. Interim claims where multiple claims cover a single inpatient stay were combined into single claims covering the complete inpatient stay;*

*C. The 3M™ APR-DRG grouping software was applied to the inpatient dataset, using version 38 of the grouper. Each inpatient stay was assigned to a single DRG and severity of illness level. Each APR-DRG is associated with a relative weight reflecting the relative amount of resources required to care for similar stays, compared to an average inpatient stay. APR-DRG weights are provided by 3M™ and are calculated based on a national all-payer population;*

*D. The national weights were recentered to reflect the average resource requirements within the MO HealthNet population, including both fee-for-service and managed care encounter inpatient stays. Recentered weights are calculated by dividing the APR-DRG national weights by the average case mix for all hospitals. The average case mix is calculated as the sum of the national weights for each inpatient stay divided by the number of stays for all hospitals;*

*E. A hospital-specific CMI is calculated by summing the MO HealthNet recentered weights for each inpatient stay and dividing the total by the number of inpatient stays for the hospital.*

*2. For SFY 2024 and forward, the basis of the case mix index will be determined by the division based on combined*



*inpatient stays from the second and third prior calendar years, the current version of the 3M™ APR-DRG grouper, relative weights appropriate for the MO HealthNet population, and the SFY in which an AAP is being calculated.]*

**[(E)](D)** Charity care. Results from a provider's policy to provide health care services free of charge or a reduction in charges because of the indigence or medical indigence of the patient.

**[(F)](E)** Contractual allowances. Difference between established rates for covered services and the amount paid by third-party payers under contractual agreements.

**[(G)](F)** Cost report. A cost report details, for purposes of both Medicare and MO HealthNet reimbursement, the cost of rendering covered services for the fiscal reporting period. The Medicare/Medicaid Uniform Cost Report contains the forms utilized in filing the cost report. The Medicare/Medicaid Cost Report version 2552-10 (CMS 2552-10) shall be used for fiscal years beginning on and after May 1, 2010.

**[(H)](G)** Division. Unless otherwise designated, division refers to the MO HealthNet Division (MHD), a division of the Department of Social Services charged with the administration of the MO HealthNet program.

**(H)** Diagnosis related group (DRG) relative weight is a numerical value that reflects the relative resource intensity or costliness of treating patients within a specific DRG compared to the average inpatient case.

**(O)** Incorporation by reference. This rule incorporates by reference the following:

1. The *Hospital Manual* [is incorporated by reference and made a part of this rule] as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, [at its website at <https://mydss.mo.gov/media/pdf/hospital-manual>, June 27, 2024] **July 1, 2025**. This rule does not incorporate any subsequent amendments or additions;

2. Chapter 40 of *The Provider Reimbursement Manual* – Part 2, that includes the CMS 2552-10 cost report form and instructions, [which is incorporated by reference and made a part of this rule] as published by the Centers for Medicare & Medicaid Services (CMS) [at its website <https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Paper-Based-Manuals-Items/CMS021935>], **7500 Security Boulevard, Baltimore, MD, 21244**, February 21, 2024. This rule does not incorporate any subsequent amendments or additions; [and]

3. 42 CFR Chapter IV, Part 413, [which is incorporated by reference and made a part of this rule] as published by the [U.S. Government Publishing Office and available at <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-B/part-413?toc=1>, June 8, 2022] **Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2024**. This rule does not incorporate any subsequent amendments or additions. Only the cost principles from 42 CFR 413 are incorporated by reference;

4. The Missouri Inpatient (IP) APR-DRG Calculator as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, **July 1, 2025**. This rule does not incorporate any subsequent amendments or additions;

5. The Medicare Inpatient Prospective Payment System (IPPS) FY 2025 Table 2 Case-Mix Index and Wage Index Table by CMS Certification Number (CCN) as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, **October 2, 2024**. This rule does not incorporate any subsequent amendments or additions; and

6. The Medicare IPPS FY 2025 Table 3 Wage Index

**Table by CBSA as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, October 2, 2024. This rule does not incorporate any subsequent amendments or additions.**

**(4) Inpatient Per Diem Reimbursement [Rate Computation] Methodology.** Effective for admit dates [of service] beginning July 1, [2022 each] **2025, the Missouri hospitals listed in subsection (4)(A) will continue to be reimbursed under the inpatient per diem reimbursement methodology and shall receive a Missouri Medicaid per diem rate [based on the following computation:] as calculated in subsection (4)(B).**

**(A) The following hospitals will continue to be reimbursed under the inpatient per diem reimbursement methodology:**

- 1. In-state specialty pediatric hospitals;**
- 2. In-state pediatric hospitals that are licensed for fewer than fifteen (15) beds and specialized in pediatric orthopedic care;**
- 3. In-state free-standing psychiatric hospitals;**
- 4. In-state free-standing rehabilitation hospitals;**
- 5. In-state free-standing long-term acute care (LTAC) hospitals; and**
- 6. In-state hospitals enrolled in Medicaid on or after January 1, 2025, that have eighty percent (80%) or greater patient mix in mental health and substance abuse.**

**[(A)](B)** The per diem shall be determined from the base year cost report in accordance with the following formula:

$$\text{PER DIEM} = ((\text{TAC} / \text{MPD}) * \text{TI}) + \text{MIP FRA}$$

1. MIP FRA – Medicaid inpatient share of **Federal Reimbursement Allowance (FRA)**. The Medicaid inpatient share of the FRA [A]assessment will be calculated by dividing the hospital's Medicaid fee-for-service (FFS) and managed care (MC) inpatient days from the base year cost report by total hospital inpatient days from the base year cost report to arrive at the Medicaid utilization percentage. This percentage is then multiplied by the inpatient FRA assessment for the current SFY to arrive at the increased allowable Medicaid cost. This cost is then divided by the estimated Medicaid FFS and MC days for the current SFY to arrive at the increased Medicaid cost per day. The estimated Medicaid FFS and MC days are paid days from the second prior calendar year;

2. MPD – Medicaid FFS inpatient days from the base year cost report;

3. TI – Trend indices. The trend indices are applied to the TAC per day of the per diem rate. The trend index for the base year is used to adjust the TAC per day to a common fiscal year end of June 30. The adjusted TAC per day shall be trended through the current SFY;

4. TAC – Medicaid allowable inpatient routine and special care unit costs, and ancillary costs, from the base year cost report, will be added to determine the hospital's Medicaid total allowable cost (TAC);

5. The per diem for private free-standing psychiatric hospitals shall be the greater of [one hundred percent (100%) of the SFY 2022 weighted average statewide per diem rate for private free-standing psychiatric hospitals] **one thousand one hundred ninety-four dollars and twenty-two cents (\$1,194.22)** or the per diem as calculated in subsection (4)[(A)] (B);

6. The per diem shall not exceed the average Medicaid inpatient charge per diem as determined from the base year cost report and adjusted, by the TI, except for federally deemed critical access hospital[s] whose Medicaid FFS charges equal sixty percent (60%) or less of its Medicaid FFS costs;

7. The per diem shall be adjusted for rate increases granted

in accordance with subsections [(4)(C) and] (4)(D) and (4)(E);

8. If the hospital does not have a base year cost report, the inpatient per diem will be the weighted average statewide per diem rate as determined in section (5);

[(B)](C) Trend indices (TI). For trend indices for SFY 2018 and forward, refer to the Hospital Market Basket index as published in Healthcare Cost Review by Institute of Health Systems [(IHS)], or equivalent publication, regardless of any changes in the name of the publication or publisher, for each SFY;

[(C)](D) Adjustments to rates. A hospital's inpatient per diem rate may be adjusted only under the following circumstances:

1. When information contained in the cost report is found to be intentionally misrepresented[, *Such*], **such** adjustment shall be made retroactive to the date of the original rate. Such adjustment shall not preclude the division from imposing any sanctions authorized by any statute or regulation; and

2. When a rate reconsideration is granted in accordance with subsection (4)[(D)](E);

[(D)](E) Rate reconsideration.

1. Rate reconsideration may be requested under this subsection for changes in allowable costs which occur subsequent to the base year cost report described in subsection (4)[(A)](B). The effective date for any increase granted under this subsection shall be no earlier than the first day of the month following the division's final determination of the rate reconsideration.

2. The following may be subject to review under procedures established by the division:

A. New or expanded inpatient services. A hospital, at times, may offer to the public new or expanded inpatient services which may require certificate of need (CON) approval.

(I) A state hospital, i.e., one owned or operated by the Board of Curators as provided for in Chapter 172, RSMo, or one owned or operated by the Department of Mental Health, may offer new or expanded inpatient services to the public provided it receives legislative appropriations for the project. A state hospital may submit a request for inpatient rate reconsideration if the project meets or exceeds a cost threshold of one (1) million dollars for capital expenditures or one (1) million dollars for major medical equipment expenditures as described in 19 CSR 60-50.300.

(II) Non-state hospitals may also offer new or expanded inpatient services to the public, and incur costs associated with the additions or expansions which may qualify for inpatient rate reconsideration requests. Such projects may require a CON. Rate reconsideration requests for projects requiring CON review must include a copy of the CON program approval. Non-state hospitals may request inpatient rate reconsiderations for projects not requiring review by the CON program, provided each project meets or exceeds a cost threshold of one (1) million dollars for capital expenditures as described in 19 CSR 60-50.300.

(III) A hospital (state or non-state) will have six (6) months after the new or expanded service project is completed and the service is offered to the public to submit a request for inpatient rate reconsideration, along with a budget of the project's costs. The rate reconsideration request and budget will be subject to review. Upon completion of the review, the hospital's inpatient reimbursement rate may be adjusted, if indicated. Failure to submit a request for rate reconsideration and project budget within the six- (6-) month period shall disqualify the hospital from receiving a rate increase prior to recognizing the increase through the trended cost calculation.

(IV) Rate reconsiderations due to new or expanded services will be determined as total allowable project cost (i.e.,

the sum of annual depreciation, annualized interest expense, and annual additional operating costs) multiplied by the ratio of total inpatient costs (less SNF and swing bed cost) to total hospital cost as submitted on the most recent cost report filed with the division or its authorized contractor as of the review date divided by total acute care patient days including all special care units and nursery, but excluding swing bed days. The most recent cost report filed must be audited prior to the finalization of the rate reconsideration.

(V) Total acute care patient days (excluding nursery and swing bed days) must be at least sixty percent (60%) of total possible bed days. Total possible bed days will be determined using the number of licensed beds times three hundred sixty-five (365) days. If the total acute care patient days (excluding nursery and swing bed days) are less than sixty percent (60%) of total possible bed days, the sixty percent (60%) number plus nursery days will be used to determine the rate increase. If the total acute care patient days (excluding nursery and swing bed days) are at least sixty percent (60%) of total possible bed days, the total acute care patient days plus nursery days will be used to determine the rate increase. This computation will apply to capital costs only.

(VI) Major medical equipment costs included in rate reconsideration requests shall not include costs to replace current major medical equipment if the replacement does not result in new or expanded inpatient services. The replacement of inoperative or obsolete major medical equipment, by itself, does not qualify for rate reconsideration, even if the new equipment costs at least one (1) million dollars; and

B. When the hospital experiences extraordinary circumstances which may include but are not limited to an act of God, war, or civil disturbance.

3. The following will not be subject to review under these procedures:

A. The use of Medicare standards and reimbursement principles;

B. The method for determining the trend factor;

C. The use of all-inclusive prospective reimbursement rates; and

D. Increased costs for the successor owner, management, or leaseholder that result from changes in ownership, management, control, operation, or leasehold interests by whatever form for any hospital previously certified at any time for participation in the Medicaid program.

4. The request for a rate reconsideration must be submitted in writing to the division and must specifically and clearly identify the project and the total dollar amount involved. The total dollar amount must be supported by generally accepted accounting principles. The hospital shall demonstrate the rate reconsideration is necessary, proper, and consistent with efficient and economical delivery of covered patient care services. The hospital will be notified of the division's decision in writing within sixty (60) days of receipt of the hospital's written request or within sixty (60) days of receipt of any additional documentation or clarification which may be required, whichever is later. Failure to submit requested information within the sixty- (60-) day period[,] shall be grounds for denial of the request.

(5) **Inpatient Per Diem Reimbursement Rate Computation for New Hospitals.** Effective for **admit** dates [of service] beginning July 1, [2022] 2025, for new Missouri hospitals that continue to be reimbursed under the per diem reimbursement methodology, each new Missouri hospital's rate setting cost report shall be the first full fiscal year cost report, which includes inpatient Medicaid costs, otherwise the hospital shall

continue to receive the weighted average statewide per diem rate as determined below.

*[(A) Acute care hospitals. In the absence of adequate cost data, a new hospital's Medicaid rate shall be one hundred percent (100%) of the weighted average statewide per diem rate for acute care hospitals until a prospective rate is determined on the hospital's rate setting cost report, in accordance with section (4).]*

*[(B)](A) Free-standing psychiatric hospitals. In the absence of adequate cost data, a new hospital's Medicaid rate shall be one hundred percent (100%) of the [weighted average statewide] **maximum** per diem rate for a free-standing psychiatric hospital[s], excluding the state psychiatric hospitals, until a prospective rate is determined on the hospital's rate setting cost report, in accordance with section (4).*

*[(C)](B) Long term acute care hospitals. In the absence of adequate cost data, a new hospital's Medicaid rate shall be one hundred percent (100%) of the weighted average statewide per diem rate for long term acute care hospitals until a prospective rate is determined on the hospital's rate setting cost report, in accordance with section (4).*

*[(D)](C) Rehabilitation hospitals. In the absence of adequate cost data, a new hospital's Medicaid rate shall be one hundred percent (100%) of the weighted average statewide per diem rate for rehabilitation hospitals until a prospective rate is determined on the hospital's rate setting cost report, in accordance with section (4).*

*[(6) Acuity Adjustment Payment (AAP).*

*(A) Beginning with SFY 2023, hospitals that meet the requirements set forth below shall receive an AAP. A hospital that is designated as a long-term acute care hospital, free-standing psychiatric hospital, or a free-standing rehabilitation hospital does not qualify to receive an AAP. Ownership type of the hospital is determined based on the type of control reported on Schedule S-2, Part I, Line 21, Column 1 of the hospital's base year cost report. For purposes of this section, Medicaid payments received shall include the following payments:*

*1. The Medicaid per diem payments, AAP, PC payment, and SLP.*

*(B) Private ownership. A hospital shall receive an AAP if the hospital's MO HealthNet case mix index is greater than a threshold set annually by the division. The preliminary AAP is calculated by multiplying the hospital's MO HealthNet case mix index times the estimated Medicaid FFS claims payments for the coming SFY. If the hospital's estimated Medicaid FFS claims payments for the coming SFY plus the preliminary AAP exceeds the hospital's SFY 2023 Medicaid FFS payments received increased by a stop-gain percentage, the preliminary AAP will be reduced so the estimated Medicaid FFS claims payments for the coming SFY plus the final AAP is equal to the stop-gain percent of the hospital's SFY 2023 Medicaid FFS payments received. If no reduction is necessary, the preliminary AAP shall be considered final.*

*(C) Non-state government owned or operated (NSGO) ownership. A hospital shall receive an AAP if the hospital's MO HealthNet case mix index is greater than a threshold set annually by the division. The preliminary AAP is calculated by multiplying the hospital's MO HealthNet case mix index times the estimated Medicaid FFS claims payments for the coming SFY. If the hospital's estimated Medicaid FFS claims payments for the coming SFY plus the preliminary AAP exceeds the hospital's SFY 2023 Medicaid FFS payments received increased by a stop-gain percentage, the preliminary AAP will be reduced so the estimated Medicaid FFS claims payments for the coming SFY plus the final AAP is equal to*

*the stop-gain percent of the hospital's SFY 2023 Medicaid FFS payments received. If no reduction is necessary, the preliminary AAP shall be considered final.*

*(D) The annual final AAP will be calculated for each hospital at the beginning of each SFY. The annual amount will be paid out over the number of financial cycles during the SFY.*

*(7) Poison Control (PC) Payment.*

*(A) The PC payment shall be determined for hospitals which operated a poison control center during the base year and which continues to operate a poison control center. The PC payment shall reimburse the hospital for the Medicaid share of the total poison control cost and shall be determined as follows:*

*1. The total poison control cost from the base year cost report will be divided by the total hospital days from the base year cost report to determine a cost per day. This cost per day will then be multiplied by the estimated Medicaid FFS and MC days for the SFY for which the PC payment is being calculated. The estimated Medicaid FFS and MC days are paid days from the second prior calendar year; and*

*2. The annual final PC payment will be calculated for each eligible hospital at the beginning of each SFY. The annual amount will be paid out over the number of financial cycles during the SFY.*

*(8) Stop Loss Payment (SLP).*

*(A) Beginning with SFY 2023 hospitals that meet the requirements set forth below shall receive an SLP. Ownership type of the hospital is determined based on the type of control reported on Schedule S-2, Part I, Line 21, Column 1 of the hospital's base year cost report. For purposes of this section, Medicaid payments received shall include the following payments:*

*1. The Medicaid per diem payments, AAP, PC payment, and SLP.*

*(B) Private ownership. Total estimated Medicaid FFS payments for the coming SFY for each hospital shall include estimated Medicaid FFS claims payments, and any final AAP and PC payment. The total estimated Medicaid FFS payments for each hospital shall be subtracted from the hospital's SFY 2023 Medicaid FFS payments received then summed to calculate a total increase or decrease in payments for the entire private ownership group. A positive result represents a decrease in payments and a negative amount represents an increase in payments. If the result is a decrease in total payments to the private ownership group, this amount shall represent the total stop loss amount.*

*1. SLP will be made if a total stop loss amount was calculated in subsection (8)(B). Each hospital that shows a decrease in Medicaid payments shall receive a SLP in the amount of the decrease in payments unless the sum of each hospital's SLP is greater than the total stop loss amount. If the sum is greater than the total stop loss amount, each hospital's SLP shall be calculated by multiplying the total stop loss amount times the ratio of the hospital's decrease in Medicaid payments to the total decrease in payments for the entire private ownership group.*

*2. Privately owned free-standing psychiatric hospitals. Total estimated Medicaid FFS payments for the coming SFY for each hospital shall include estimated Medicaid FFS claims payments, and any final AAP and PC payment. The total estimated Medicaid FFS payments for each hospital shall be subtracted from the hospital's SFY 2023 Medicaid FFS payments received then summed to calculate a total increase or decrease in payments for the entire privately owned free-standing psychiatric hospital ownership group. A positive result*



represents a decrease in payments and a negative amount represents an increase in payments.

A. If a hospital has a decrease in payments as calculated in paragraph (8)(B)2., the hospital will receive a payment equal to the amount of payment decrease. If the hospital has an increase in payments as calculated in paragraph (8)(B)2., the hospital will not receive any additional payments.

(C) NSGO ownership. Total estimated Medicaid FFS payments for the coming SFY for each hospital shall include estimated Medicaid FFS claims payments, and any final AAP and PC payment. The total estimated Medicaid FFS payments for each hospital shall be subtracted from the hospital's SFY 2023 Medicaid FFS payments received then summed to calculate a total increase or decrease in payments for the entire NSGO ownership group. A positive result represents a decrease in payments and a negative amount represents an increase in payments. If the result is a decrease in total payments to the NSGO ownership group, this amount shall represent the total stop loss amount.

1. SLP will be made if a total stop loss amount was calculated in subsection (8)(C). Each hospital that shows a decrease in Medicaid payments shall receive a SLP in the amount of the decrease in payments unless the sum of each hospital's SLP is greater than the total stop loss amount. If the sum is greater than the total stop loss amount, each hospital's SLP shall be calculated by multiplying the total stop loss amount times the ratio of the hospital's decrease in Medicaid payments to the total decrease in payments for the entire NSGO ownership group.

(D) The annual SLP will be calculated for each hospital at the beginning of each SFY. The annual amount will be paid out over the number of financial cycles during the SFY.

(9) Medicaid Graduate Medical Education (GME) Payments. Effective beginning with SFY 2023, a GME payment calculated as the sum of the intern and resident based GME payment and the GME stop loss payment shall be made to any acute care hospital that provides graduate medical education.

(A) Intern and resident (I&R) based GME payment. The I&R based GME payment will be based on the per I&R Medicaid allocated GME costs not to exceed a maximum amount per I&R. The division will determine the number of full time equivalent (FTE) I&Rs. Total GME costs will be determined using Worksheet A of the base year cost report adjusted by the trend index. Total GME costs is multiplied by the ratio of Medicaid FFS and MC days to total days to determine the Medicaid allocated GME costs which is then divided by the number of FTE I&Rs to calculate the Medicaid allocated cost per I&R. The I&R based GME payment is calculated as the number of FTE I&Rs multiplied by the minimum established by the division or the Medicaid allocated cost per I&R.

(B) GME stop loss payment. The total I&R based GME payment for each hospital shall be subtracted from the hospital's prior SFY GME payments received then summed to calculate a total increase or decrease in payments for the entire group of hospitals that provide graduate medical education. A positive result represents a decrease in payments and a negative amount represents an increase in payments. If the result is a decrease in total payments to the hospitals, this amount shall represent the total GME stop loss amount. GME stop loss payments will be made if a total GME stop loss payment amount was calculated in the paragraph above. Each hospital that shows a decrease in GME Medicaid payments shall receive a GME stop loss payment in the amount of the decrease in payments unless the sum of each hospital's GME stop loss payment is greater than the total GME stop

loss amount. If the sum is greater than the total GME stop loss amount, each hospital's GME stop loss payment shall be calculated by multiplying the total GME stop loss amount times the ratio of the hospital's decrease in GME Medicaid payments to the total decrease in GME Medicaid payments.

(C) Hospitals who implement a GME program prior to July 1 of the SFY and do not have a base year cost report to determine GME costs shall receive an I&R based GME payment based on the statewide average per resident amount (PRA) determined as follows:

1. The number of FTE I&Rs shall be reported to the division by June 1 prior to the beginning of the SFY in order to have a GME payment calculated; and

2. The I&R based GME payment shall be calculated as the number of FTE I&Rs multiplied by the Medicaid capped statewide average PRA. The Medicaid capped statewide average PRA is calculated as follows:

A. By applying a straight average to the list of facility PRA's with the following criteria:

(I) A facility's PRA used in the straight average shall be the minimum as established by the division or the facility's actual PRA.

(D) The hospital's I&R based GME payment plus GME stop loss payment, if applicable, will be calculated for each hospital at the beginning of each SFY. The annual amount will be paid on a quarterly basis during the SFY.

(10) Children's Outlier (CO) Payment.

(A) The outlier year is based on a discharge date between July 1 and June 30.

(B) Beginning July 1, 2022, for fee-for-service claims only, outlier payments for medically necessary inpatient services involving exceptionally high cost or exceptionally long lengths of stay for MO HealthNet-eligible children under the age of six (6) will be made to hospitals meeting the federal DSH requirements in paragraph (10)(B)1. and for MO HealthNet-eligible infants under the age of one (1) will be made to any other Missouri Medicaid hospital.

1. The following criteria must be met to be eligible for outlier payments for children one (1) year of age to children under six (6) years of age:

A. If the facility offered nonemergency obstetric services as of December 21, 1987, there must be at least two (2) obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals entitled to these services under the Missouri Medicaid plan. In the case of a hospital located in a rural area (area outside of a metropolitan statistical area, as defined by the federal Executive Office of Management and Budget), the term obstetrician includes any physician with staff privileges at the hospital to perform nonemergency obstetric procedures. This section does not apply to hospitals either with inpatients predominantly under eighteen (18) years of age or which did not offer nonemergency obstetric services as of December 21, 1987;

B. As determined from the base year audited Medicaid cost report, the hospital must have either—

(I) A Medicaid inpatient utilization rate (MIUR) at least one (1) standard deviation above the state's mean MIUR for all Missouri hospitals. The MIUR will be expressed as the ratio of total Medicaid days (TMD) (including such patients who receive benefits through a managed care entity) provided under a state plan divided by the provider's total number of inpatient days (TNID). The state's mean MIUR will be expressed as the ratio of the sum of the total number of the Medicaid days for all Missouri hospitals divided by the sum of the total patient days for the same Missouri hospitals. Data for hospitals no longer

participating in the program will be excluded;

$MIUR = TMD / TNID$

or

(II) A low-income utilization rate (LIUR) in excess of twenty-five percent (25%). The LIUR shall be the sum (expressed as a percentage) of the fractions, calculated as follows:

(a) Total MO HealthNet patient revenues (TMPR) paid to the hospital for patient services under a state plan plus the amount of the cash subsidies (CS) directly received from state and local governments, divided by the total net revenues (TNR) (charges minus contractual allowances, discounts, and the like) for patient services plus the CS; and

(b) The total amount of the hospital's charges for patient services attributable to charity care (CC) less CS directly received from state and local governments in the same period, divided by the total amount of the hospital's charges (THC) for patient services. The total patient charges attributed to CC shall not include any contractual allowances and discounts other than for indigent patients not eligible for MO HealthNet under a state plan.

$LIUR = ((TMPR + CS) / (TNR + CS)) + ((CC - CS) / THC)$

2. The following criteria must be met for the services to be eligible for outlier review:

A. The patient must be a MO HealthNet-eligible infant under the age of one (1) year, or for hospitals that meet the federal DSH requirements, a MO HealthNet-eligible child under the age of six (6) years, as of the date of discharge; and

B. One (1) of the following conditions must be satisfied:

(I) The total reimbursable charges for dates of service must be at least one hundred fifty percent (150%) of the sum of claim payments for each claim; or

(II) The dates of service must exceed sixty (60) days and less than seventy-five percent (75%) of the total service days were reimbursed by MO HealthNet.

3. Claims eligible for outlier review must—

A. Have been submitted in their entirety for claims processing; and

B. The claim must have been paid; and

C. An annual outlier file, for paid claims only, must be submitted to the division no later than December 31 of the second calendar year following the end of the outlier year (i.e., claims for outlier year 2022 are due no later than December 31, 2024).

4. After the review, reimbursable costs for each claim will be determined using the following data from the audited Medicaid hospital cost report for the year ending in the same calendar year as the outlier year (i.e., Medicaid hospital cost reports ending in 2022 will be used for the 2022 outlier year):

A. Average routine (room and board) costs for the general and special care units for all days of the stay eligible per the outlier review; and

B. Ancillary cost-to-charge ratios applied to claim ancillary charges determined eligible for reimbursement per the outlier review.

5. The outlier payments will be determined for each hospital as follows:

A. Sum all reimbursable costs for all eligible outlier claims to equal total reimbursable costs;

B. Subtract total claim payments, which includes MO HealthNet claims payments, third-party payments, and co-pays, from total reimbursable costs to equal excess cost; and

C. Multiply excess costs by fifty percent (50%).

(11) Psych Adjustment (PA) Payment.

(A) Beginning with SFY 2024, hospitals that have FFS

psychiatric hospital days as identified in the MMIS shall receive a PA payment.

1. The PA payment is a set dollar amount appropriated by the General Assembly pursuant to section 11.770, RSMo, and distributed to eligible hospitals proportionately as follows:

A. The FFS psychiatric hospital days for each hospital will be divided by the total FFS psychiatric hospital days for all hospitals to determine a percentage for each hospital. This percentage will then be multiplied by the set dollar amount in paragraph (11)(A)1. to determine the PA payment. The FFS psychiatric hospital days are paid days from the second prior calendar year.

2. The annual final PA payment will be calculated for each eligible hospital at the beginning of each SFY. The annual amount will be paid out over the number of financial cycles during the SFY.

(12) Safety Net Hospitals.

(A) A hospital may qualify as a safety net hospital based on the following criteria. Hospitals shall qualify for a period of only one (1) SFY and must requalify at the beginning of each SFY to continue their safety net hospital designation:

1. The hospital must meet the specific obstetric requirements set forth in 13 CSR 70-15.220(1)(B)1.;

2. As determined from the audited base year cost report, the facility must have either—

A. A Medicaid inpatient utilization rate (MIUR) at least one (1) standard deviation above the state's mean MIUR for all Missouri hospitals. The MIUR will be expressed as the ratio of total Medicaid days (TMD) (including such patients who receive benefits through a managed care entity) provided under a state plan divided by the provider's total number of inpatient days (TNID). The state's mean MIUR will be expressed as the ratio of the sum of the total number of Medicaid days for all Missouri hospitals divided by the sum of the total patient days for the same Missouri hospitals. Data for hospitals no longer participating in the program will be excluded.

$MIUR = TMD / TNID$ ; or

B. A low-income utilization rate in excess of twenty-five percent (25%).

(I) The low-income utilization rate (LIUR) shall be the sum (expressed as a percentage) of the fractions, calculated as follows:

(a) Total Medicaid patient revenues (TMPR) paid to the hospital for patient services under a state plan (regardless of whether the services were furnished on a fee-for-service basis or through a managed care entity) plus the amount of the cash subsidies (CS) directly received from state and local governments, divided by the total net revenues (TNR) (charges minus contractual allowances, discounts, etc.) for patient services plus the cash subsidies; and

(b) The total amount of the hospital's charges for patient services attributable to charity care (CC) less cash subsidies directly received from state and local governments in the same period, divided by the total amount of the hospital's charges (THC) for patient services. The total patient charges attributed to charity care shall not include any contractual allowances and discounts other than for indigent patients not eligible for medical assistance under a state plan.

$LIUR = ((TMPR + CS) / (TNR + CS)) + ((CC - CS) / THC)$ ; and

3. As determined from the audited base year cost report—

A. A public non-state governmental acute care hospital with an LIUR of at least twenty percent (20%) and an MIUR greater than one (1) standard deviation from the mean, and is licensed for fifty (50) inpatient beds or more and has an

occupancy rate of at least forty percent (40%); or

B. The hospital is owned or operated by the Board of Curators as defined in Chapter 172, RSMo; or

C. The hospital is a public hospital operated by the Department of Mental Health primarily for the care and treatment of mental disorders.

(6) Inpatient Diagnosis Related Group (DRG) Reimbursement Methodology. Effective for discharge dates beginning July 1, 2025, Missouri hospitals shall be reimbursed under the DRG reimbursement methodology using components from the base year cost report and claims data period. Those components are from the following data sources:

(A) Historical claims data: FFS claims and MC encounter data from MMIS for SFY 2024.

1. Future updates will utilize FFS claims and MC encounter data from MMIS for the second full prior calendar year (i.e., for SFY 2027, calendar year 2024 paid claims will be utilized);

(B) Cost report data: The fourth prior year cost reports.

1. Future updates will utilize the third prior year audited cost reports available as of January 31 prior to the beginning of the SFY;

(C) Labor portion and wage index: Federal fiscal year (FFY) 2025 inpatient prospective payment system (IPPS) wage data.

1. Future updates will be obtained from the final rule or any subsequent correction notice that is available as of January 31 prior to the beginning of the SFY;

(D) Hospitals reimbursed under DRG:

1. All hospitals except for those listed in subsection (4) (A);

(E) DRG grouper type.

1. The DRG grouper utilized to classify cases into DRG categories will be the Solventum All-Patient Refined (APR) DRG.

2. The version utilized is 42, released on October 1, 2024;

(F) Statewide base rates development.

1. Statewide base rates.

A. The base year claims data (FFS claims and MC encounters) is repriced under the current reimbursement methodology. This base year repricing establishes the intended budget for the DRG system. The in-state hospital data and out-of-state hospital data is separated and, utilizing the DRG formula, a base rate is iterated for each set of claims data;

(G) Hospital base rate components.

1. Statewide base rate.

A. Two (2) base rates are established for reimbursement in the DRG system. One (1) for in-state hospitals and one (1) for out-of-state hospitals.

2. Wage index.

A. For Medicare IPPS hospitals, the wage index is based on the Medicare IPPS post-reclass effective as of the October prior to the beginning of the SFY.

B. For non-Medicare IPPS hospitals, the wage index is based on the Medicare IPPS for the hospital's Medicare Core-based Statistical Area (CBSA) effective as of the October prior to the beginning of the SFY.

C. In-state federally deemed critical access hospitals (CAH) will have their wage index set to 1.000, regardless of their assigned CBSA.

3. Hospital DRG rate add-ons.

A. Free-standing in-state children's hospitals will receive a two thousand five hundred dollar (\$2,500) rate

add-on to their base rate.

B. In-state federally deemed CAHs will receive a one thousand five hundred dollar (\$1,500) rate add-on to their base rate.

C. Indirect Medical Education (IME) Factor.

(I) In-state hospitals with approved medical education programs identified in the Medicare cost report will have an IME add-on to their base rate. The IME formula is calculated from the base year cost report as follows:

(a) Full-time employee (FTE) counts: Worksheet S-3, Lines 14, 16, and 17, Column 9.

I. Updated FTEs can be submitted to the division if a hospital meets the criteria in 13 CSR 70-15.015(9)(D);

(b) Sum of hospital beds: Worksheet S-3, Lines 14, 16, and 17, Column 2; and

(c) Formula: Round  $(1.35 * ((1 + (\text{FTE counts} / \text{hospital beds}))^{.405} - 1), 4) * 50\%$ .

4. Hospital specific base rates.

A. Each hospital will have a specific base rate calculated based on the following formula:

(I) Adjust the statewide base rate by the wage index.

(a) Wage adjusted rate = (statewide base rate \* labor portion \* wage index) + (statewide base rate \* (1 - labor portion));

(II) Add IME (if applicable) to the wage adjusted rate.

(a) IME and wage adjusted rate = wage adjusted rate \* IME factor; and

(III) Add children's or CAH add-on (if applicable).

(a) Hospital specific rate = IME and wage adjusted rate + children's or CAH add-on;

(H) Hospital cost-to-charge ratios (CCR).

1. Utilizing the base year cost reports, hospital specific CCRs are established.

A. Costs: Worksheet D-1, Line 49, Title XIX (if there is not Title XIX, then Title XVIII is utilized).

B. Charges: Worksheet D-3, Lines 30-35, and 202, Column 2, Title XIX (if there is no Title XIX, then Title XVIII is utilized);

(I) Transfer payments.

1. Transfers shall be identified as claims with a discharge status of 02, 05, and 66 and not having an assigned DRG of 580 or 581.

2. The reimbursement to hospitals for inpatient services provided to claims identified as transfers shall be the lesser of A. or B. below:

A. The DRG amount.

(I) Formula: hospital specific base rate \* DRG relative weight;

B. The amount in subparagraph (6)(I)2.A. divided by the assigned DRGs average length of stay (ALOS) multiplied by the claims length of stay (LOS) plus one (1).

(I) Formula:  $(\text{DRG payment} / \text{DRG ALOS}) * (\text{LOS} + 1)$ ;

(J) Outlier payments.

1. Cost outlier payments are an additional payment made at the time a claim is processed for exceptionally costly services.

A. A cost outlier threshold shall be established for each DRG at the time the DRG relative weights are calculated, using the same information used to establish the relative weights. The cost threshold is the greater of thirty thousand dollars (\$30,000) or mean cost for the DRG plus 1.96 standard deviation.

B. Charges for non-covered services and services not



reimbursed under the inpatient DRG methodology shall be deducted from the total billed charges. The remaining billed charges are converted to cost using the hospital specific CCR.

C. If the net cost for the claim exceeds the cost outlier threshold, a cost outlier payment is made at eighty percent (80%) of the costs above the threshold.

D. DRGs excluded from cost outliers.

(I) Mental health and substance abuse DRGs.

(a) DRGs 750-1 through 776-4.

2. Day outlier payments are an additional payment made at the time a claim is processed for exceptionally long lengths of stay in the Mental Health and Substance Abuse DRGs (DRGs 750-1 through 776-4).

A. A day outlier threshold shall be established for each DRG at the time the DRG relative weights are calculated, using the same information used to establish the relative weights. The day threshold is the ALOS of the DRG.

B. A day outlier per diem payment may be made for covered days in excess of the day outlier threshold at the

rate of five hundred dollars (\$500) per day;

(K) Policy adjusters. Claims for inpatient stays that meet certain criteria will qualify for further adjustments to the payments.

1. Pediatric.

A. Adjustment factor: 1.70.

B. Qualifying criteria: The DRG's assigned service category is Pediatric.

2. General Medicine.

A. Adjustment factor: 1.31.

B. Qualifying criteria: The DRG's assigned service category is General Medicine.

3. Mental Health and Substance Abuse.

A. Adjustment factor: 1.92.

B. Qualifying criteria: The DRG's assigned service category is Mental Health and Substance Abuse.

4. Obstetrics.

A. Adjustment factor: 1.27.

B. Qualifying criteria: The DRG's assigned service category is Obstetrics;

(L) Example DRG claim calculation.

B	C	D	E	F	G
2	Missouri Medicaid DRG Pricing Calculator - Rates Effective: 7/1/2025				
3	This DRG Pricing calculator will provide an estimated DRG payment for inpatient hospital services for Missouri Medicaid recipients.				
4	Indicates data to be input by the user				Indicates payment policy parameters set by Medicaid
5	Information		Data		Comments or Formula
6	INFORMATION FROM THE HOSPITAL				
7	Covered Charges		\$250,000.00		UB-04 Field Locator 47 minus FL 48
8	Length of Stay		10		Total Length of Stay (Discharge minus Admit Date)
9	Covered Days		10		Covered Days from Claim
10	Discharge Status		01		
11	APR-DRG Code		723-3		From separate APR-DRG grouping software
12	HOSPITAL INFORMATION				
13	Hospital Specific Facility Rate		\$7,684.89		Provider Specific Rate
14	Hospital Specific cost-to-charge ratio		0.2650		Provider Specific CCR
15	APR-DRG INFORMATION				
16	APR-DRG Description		VIRAL ILLNESS		
17	APR-DRG Service Line Description		Internal Medicine		
18	DRG Relative Weight		1.1472		
19	Cost Outlier Threshold		\$43,548.52		
20	Average LOS		3.44		
21	Day Outlier Threshold		0.00		Only populated for Mental Health and Substance Abuse DRGs
22	Policy Adjuster		1.31		
23	DRG BASE PAYMENT				
24	DRG Base Payment		\$8,816.11		E13 * E18
25	TRANSFER PAYMENT				
26	Transfer Indicator		No		If E10 in ("02", "05", "66") AND E11 is NOT 580 or 581 Then Yes Else No
27	Transfer Adjusted Payment		\$0.00		If E26 = Yes then (E24 / E20) * (E8 + 1) else 0
28	Transfer Payment or DRG Payment		\$0.00		If E26 = Yes then Minimum of E27 or E24 else 0
29	POLICY ADJUSTER PAYMENT				
30	Policy Adjuster Payment		\$2,732.99		If E26 = Yes then E31 - E28 else E31 - E24
31	DRG Payment with Policy Adjuster		\$11,549.10		If E26 = Yes then E28 * E22 else E24 * E22
32	OUTLIER PAYMENT				
33	Cost or Day Outlier?		Cost Outlier		If E17 = "Mental Health and Substance Abuse" then Day Outlier else Cost Outlier
34	DAY OUTLIER CALCULATIONS				
35	Day Outlier Indicator		No		If E33 = "Day Outlier" AND (E9 - E21) > 0 then Yes else No
36	Day Outlier - Per Diem Amount		N/A		\$500.00 per day
37	Day Outlier Payment		\$0.00		If E35 = "Yes" AND E33 = "Day Outlier" then (E9 - E21) * E36 else 0
38	COST OUTLIER CALCULATIONS				
39	Estimated Cost of the Stay		\$66,250.00		E7 * E14
40	Marginal Cost Percentage		80%		Marginal Cost set to 80%
41	Cost Outlier Indicator		Yes		If E39 > E19 then Yes else No
42	Cost Above Threshold		\$22,701.48		If E41 = "Yes" then E39 - E19 else 0
43	Cost Outlier Payment		\$18,161.18		E42 * E40
44	Outlier Payment		\$18,161.18		If E33 = "Day Outlier" AND E35 = "Yes" then E37, if E33 = "Cost Outlier" AND E41 = "Yes" then E43 else 0
45	CALCULATION OF ALLOWED AMOUNT				
46	Allowed Amount		\$29,710.28		E31 + E44
47					



(M) New hospitals shall be assigned the following DRG payment components:

1. Statewide base rate based upon their in-state or out-of-state status;
2. Wage index based upon the CBSA in which the hospital resides;
3. Hospital specific CCR based upon their most recently filed cost report.

A. In the absence of a cost report, the following CCR will be utilized:

(I) In-state: The average CCR of all in-state hospitals reimbursed by DRG until a cost report has been filed with the division; and

(II) Out-of-state: The average urban CCR in the state the hospital resides, as found in the Medicare prospective payment system (PPS) annual release documents;

4. Base rate add-ons.

A. For new in-state hospitals only, base rate add-ons will be considered based upon the designation of the hospital.

(I) New free-standing in-state children's hospitals will be eligible for the children's base rate add-on.

(II) New in-state federally deemed CAHs will be eligible for the CAH base rate add-on.

[(13)](7) Hospital Mergers. Hospitals that merge their operations under one (1) Medicare and Medicaid provider number shall have their Medicaid reimbursement combined under the surviving hospital's (the hospital's whose Medicare and Medicaid provider number remained active) Medicaid provider number.

(A) The per diem rate for merged hospitals shall be calculated –

1. For the remainder of the SFY in which the merger occurred, the merged rate is calculated by multiplying each hospital's estimated Medicaid paid days by its per diem rate, summing the estimated per diem payments and estimated Medicaid paid days, and then dividing the total estimated per diem payments by the total estimated paid days to determine the weighted per diem rate. The effective date of the weighted per diem rate will be the date of the merger; or

2. For subsequent SFYs, the per diem rate will be based on the combined data from the base year cost report for each facility.

[(B)] The other Medicaid payments, if applicable, shall be—

1. Combined under the surviving hospital's Medicaid provider number for the remainder of the SFY in which the merger occurred; and

2. Calculated for subsequent SFYs based on the combined data from the base year cost report for each facility.]

[(14)](8) Payment Assurance. The state will pay each hospital, which furnishes the services in accordance with the requirements of the state plan, the amount determined for services furnished by the hospital according to the standards and methods set forth in the rules implementing the hospital reimbursement program.

[(15)](9) Inappropriate Placements.

(A) The hospital *[per diem rate]* inpatient reimbursement as determined under this plan *[and in effect on October 1, 1981,]* shall not apply to any participant who is receiving inpatient hospital care when the participant is only in need of nursing home care.

1. If a hospital has an established intermediate care facility/skilled nursing facility (ICF/SNF) or SNF-only MO HealthNet

rate for providing nursing home services in a distinct part setting, reimbursement for nursing home services provided in the inpatient hospital setting shall be made at the hospital's ICF/SNF or SNF-only rate.

2. No MO HealthNet payments will be made on behalf of any participant who is receiving inpatient hospital care and is not in need of either inpatient or nursing home care.

[(16)] *Directed Payments. Effective July 1, 2022, the Missouri Medicaid managed care organizations shall make inpatient and outpatient directed payments to in-state in-network hospitals pursuant to 42 CFR 438.6(c) as approved by the Centers for Medicare & Medicaid Services.]*

*AUTHORITY: sections 208.201 and 660.017, RSMo 2016, and sections 208.152 and 208.153, RSMo Supp. [2024] 2025. This rule was previously filed as 13 CSR 40-81.050. Original rule filed Feb. 13, 1969, effective Feb. 23, 1969. For intervening history, please consult the Code of State Regulations. Emergency amendment filed June 23, 2025, effective July 8, 2025, expires Feb. 26, 2026. Amended: Filed Sept. 5, 2025.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$55.7 million in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities approximately \$450.8 million in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing will not be scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. **Department Title:** 13 Social Services  
**Division Title:** 70 MO HealthNet Division  
**Chapter Title:** 15 Hospital Program

<b>Rule Number and Title:</b>	13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Methodology
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Other Government (Public) Hospitals enrolled in MO HealthNet - 39	Net Estimated Cost for SFY 2026: \$55.7 million
Department of Social Services, MO HealthNet Division	Net Estimated Cost for SFY 2026: \$0 million

**III. WORKSHEET**

Other Government (Public) Hospitals Impact			
Estimated Cost for SFY 2026			
	FRA Fund	IGT Fund	Total
Estimated Cost to Public Hospitals	\$55,291,618	\$0	\$55,291,618
Estimated Cost to State Hospitals	\$2,596,213	(\$2,226,636)	\$369,577
Total Estimated Cost Impact	\$57,887,831	(\$2,226,636)	\$55,661,195
State Share Percentage	35.3425%	35.3425%	35.3425%
State Share	\$20,459,007	(\$786,949)	\$19,672,058

Department of Social Services, MO HealthNet Division Impact			
Estimated Savings for SFY 2026			
	FRA Fund	IGT Fund	Total
Estimated Savings to MHD	\$508,662,077	(\$2,226,636)	\$506,435,441
State Share Percentage	35.3425%	35.3425%	35.3425%
State Share	\$179,773,895	(\$786,949)	\$178,986,946

**IV. ASSUMPTIONS**

The following regulations are impacted by the change to the hospital reimbursement methodology and the impact of all the regulations should be netted to arrive at the total impact. The net impact is a cost to the state of \$51.1 million for SFY 2026.

13 CSR 70-15.010  
13 CSR 70-15.015

The net fiscal impact is estimated based on the DRG modeling and updates to the data used to calculate the inpatient per diems. There was an increase in the FRA tax rate which increased the inpatient per diems. There was also an increase to the minimum per diem for free-standing psychiatric hospitals.

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title:** 13 Social Services  
**Division Title:** 70 MO HealthNet Division  
**Chapter Title:** 15 Hospital Program

<b>Rule Number and Title:</b>	13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Methodology
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
In-state Hospitals – 94	In-state Private Hospitals enrolled in MO HealthNet	Net Estimated Cost for SFY 2026: \$450.8 million

**III. WORKSHEET**

Private Hospitals Impact	
Estimated Cost for SFY 2026	
	Total
Estimated Cost to Private Hospitals	\$450,774,246
SFY 2026 Blended FMAP	35.3425%
State Share	\$159,314,888

**IV. ASSUMPTIONS**

The following regulations are impacted by the change to the hospital reimbursement methodology and the impact of all the regulations should be netted to arrive at the total impact. The net impact is a cost to the state of \$51.1 million for SFY 2026.

13 CSR 70-15.010  
13 CSR 70-15.015

The net fiscal impact is estimated based on the DRG modeling and updates to the data used to calculate the inpatient per diems. There was an increase in the FRA tax rate which increased the inpatient per diems. There was also an increase to the minimum per diem for free-standing psychiatric hospitals.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-1.010 Organization and Administration is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 776). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-1.015 Code of Ethics is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 776). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-1.020 Commission Meetings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 776–777). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-1.080 Participation in Games by Employees of the Commission is amended.**

A notice of proposed rulemaking containing the text of the



proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 777). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-1.100 Waivers and Variances is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 777). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 2 – Practice and Procedures Before the  
Commission**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-2.010 Addressing Commission is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 777-778). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three

(3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.010 All Types of Hearings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 778). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.020 Hearing Officer is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 778). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.030 Requests for Hearings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 778–779). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings****ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.040 Appearances is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 779). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings****ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.045 Suitability Hearings for Gaming  
Applicants and Licensees and Exclusion Hearings is  
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 779). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings****ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.050 Disciplinary Action Against Gaming  
Licensees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 780). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings****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 45-13.052 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 780–781). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

COMMENT #1: Section (1) – A staff member suggested revising the language to add that a person who disagrees with a written determination of the commission may request a hearing.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

#### **11 CSR 45-13.052 Sports Wagering Hearings**

(1) A person whose application for a license issued under 11 CSR 45-20 has been denied, against whom a disciplinary action has been initiated, or who disagrees with a written determination of the commission may request a hearing under this chapter. The rules in this chapter shall be read together with Chapter 536, RSMo.

### **TITLE 11 – DEPARTMENT OF PUBLIC SAFETY Division 45 – Missouri Gaming Commission Chapter 13 – Hearings**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

#### **11 CSR 45-13.055 Emergency Order Suspending License Privileges – Expedited Hearing is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 781-782). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

### **TITLE 11 – DEPARTMENT OF PUBLIC SAFETY Division 45 – Missouri Gaming Commission Chapter 13 – Hearings**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

#### **11 CSR 45-13.060 Proceedings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 782-783). No changes have been made

to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

### **TITLE 11 – DEPARTMENT OF PUBLIC SAFETY Division 45 – Missouri Gaming Commission Chapter 13 – Hearings**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

#### **11 CSR 45-13.065 Settlements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 783). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

### **TITLE 11 – DEPARTMENT OF PUBLIC SAFETY Division 45 – Missouri Gaming Commission Chapter 13 – Hearings**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

#### **11 CSR 45-13.070 Transmittal of Record and Recommendation to the Commission is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 783). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the

proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 13 – Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-13.080 Prohibition on Ex Parte Communications is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 783–784). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 15 – Exclusion of Person**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-15.010 Duty to Exclude is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 784). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received one (1) written comment on the proposed amendment.

COMMENT #1: Section (2) – Rebecca London, with DraftKings, suggested revising the language to eliminate the requirement to cancel any unresolved sports wagers for patrons who are excluded.

RESPONSE: This rule relates to individuals excluded involuntarily by the Missouri Gaming Commission. Therefore, any unresolved wagers will need to be voided and the wager

refunded. No changes have been made to the rule as a result of this comment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 15 – Exclusion of Person**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-15.020 Distribution and Availability of Exclusion List is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 784–785). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received two (2) written comments on the proposed amendment.

COMMENT #1: Section (1) – Jeremiah Weinstock, a Missouri constituent, suggested revising the language to include cell phone numbers for excluded individuals as part of the information the commission provides to licensees.

RESPONSE: This rule relates to individuals excluded involuntarily by the Missouri Gaming Commission. The commission does not have cell phone numbers for every excluded person. No changes have been made to the rule as a result of this comment.

COMMENT #2: Sections (1) and (2) – Rebecca London, with DraftKings, suggested revising the language to remove the requirement for licensees to provide written acknowledgment of receipt of the excluded persons list.

RESPONSE: This list is updated approximately once a year and it is not an undue burden for licensees to acknowledge receipt. No changes have been made to the rule as a result of this comment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 15 – Exclusion of Person**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-15.030 Criteria for Exclusion and Placement on the Exclusion List is amended.**



A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 785). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 15 – Exclusion of Person**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-15.040 Procedure for Entry of Names is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 785-786). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
Division 45 – Missouri Gaming Commission  
Chapter 15 – Exclusion of Person**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 39(g) of Article III, *Missouri Constitution*, the commission amends a rule as follows:

**11 CSR 45-15.050 Petition for Removal from Exclusion List is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2025 (50 MoReg 786). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment 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 amendment on July 17, 2025. There were three (3) attendees at the public hearing, but no comments were made. The commission received no written comments on the proposed amendment.

**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 45-20.010 Definitions 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 786-789). No changes have been made to the text of the proposed rule, so it is not 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 no written comments on the proposed rule.

**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 45-20.140 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 789). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

COMMENT #1: Sections (1) and (2) – The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (2) – Daniel Rainieri, with BetMGM, suggested revising “calendar days” to “business days” to align with industry standards.

RESPONSE: Given that this industry operates 24 hours a day, using “business days” may not be clear to all parties while “calendar days” is clear. No changes have been made to the rule as a result of this comment.

COMMENT #3: Sections (3) and (4) – The Joint Committee on Administrative Rules suggested removal of these sections because the Missouri Gaming Commission does not have jurisdiction over sports governing bodies and how they handle information.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to remove these sections in their entirety.

### 11 CSR 45-20.140 Cooperation with Investigations

(1) Retail, Mobile, SW Supplier, and Official League Data Provider licensees shall cooperate with investigations conducted by law enforcement agencies, regulatory bodies, and sports governing bodies, including but not limited to using commercially reasonable efforts to provide or facilitate the provision of wagering information, including account-level sports wagering information. Disclosures under this rule are subject to a licensee’s obligations to comply with federal, state, and local laws and regulations, including those relating to privacy and personally identifiable information.

(2) Retail, Mobile, SW Supplier, and Official League Data Provider licensees shall notify the commission within five (5) calendar days of a request from a law enforcement agency or sports governing body for cooperation with an investigation regarding sports wagering operations in Missouri, except where prohibited by the terms of a law enforcement subpoena. The notification shall be in writing and shall include a detailed description of the request.

## 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 45-20.150 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 789-790). 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 six (6) written comments on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

COMMENT #1: Subsection (1)(C) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it is overly broad and lacks clear, enforceable criteria, making it difficult for regulators and operators to apply consistently. He suggested revising it to state, “willfully failing to disclose an ineligibility determination, license denial, suspension, or revocation in any state or gaming jurisdiction....”

RESPONSE: “Willfully failing to disclose an ineligibility determination, license denial, suspension, or revocation in any state or gaming jurisdiction” is a substantially different standard from the current language. No changes have been made to the rule as a result of this comment.

COMMENT #2: Subsection (1)(D) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it lacks a clear, enforceable standard, making it difficult for both regulators and operators to apply consistently. Without a uniform definition of what constitutes an “organized crime group” or “recognized organized crime figure,” he stated that enforcement could become arbitrary and subjective. By specifying “knowingly” and requiring formal identification by a law enforcement or regulatory agency, he suggested that this revision ensures that operators can implement clear compliance processes to prevent such associations while allowing regulators to enforce the rule based on objective, verifiable criteria.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to remove this subsection in its entirety. Renumbered remaining subsections.

COMMENT #3: Subsection (1)(E) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it lacks a clear, enforceable standard, making it difficult for both regulators and operators to apply consistently. RESPONSE AND EXPLANATION OF CHANGE: Agreed and removed paragraph (1)(E)1. Retained and renumbered remaining paragraphs.

COMMENT #4: Subsection (1)(Q) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language because it is too broad and lacks a clear standard for enforcement.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Subsection (1)(R) – The Joint Committee on Administrative Rules suggested the addition of “of this state or any other state or country” to clarify the restriction.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #6: Subsection (1)(U) – Cory Fox, with FanDuel, suggested revising the language to add the qualifier that states “willfully or repeatedly.”

RESPONSE: Violations under this section could be significant enough that one instance could be grounds for disciplinary action. Additionally, requiring the conduct to be willful substantially changes the standard of this subsection. No changes have been made to the rule as a result of this comment.

COMMENT #7: Section (3) – The Joint Committee on Administrative Rules suggested revising this section to provide clarification on how individuals can seek permission to reapply for licensure after having a license revoked.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #8: Section (3) – Daniel Mulhall, with Fanatics

Betting and Gaming, suggested revising the current language to only require a one-year waiting period to reapply after a revocation.

RESPONSE: Once a license has been revoked it is highly unlikely the commission would grant a license a year later. No changes have been made to the rule as a result of this comment.

COMMENT #9: Section (4)–The Joint Committee on Administrative Rules suggested removal of this section as it appears duplicative of section (1).

RESPONSE AND EXPLANATION OF CHANGE: Revised to clarify the commission has the authority to fine any person who is required to have a license but does not, as noted in Article III, Section 39(g), of the *Missouri Constitution*.

#### 11 CSR 45-20.150 Disciplinary Actions

(1) Licensees shall be subject to the imposition of fines, license probation, license suspension, license revocation, or other disciplinary action for any violation of Article III, Section 39(g), of the *Missouri Constitution*, law, or regulation. The following acts or omissions may be grounds for discipline:

(D) Employing, associating with, or participating in any enterprise or business with persons –

1. Who have law enforcement records involving crimes of moral turpitude; or

2. Who have failed to cooperate with any officially constituted investigatory or administrative body;

(E) Failing to establish and maintain standards and procedures designed to prevent ineligible or unsuitable persons from being employed by the licensee;

(F) Misrepresenting any information to the commission;

(G) Intentionally making, causing to be made, or aiding, assisting, or procuring another to make any false statement in any report, disclosure, application, permit, form, or any other document, including improperly notarized documents;

(H) Submitting tardy, inaccurate, or incomplete material or information to the commission;

(I) Obstructing or impeding the lawful activities of the commission;

(J) Willfully or repeatedly failing to pay amounts due or to be remitted to the state of Missouri;

(K) Failing to timely pay amounts due or to be remitted to the state of Missouri;

(L) Failing to timely pay a fine imposed by the commission;

(M) Failing to respond in a timely manner to communications from the commission;

(N) Aiding and abetting a violation by a commission member or employee, or other government official, of a requirement established by statute, resolution, ordinance, personnel code, or code of conduct;

(O) Violations of Article III, Section 39(g), of the *Missouri Constitution* and laws, rules, and regulations by any person identified as a key person;

(P) Knowingly employing or associating in business affairs with any enterprise or business with a person determined unsuitable to be a licensee or a key person of an applicant or licensee by the commission or any other gaming jurisdiction;

(Q) Facilitating, enabling, or participating in sports wagering other than in accordance with Article III, Section 39(g), of the *Missouri Constitution* and laws, rules, and regulations of this state or any other state or country;

(R) Engaging in, or facilitating, unfair methods of competition or unfair or deceptive acts or practices, including the use or employment of any deception, fraud, false pretense, false promise or misrepresentation, or the concealment,

suppression, or omission of any material fact in the conduct of any sports wagering operation;

(S) Acting in bad faith in the conduct of any business, transaction, or interaction with any other applicant, licensee, or the commission;

(T) Being found, through final determination by a court or regulatory body, to have engaged in unfair labor practices, discrimination, or violations of regulation of gaming or sports wagering;

(U) Failing to satisfy any judgments, orders, or decrees of any court;

(V) Failing to maintain suitability for licensure; or

(W) Any cause that, if known to the commission, would have resulted in the denial of a license.

(3) A person who has had a license revoked by the commission may not reapply for a license without permission from the commission. Permission may be requested by submission of written correspondence to the commission for consideration at a regularly scheduled commission meeting.

(4) The commission may impose fines upon any person required to hold a license but does not.

#### 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 45-20.160 Temporary Suspension of Sports Wagering Activities 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 790–791). No changes have been made to the text of the proposed rule, so it is not 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 no written comments on the proposed rule.

#### 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 45-20.170 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 791). 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 no written comments on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

**COMMENT #1:** Section (3)–The Joint Committee on Administrative Rules suggested to also cite section 313.847, RSMo.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised to add section 313.847, RSMo, to make it clear that the commission is protecting the records in the same manner as for excursion gambling boat licensees.

**COMMENT #2:** Section (4)–The Joint Committee on Administrative Rules suggested this is overly broad and exceeds the commission’s authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and removed the section in its entirety.

#### **11 CSR 45-20.170 Reporting Prohibited Conduct, Criminal Behavior, and Violations**

(3) The identity of any individual making a report and the contents of any report shall be confidential and not be subject to disclosure, pursuant to Chapter 610 and section 313.847, RSMo.

### **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 45-20.180 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 792–793). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

**COMMENT #1:** Sections (1)-(3)–The Joint Committee on

Administrative Rules suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Section (5)–The Joint Committee on Administrative Rules suggested to add language describing how to request an approval.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #3:** Section (7)–The Joint Committee on Administrative Rules suggested revising this section so it does not imply the Missouri Gaming Commission has authority over sports governing bodies and how they handle information.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #4:** Private Cost Statement–A staff member suggested revising the fiscal note for the number of companies anticipated to obtain Retail and Mobile licenses.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

#### **11 CSR 45-20.180 Integrity Monitoring**

(1) Retail licensees and Mobile licensees shall contract with an independent, commission-licensed integrity monitoring provider.

(2) Retail licensees and Mobile licensees shall have controls in place to identify abnormal wagering activity and report such activity to an integrity monitoring provider.

(3) All integrity monitoring providers shall share information with each other and shall disseminate all reports of abnormal wagering activity to all participating licensees. All Retail licensees and Mobile licensees shall review such reports and notify the integrity monitoring provider of whether or not they have experienced similar activity.

(5) A Retail or Mobile licensee receiving a report of suspicious wagering activity shall be permitted to suspend wagering on events related to the report but may only cancel related wagers after written commission approval pursuant to 11 CSR 45-20.470(3).

(7) The commission may share information regarding the integrity of events. The commission may use information received from any source, including a sports governing body, to determine whether wagering shall be permissible on a particular event or wager type.

**REVISED PRIVATE COST:** *The cost to private entities is an estimated annual cost of ninety thousand dollars (\$90,000) versus the estimated annual cost of forty-eight thousand dollars (\$48,000), which was submitted in the original estimate.*



**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety  
Division title: 45—Missouri Gaming Commission  
Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.180 Integrity Monitoring
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
15	Companies offering retail and mobile sports wagering	\$90,000.00

**III. WORKSHEET**

<b>Annual Estimates</b>	
Companies offering retail and mobile sports wagering (15 companies x \$6,000 annually)	\$90,000.00

**IV. ASSUMPTIONS**

Each company offering retail and mobile sports wagering will be charged \$6,000 annually for integrity monitoring services.  
The integrity monitoring annual fee is charged per company and not per license.  
The commission anticipates that there will be 14 individual companies offering mobile sports wagering that will need to purchase integrity monitoring services.  
The commission anticipates that there will be 11 Retail licensees, 10 of which will not be charged an integrity monitoring fee as the company also has a mobile sports wagering operation.

**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 45-20.190 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 794). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

**COMMENT #1:** Section (1) – Rebecca London, with DraftKings, suggested revising the language to add a definition of outstanding sports wagering liability that states, “The outstanding sports wagering liability shall be the sum of the following amounts: amounts held for player accounts; aggregate amounts accepted as wagers on sports events whose outcomes have not been determined; and amounts owed but unpaid on winning wagers.”

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Sections (1) and (2) – The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #3:** Private Cost Statement – The Joint Committee on Administrative Rules suggested the addition of a fiscal note to address the reserve requirement for licensees.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and added a fiscal note.

**11 CSR 45-20.190 Reserve Requirements**

(1) Retail licensees and Mobile licensees shall maintain a reserve in the form of cash, cash equivalents, payment processor reserves, payment processor receivables, surety bond, irrevocable letter of credit, or combination thereof, of not less than the greater of five hundred thousand dollars (\$500,000) or the amount necessary to cover the outstanding sports wagering liability. Cash equivalents are investments with an original maturity of three (3) months or less which would be permissible investments under Missouri law for state monies held by the state treasurer. The outstanding sports wagering liability shall be the sum of cashable funds held in player accounts, the aggregate amounts accepted as wagers on sporting events whose outcomes have not been determined, and amounts owed but unpaid on winning wagers.

(2) If, at any time, the Retail licensee’s or Mobile licensee’s available reserve should be less than the amount required

by this rule, the licensee shall notify the commission of this deficiency within forty-eight (48) hours. A licensee may satisfy the reserve requirement in this rule if the licensee adds sufficient funds to cover the calculated requirement prior to the end of the following business day. Failure to maintain the minimum reserve required by this rule or failure to notify the commission of any deficiencies is grounds for disciplinary action.

*REVISED PRIVATE COST: The cost to private entities is an estimated cost of \$12,500,000 in the aggregate versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety  
Division title: 45—Missouri Gaming Commission  
Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.190 Reserve Requirements
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
25	Retail and Mobile licensees	\$12,500,000.00

**III. WORKSHEET**

<b>Estimates</b>	
Retail and Mobile sports wagering licensees (25 licensees x \$500,000)	\$12,500,000.00

**IV. ASSUMPTIONS**

Each licensee offering Retail and Mobile sports wagering will be required to maintain a reserve of \$500,000 for each license it holds.  
The commission anticipates 14 Mobile licensees and 11 Retail licensees.

**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 45-20.200 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 794–796). 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 no written comments on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

COMMENT #1: Section (12)–The Joint Committee on Administrative Rules suggested the addition of language to clarify when video recordings of investigations may be released.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Private Cost Statement–The Joint Committee on Administrative Rules suggested revising the fiscal note to reflect additional surveillance agents and the cost of developing a surveillance plan.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to reflect three surveillance agents for the two sports team retail licensees and the cost of the surveillance plans.

**11 CSR 45-20.200 Surveillance Requirements for Retail Licensees**

(12) A surveillance release log shall be maintained to record who receives a copy of video recordings. Video recordings of criminal or regulatory investigations or violations shall not be released to anyone without the approval of the commission or pursuant to a lawful court order.

*REVISED PRIVATE COST: The cost to private entities is an estimated initial cost of five thousand one hundred dollars (\$5,100) and an annual cost of three hundred sixty thousand dollars (\$360,000) for a total cost of three hundred sixty-five thousand one hundred dollars (\$365,100) versus the estimated annual cost of two hundred forty thousand dollars (\$240,000), which was submitted in the original estimate.*



**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety  
Division title: 45—Missouri Gaming Commission  
Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.200 Surveillance Requirements for Retail Licensees
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2	Sports Team Retail Licensees	\$362,400.00
9	Casino Retail Licensees	\$2,700.00

**III. WORKSHEET**

<b>Estimates</b>	
Sports Team Retail Licensees 2 x (\$60,000 x 3 surveillance agents)	\$360,000.00
Sports Team Retail Licensees 2 x (40 hours x \$30 per hour labor cost)	\$2,400.00
Casino Retail Licensees 9 x (10 hours x \$30 per hour labor cost)	\$2,700.00
<b>TOTAL</b>	<b>\$365,100.00</b>

**IV. ASSUMPTIONS**

The commission anticipates that two sports teams will elect to have a retail sportsbook. The cost for a sports team to employ three surveillance agents is \$180,000 annually. The length of time for a sports team to develop a surveillance plan is approximately 40 hours and the labor cost is approximately \$30 per hour. The commission anticipates that 9 casinos will operate a retail sportsbook or partner with an operator to conduct retail operations. The casinos will not hire additional surveillance personnel to monitor sportsbook operations. Casinos would need to amend their current surveillance plans. This would take approximately 10 hours at \$30 per hour.

**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 45-20.210 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 797–799). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

COMMENT #1: Private Cost Statement—A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

**11 CSR 45-20.210 Required Surveillance Equipment and Coverage**

*REVISED PRIVATE COST: The cost to private entities is an estimated cost of ninety-four thousand dollars (\$94,000) in the aggregate versus the estimated cost of one hundred eighteen thousand dollars (\$118,000) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety  
Division title: 45—Missouri Gaming Commission  
Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.210 Required Surveillance Equipment and Coverage
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
9	Casino Retail Licensees	\$54,000.00
2	Sports team Retail Licensees	\$40,000.00

**III. WORKSHEET**

<b>Estimates</b>	
Casino Retail licensees (9 x \$6,000)	\$54,000.00
Sports team Retail licensees (2 x \$20,000)	\$40,000.00
<b>TOTAL</b>	<b>\$94,000.00</b>

**IV. ASSUMPTIONS**

The commission anticipates that nine (9) casinos will have a retail sportsbook.  
The cost to add the required cameras and related surveillance equipment will be \$6,000 per casino.  
The commission anticipates that two (2) sports teams will elect to have a retail sportsbook.  
The cost to add the required cameras and related surveillance equipment will be \$20,000 for each sports teams' retail sportsbook locations.

**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 45-20.220 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 800–801). 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 five (5) written comments on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

**COMMENT #1:** Sections (1), (3), (5), (6), (10), (13), and (18) – The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Section (1) – Rebecca London, with DraftKings, suggested revising the language to add that the information technology function shall not be outsourced without the prior written approval from the commission.

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised to allow information technology functions to be outsourced only to SW Supplier licensees.

**COMMENT #3:** Section (2) – Cory Fox, with FanDuel, suggested revising the language to only require the highest-ranking employee ultimately responsible for the sports wagering system to possess a commission-issued occupational license.

**RESPONSE:** Any individual with write capability to the sports wagering system could impact the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

**COMMENT #4:** Section (2) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to state “who has the authority to approve and implement changes” instead of “who has write access.”

**RESPONSE:** Any individual with write capability to the sports wagering system could impact the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

**COMMENT #5:** Section (2) – Rebecca London, with DraftKings, suggested revising the language to limit the licensing requirement to supervisors.

**RESPONSE:** Any individual with write capability to the sports wagering system could impact the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

**COMMENT #6:** Section (4) – Rebecca London, with DraftKings, suggested revising the language to clarify that this includes comprehensive cloud computing platforms and/or data centers.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #7:** Private Cost Statement – The Joint Committee on Administrative Rules suggested the addition of a fiscal note to address the cost of required IT department personnel.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised to include a fiscal note to account for the cost of two IT employees.

**11 CSR 45-20.220 Information Technology**

(1) Retail licensees and Mobile licensees shall have an information technology department that is responsible for the quality, reliability, and accuracy of all computer systems used in the sports wagering operation. Information technology functions shall only be outsourced to SW Supplier licensees.

(3) Retail licensees and Mobile licensees shall ensure that duties in the information technology department are adequately segregated and monitored to detect procedural errors, unauthorized access to financial transactions and assets, and to prevent the concealment of fraud.

(4) The information technology environment and infrastructure shall be maintained in a secured physical location, which may include but is not limited to a comprehensive cloud computing platform or data center, that is restricted to authorized employees.

(5) Retail licensees and Mobile licensees shall adopt procedures in the internal controls for responding to, monitoring, investigating, resolving, documenting, and reporting security incidents associated with information technology systems.

(6) System enforced security parameters for passwords shall be documented in the Retail licensee’s or Mobile licensee’s internal control system and meet industry standards.

(10) Retail licensees and Mobile licensees shall generate on request user access listings, which shall include at a minimum –

(13) Except when a Retail licensee or Mobile licensee implements multi-factor authentication controls, user accounts shall be automatically locked out after at most five (5) failed login attempts. The system may release a locked-out account after thirty (30) minutes have elapsed.

(18) Retail licensees and Mobile licensees shall maintain a backup of all data related to sports wagering. The commission may approve the use of cloud storage located in the United States for duplicated data upon written request by the licensee.

**REVISED PRIVATE COST:** The cost to private entities is an estimated annual cost of \$1,680,000 versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in the original estimate.



**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety  
Division title: 45—Missouri Gaming Commission  
Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.220 Information Technology
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
7	Retail Licensees	\$1,680,000.00

**III. WORKSHEET**

<b>Estimates</b>	
Sports Team Retail Licensees 2 x (\$120,000 x 2 IT employees)	\$480,000.00
Retail Licensees 5 x (\$120,000 x 2 IT employees)	\$1,200,000.00
<b>TOTAL</b>	<b>\$1,680,000.00</b>

**IV. ASSUMPTIONS**

The commission anticipates 11 Retail licensees.

- The commission anticipates 2 sports teams will elect to have a retail sportsbook and will need to employ 2 IT employees.
- The commission anticipates 5 sports wagering companies will obtain a Retail license in partnership with a casino and these 5 companies will need to employ at least 2 IT employees.
- The commission anticipates 4 casinos will obtain the Retail license and can utilize their current IT departments.

The cost to employ an IT employee is \$120,000 annually.

The commission assumes all Mobile licensees will have existing IT department and will not need to hire any additional IT employees.

**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 45-20.230 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 801–803). 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 one (1) written comment on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made five (5) comments on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggested adding qualifying language on the types of items required to be purchased from a licensed supplier.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (2)–The Joint Committee on Administrative Rules suggested revising to clarify all types of complaints received should be maintained in the log.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #3: Section (3)–Travis Foley, with BMM Testlabs, suggested revising the language to remove the last sentence because performing quality assurance and pre-compliance testing prior to the product being submitted to the ITL for certification does not affect the ITL's independence and impartiality.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Section (8), Subsections (8)(A) and (8)(C), Section (9), Subsection (9)(B), Section (10), and Section (13) – The Joint Committee on Administrative Rules suggested revising the language as it provided the commission overly-broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Section (14)–The Joint Committee on Administrative Rules suggested revising the language to clarify the acceptable standards.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #6: Private Cost Statement–The Joint Committee on Administrative Rules suggested revising the fiscal note to reflect the private cost to ITLs for providing the commission with copies of their software verification tools.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to reflect this private entity cost.

COMMENT #7: Private Cost Statement–A staff member suggested revising the fiscal note to reflect the number of Retail licensees affected versus the number of systems.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees affected.

**11 CSR 45-20.230 SW Supplier Standards**

(1) An SW Supplier licensee who does not manufacture the sports wagering equipment, systems, or supplies that it sells must notify the commission of the specific components being sold by the SW Supplier that it does not manufacture, and must purchase said items from a licensed SW Supplier as directed by the commission if regulatory oversight is necessary for the integrity of sports wagering.

(2) An SW Supplier licensee shall maintain a log of all complaints received relating to sports wagering products and services provided and shall provide the log and supporting documentation to the commission upon request.

(3) Licensed independent testing laboratories (ITLs) shall not participate in the development of any products they are testing and certifying to maintain their independence. Other than to perform an evaluation for regulatory compliance, ITLs shall not participate, consult, or otherwise be involved in the design, development, programming, or manufacturing of any sports wagering equipment, sports wagering system, or any component thereof or modification thereto.

(8) Upon the ITL's certification of sports wagering equipment or systems, a unique identification code or signature acceptable to and approved by the commission shall be assigned to each critical component as defined in 11 CSR 45-20 using a tool, device, mechanism, or other methodology which possesses the ability to export results. The assigned identification code or signature and the means for generating such code or signature shall be included on all certification letters, documents, reports, and databases as determined by the commission.

(A) The ITL shall provide the commission with step-by-step verification procedures for each tool, device, mechanism, or other methodology used to assign the unique identification codes or signatures.

(C) The ITL shall support the verification tools, devices, or mechanisms and replace, repair, update, or upgrade them as deemed necessary by the commission to ensure the integrity of sports wagering.

(9) The ITL shall develop and maintain a database of all sports wagering equipment or systems certified by the ITL for the state of Missouri.

(B) The database and report(s) must be current as of the end of the previous business day and accessible by the commission.

(10) The ITL shall provide, free of charge to the commission, technical and regulatory compliance support. In instances where the ITL providing the support is also conducting the testing, the time allocated for support shall be considered part of the testing process and the ITL may bill the licensee for the cost of the technical support. In instances where the ITL providing the support is not conducting the testing, the commission may require the licensee to reimburse the ITL at the rate the ITL charges licensees for such support.

(13) The ITL shall conduct forensic evaluations or analyses

on sports wagering equipment and systems as directed by the commission if there is concern with the integrity of the equipment or system. A final forensic report shall be drafted and provided to the commission outlining all testing performed, the cause of the problem, and the outcome of the investigation, if specifically identified.

(14) The ITL shall maintain copies of the results of any International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17020/17025 or similar standard audits or reviews and shall forward a copy of the results to the commission within fifteen (15) calendar days of when they become available to the ITL.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of thirty-five thousand one hundred fifty dollars (\$35,150) versus the estimated annual cost of eighteen thousand seven hundred dollars (\$18,700), which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety**  
**Division title: 45—Missouri Gaming Commission**  
**Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.230 SW Supplier Standards
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail licensees	\$5,100.00
14	Mobile licensees	\$11,900.00
2	Supplier licensees (Independent Test Labs)	\$18,150.00

**III. WORKSHEET**

<b>Annual Estimates</b>	
Retail licensees (6 systems x 5 hours x \$170 per hour)	\$5,100.00
Mobile licensees (14 systems x 5 hours x \$170 per hour)	\$11,900.00
Supplier licensees (2 licensees x 11 tools x \$825 per tool)	\$18,150.00
<b>TOTAL</b>	<b>\$35,150.00</b>

**IV. ASSUMPTIONS**

The commission anticipates needing approximately 5 hours of annual technical support from independent testing laboratories (ITLs) regarding the functionality of sports wagering systems.

11 Retail licensees will utilize 6 different sports wagering systems. (4 common sports wagering systems will be utilized by 9 casinos and 2 sports wagering systems will be utilized by 2 sports teams.)

14 Mobile licensees will each utilize a different sports wagering system. (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses.)

The hourly rate for an independent testing laboratory (ITL) is \$170.

The commission anticipates 2 independent testing laboratories will need to provide their verification tools for commission staff to use to verify sports wagering systems. The commission will need 11 copies of the tool provided from each independent test laboratory to test sports wagering systems.

The cost of providing one copy of the tool is \$825 annually.



**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 45-20.240 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 804–805). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

**COMMENT #1:** Subsection (3)(E)–The Joint Committee on Administrative Rules suggested revising the language to clarify the standards for approval.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Section (6)–The Joint Committee on Administrative Rules suggested revising the language to clarify the standards for approval or denial of the equipment or systems.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #3:** Section (8)–The Joint Committee on Administrative Rules suggested revising the language to clarify when additional testing may be required.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #4:** Private Cost Statement–A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised the fiscal note to change the number of Retail licensees.

**11 CSR 45-20.240 Testing, Certification, and Approval of Sports Wagering Equipment and Systems**

(3) All sports wagering equipment and systems testing shall be documented in a report issued by the ITL and provided to the commission which includes –

(E) Any additional information necessary to ensure the integrity of the equipment and systems for approval.

(6) After the review of the sports wagering equipment and systems, the commission may approve the sports wagering equipment or systems for use in Missouri or may deny the sports wagering equipment or systems that do not meet the standards of this rule.

(8) The sports wagering system shall be tested and recertified by a licensed ITL at least once every twelve (12) months.

Additional testing may be required if a substantial system change occurs, pursuant to 11 CSR 45-20.310.

*REVISED PRIVATE COST: The cost to private entities is an estimated initial cost of four hundred thirty-five thousand two hundred dollars (\$435,200) and an annual cost of two hundred seventeen thousand six hundred dollars (\$217,600) for a total cost of six hundred fifty-two thousand eight hundred dollars (\$652,800) versus the estimated initial cost of four hundred eighty-nine thousand six hundred dollars (\$489,600) and an annual cost of two hundred forty-four thousand eight hundred dollars (\$244,800), which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety**  
**Division title: 45—Missouri Gaming Commission**  
**Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.240 Testing, Certification, and Approval of Sports Wagering Equipment and Systems
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail licensees	\$224,400.00
14	Mobile licensees	\$428,400.00

**III. WORKSHEET**

<b>Initial Certification</b>	
Retail licensees (11 licensees x 80 hours x \$170 per hour)	\$149,600.00
Mobile licensees (14 licensees x 120 hours x \$170 per hour)	\$285,600.00
<b>Annual Recertification</b>	
Retail licensees (11 licensees x 40 hours x \$170 per hour)	\$74,800.00
Mobile licensees (14 licensees x 60 hours x \$170 per hour)	\$142,800.00
<b>TOTAL</b>	<b>\$652,800.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)

14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)

The hourly rate for an independent testing laboratory (ITL) is \$170.

The number of hours for an initial certification for a retail licensee is approximately 80 hours.

The number of hours for an initial certification for a mobile licensee is approximately 120 hours.

The number of hours for an annual recertification for a retail licensee is approximately 40 hours.

The number of hours for an annual recertification for a mobile licensee is approximately 60 hours.

**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 45-20.250 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 806–807). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggested revising the language as it was overly broad.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (5)–Jeremiah Weinstock, a Missouri constituent, suggested revising the language to include a requirement for the ticket to include a responsible gaming message along with the problem gambling helpline number.  
RESPONSE: The commission may consider adding this requirement in the future. It is unknown if current systems could comply with this. No changes have been made to the rule as a result of this comment.

**11 CSR 45-20.250 Sports Wagering Equipment Requirements**

(1) Sports wagering equipment software shall contain sufficient information to identify the software and version number of the information stored on the sports wagering equipment. Sports wagering equipment software critical components shall be capable of verification.

**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 45-20.260 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 807). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (2)–The Joint Committee on Administrative Rules suggested revising the language to limit the scope of sports wagering equipment referenced to not include applications on patrons’ phones.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Sections (2) and (5)–A staff member suggested clarifying the language to make it clear that both Retail licensees and Mobile licensees must comply with the rule.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.260 Shipping, Maintenance, and Disposal of Sports Wagering Equipment**

(2) Retail licensees and Mobile licensees shall only be permitted to sell, distribute, transfer, or supply kiosks to any person in the state of Missouri who is a Retail, Mobile, or SW Supplier licensee.

(5) Retail licensees and Mobile licensees shall only dispose of sports wagering equipment in a manner as prescribed in its approved internal control system, ensuring no critical or confidential data is retrievable after disposal.

**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 45-20.270 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 807–808). 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. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggested revising the language to

clarify who is testing, certifying, and approving it.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (5) – Jeremiah Weinstock, a Missouri constituent, suggested revising the language to state “problem gambling” instead of “compulsive gaming.” Additionally, he suggested placing default low-risk wagering limits on the online platform.

RESPONSE: This is language in Article III, Section 39(g), of the *Missouri Constitution* and a requirement of all online platforms. Additionally, the default wagering limit may be different for each individual. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (6) – The Joint Committee on Administrative Rules suggested revising the section as the language was too narrow as it does not allow for search warrants, civil court orders, or tax purposes.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to remove this section in its entirety. Renumbered remaining sections.

COMMENT #4: Lindsay Slader, with GeoComply, suggested revising the language to include requirements addressing location spoofing and manipulation, device integrity, robust location data sourcing, connection verification, dynamic real-time monitoring, and re-validation frequency of user locations.

RESPONSE: The commission may consider adding additional requirements in the future to allow industry to comment on the proposed rules. Re-validation frequency is addressed in section (2). This rule also addresses efforts by patrons to circumvent the location detection mechanisms. No changes have been made to the rule as a result of this comment.

COMMENT #5: Section (8) – Cory Fox, with FanDuel, suggested revising the language to revise “immediately” to “promptly” or to remove “immediately” to relieve restrictive timelines on licensees.

RESPONSE: The word “promptly” is too subjective. No changes have been made to the rule as a result of this comment.

#### **11 CSR 45-20.270 Online Sports Wagering Platform Requirements**

(1) A Mobile licensee conducting sports wagering over the internet shall use a single online sports wagering platform, all the integral components of which have been tested, certified, and approved, pursuant to 11 CSR 45-20.240.

(6) Each Mobile licensee shall maintain modern best practices to ensure the security and integrity of the online sports wagering platform, including but not limited to –

- (A) Network security;
- (B) Patron identity authentication;
- (C) Location detection;
- (D) Error detection; and
- (E) Data security.

(7) If a Mobile licensee becomes aware of a reproducible error in the online sports wagering platform that relates to network security, data security, location detection, or otherwise calls into question the security and integrity of the online sports wagering platform, the licensee shall notify the commission immediately. The notification shall include –

- (A) A description of the error;
- (B) Risks created or imposed by the error; and
- (C) Efforts being taken by the Mobile licensee to prevent

any impact to the security and integrity of the online sports wagering platform or sports wagering system.

### **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 45-20.280 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 808–809). 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. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (1) – Jeremiah Weinstock, a Missouri constituent, suggested revising the language to require a responsible gaming message be displayed.

RESPONSE: The commission considers the required statement “regarding how a patron can obtain assistance with a gambling problem” sufficient. No changes have been made to the rule as a result of this comment.

COMMENT #2: Section (2) – Michael Daley, a Missouri constituent, suggested revising the language to revise fourteen (14) days to one hundred eighty (180) days as it is burdensome on the patron to require multi-factor authentication every fourteen (14) days.

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised to thirty (30) days, which is consistent with Gaming Laboratories International (GLI) Standard 33.

COMMENT #3: Subsection (3)(A) – Cory Fox, with FanDuel, suggested revising the language to remove “phone number” as this is not how they provide customer service.

RESPONSE: The commission considers a phone number option standard customer service for Missouri patrons. No changes have been made to the rule as a result of this comment.

COMMENT #4: Subsection (3)(B) – The Joint Committee on Administrative Rules suggested revising as the language was too broad.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

#### **11 CSR 45-20.280 Client Requirements**

(2) The client shall require multi-factor authentication when a patron logs in to his or her online sports wagering account through a specific device for the first time and every thirty (30) days thereafter.



(3) Client software shall give a patron prominent and convenient access to a support page, screen, menu, or equivalent, which at a minimum contains access to the following:

(B) Complete explanation of all house rules;

**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 45-20.290 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 809–810). 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 (2)–A staff member suggested removing the language “at no cost to the commission” as it is unnecessary.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (5)–A staff member suggested revising the language to allow backup servers to be located outside of Missouri but within the United States.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #3: Sections (10) and (12)–Cory Fox, with FanDuel, suggested revising the language to revise “immediately” to “promptly” or to remove “immediately” to relieve restrictive timelines on licensees.

RESPONSE: The word “promptly” is too subjective. No changes have been made to the rule as a result of this comment.

COMMENT #4: Sections (12) and (13)–Adam Kates, with PENN Entertainment, suggested revising the language to state “twenty-four (24) business hours” to provide adequate time to collect all appropriate information from the issue.

RESPONSE: Business hours is an unclear standard and could vary within the industry. No changes have been made to the rule as a result of this comment.

COMMENT #5: Section (13)–Cory Fox, with FanDuel, suggested to remove the language “no later than the end of the following calendar day” to relieve the burden on the licensees.

RESPONSE: The notification needs to be made within the specified time frame. No changes have been made to the rule as a result of this comment.

**11 CSR 45-20.290 Sports Wagering System Requirements**

(2) Each Retail or Mobile licensee shall provide the commission remote, read-only, real-time access to the sports wagering system. That access shall include, at a minimum –

(5) All servers used to receive transmissions of requests to place wagers and that transmit confirmation of acceptance of wagers on events placed by patrons shall be physically located in the state of Missouri. Licensees shall provide the commission with the physical location of such servers. Backup servers may be located outside of Missouri, but within the United States. Any data center where a sports wagering system server is housed must be secure and have access controls in place to prevent unauthorized access to the sports wagering system server or other equipment.

**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 45-20.300 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 810–811). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Subsection (2)(E)–The Joint Committee on Administrative Rules suggested revising as the language was too broad.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Private Cost Statement–A staff member suggested revising the fiscal note for the number of companies anticipated to obtain Retail and Mobile licenses and to consistently reflect the hourly rate for integrity and security assessment testing.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.300 Integrity and Security Assessment**

(2) The scope of the assessment shall include, at a minimum, the following:

(E) Any other specific criteria or standards for the integrity and security assessment that align with industry best practices as requested by the commission to ensure the integrity of the sports wagering operation.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,000,000 versus the estimated annual cost of \$1,160,000, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety**  
**Division title: 45—Missouri Gaming Commission**  
**Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.300 Integrity and Security Assessment
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail licensees	\$440,000.00
14	Mobile licensees	\$560,000.00

**III. WORKSHEET**

<b>Annual Estimates</b>	
Retail licensees (11 licensees x 200 hours x \$200 per hour)	\$440,000.00
Mobile licensees (14 licensees x 200 hours x \$200 per hour)	\$560,000.00
<b>TOTAL</b>	<b>\$1,000,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casino sportsbooks and 2 sports teams sportsbooks)  
 14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)  
 The hourly rate for integrity and security assessment testing services is \$200.

**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 45-20.310 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 812–813). 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 six (6) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

**COMMENT #1:** Section (4) – Rebecca London, with DraftKings, suggested revising the language to the substantial change provision to provide additional regulatory certainty and an extra layer of flexibility in the event a change to a licensee’s sports wagering system is isolated to the state of Missouri. She also suggested revising the language to add that “a substantial change shall include core system software changes that amount to a new version of the sports wagering system and shall not include routine, customary software adjustments that do not significantly affect the sports wagering patron experience or system compliance controls.”

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised subsection (1)(A) to clarify that it applies to sports wagering systems in Missouri. Section (1) defines core function and what is considered a substantial change, therefore the suggested language was not added.

**COMMENT #2:** Section (5) – Cory Fox, with FanDuel, suggested removing the language “by the end of the following calendar day” or revising it to state “the next business day.”

**RESPONSE:** This industry operates 24 hours a day, 7 days a week; therefore, it is important for the notification of these incidents to be reported within the specified time frame. No changes have been made to the rule as a result of this comment.

**COMMENT #3:** Sections (5) and (6) – Adam Kates, with PENN Entertainment, suggested revising the language to state “twenty-four (24) business hours” to provide adequate time to collect all appropriate information from the issue.

**RESPONSE:** Business hours is an unclear standard and could vary within the industry. No changes have been made to the rule as a result of this comment.

**COMMENT #4:** Section (6) – Cory Fox, with FanDuel, suggested revising the language to revise “immediately” to “promptly” or to remove “immediately” to relieve restrictive timelines on licensees.

**RESPONSE:** The word “promptly” is too subjective. No changes have been made to the rule as a result of this comment.

**COMMENT #5:** Section (6) – Rebecca London, with DraftKings, suggested revising the timeline from “immediately” to within “twenty-four (24) hours” to align with industry standards.  
**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #6:** Subsection (7)(B) – Rebecca London, with DraftKings, suggested removing “requestor” from the requirement as this is not logged information and is not required under the Gaming Laboratories International (GLI) Standard 33.  
**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #7:** Private Cost Statement – A staff member suggested revising the fiscal note to clarify the number of Retail licensees affected and revising the assumptions to address the number of systems used by the licensees.  
**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised the fiscal note.

**11 CSR 45-20.310 Software Change Management**

(1) As used in this rule, the following terms shall have the following meaning:

(A) A core function is any function related to the placement, recording, and resolution of wagers, or any other function or feature that affects the security, integrity, availability, or recordkeeping of the sports wagering system in Missouri;

(6) Emergency changes shall be documented in the change log and the Retail or Mobile licensee shall notify the commission in writing within twenty-four (24) hours upon implementation of any emergency changes. The notification to the commission shall include the information documented on the change log. Upon review of the change, the commission may order the change be tested, certified, and approved.

(7) The change log shall –

(B) Include the date of change, summary of change, implementer, and results of the change; and

**REVISED PRIVATE COST:** The cost to private entities is an estimated annual cost of \$1,033,600 versus the estimated annual cost of \$1,060,000, which was submitted in the original estimate.

**FISCAL NOTE  
PRIVATE COST**

- I. Department title: 11—Department of Public Safety**  
**Division title: 45—Missouri Gaming Commission**  
**Chapter title: 20—Sports Wagering**

<b>Rule number/name:</b>	11 CSR 45-20.310 Software Change Management
<b>Type of rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail licenses	\$81,600.00
14	Mobile licensees	\$952,000.00

**III. WORKSHEET**

<b>Annual Estimates</b>	
Retail licensees (2 changes annually that require testing x 6 systems x 40 hours x \$170 per hour)	\$81,600.00
Mobile licensees (10 changes annually that require testing x 14 systems x 40 hours x \$170 per hour)	\$952,000.00
<b>TOTAL</b>	<b>\$1,033,600.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees will utilize 6 different sports wagering systems. (4 common sports wagering systems will be utilized by 9 casinos and 2 sports wagering systems will be utilized by 2 sports teams.)

14 Mobile licensees will each utilize a different sports wagering system. (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses.)

The hourly rate for an independent testing laboratory (ITL) is \$170.

It will take 40 hours to test each system.

Retail licensees will have 2 changes to the software each year that will require testing.

Mobile licensees will have 10 changes to the software each year that will require testing.



**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 45-20.320 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 814–815). 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 fifteen (15) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

**COMMENT #1:** Paragraph (3)(A)9.—Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to remove “including the document number of the state or federal government-issued identification credential examined and its date of expiration and the electronic record documenting the process used to confirm the patron’s identity.”

**RESPONSE:** The requirement to provide a federal or state issued ID is another measure to provide accurate identification of the patron. No changes have been made to the rule as a result of this comment.

**COMMENT #2:** Paragraph (3)(A)10.—Rebecca London, with DraftKings, suggested removing this in its entirety.

**RESPONSE:** This requirement is consistent with other jurisdictions. No changes have been made to the rule as a result of this comment.

**COMMENT #3:** Subsection (3)(C)—The Joint Committee on Administrative Rules suggested revising as the language was too broad.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #4:** Subsection (3)(C)—Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to say “or” instead of “and.”

**RESPONSE:** The requirement to provide a federal or state issued ID is another measure to provide accurate identification of the patron. No changes have been made to the rule as a result of this comment.

**COMMENT #5:** Subsection (3)(D)—The Joint Committee on Administrative Rules suggested revising as the language was too broad.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #6:** Subsection (3)(D)—Michael Daley, a Missouri constituent, suggested revising the language to change fourteen (14) days to one hundred eighty (180) days as it

is burdensome on the patron. Additionally, he suggested adding the following language: “Following successful login with multi-factor authentication, the patron may remain logged-in for 24 hours on the same device without requiring re-authentication with the account password. A patron may remain logged in at the same time on multiple devices (such as a mobile telephone, a tablet, or a computer) that have been authenticated via multi-factor authentication provided the devices appear to be located in the same geographical location. The Mobile licensee shall require a patron establish a strong password consisting of 14 or more characters including a combination of upper and lower case letters, at least one numeral, and at least one special character. The account password will not expire, however a Mobile Licensee may use its discretion to require a patron to change the account password when needed to protect patron accounts.”

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised to thirty (30) days, which is consistent with Gaming Laboratories International (GLI) Standard 33. The commission is not adding the suggested language as 11 CSR 45-20.240 requires all sports wagering equipment and systems to be tested for compliance with technical standards, such as GLI Standard 33, which address some of the suggested additional requirements.

**COMMENT #7:** Section (4)—The Joint Committee on Administrative Rules suggested revising as the language implied that a patron would be limited to one online sports wagering account.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #8:** Section (6)—Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to add the following:

“(I) Deposit of United States currency at a location approved by the Commission;

(J) Online and mobile payment systems that support online money transfers;

(K) Cryptocurrencies; or

(L) Any other means in the approved internal control system, or as otherwise approved by the Missouri Gaming Commission.”

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised subsection (6)(E) instead of adding the suggested subsection (6)(J). The other suggested subsection additions were not included at this time.

**COMMENT #9:** Subsection (6)(A)—Jeremiah Weinstock, a Missouri constituent, suggested revising the language to not allow funding an online sports wagering account with a credit card.

**RESPONSE:** Article III, Section 39(g), of the *Missouri Constitution* includes credit cards as a funding source for sports wagering. No changes have been made to the rule as a result of this comment.

**COMMENT #10:** Section (6)—Adam Kates, with PENN Entertainment, suggested revising the language to allow patrons to fund their accounts with cash at a partnered brick and mortar casino.

**RESPONSE:** These transactions would occur at separate licensees, as the Retail licensee is separate from the Mobile licensee. No changes have been made to the rule as a result of this comment.

**COMMENT #11:** Section (8)—Adam Kates, with PENN Entertainment, suggested revising the language to allow patrons to withdraw funds from their accounts at a partnered

brick and mortar casino.

RESPONSE: These transactions would occur at separate licensees, as the Retail licensee is separate from the Mobile licensee. No changes have been made to the rule as a result of this comment.

COMMENT #12: Subsection (8)(E)—A staff member suggested revising the language to be consistent with a revision made to subsection (6)(E).

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #13: Section (9)—Daniel Mulhall, with Fanatics Betting and Gaming, and Adam Kates, with PENN Entertainment, suggested removing this provision in its entirety as this proposed rule is overly restrictive and presents technical implementation challenges.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and removed. As a result, “credit card” was added to subsection (8) (B). Renumbered the remaining sections.

COMMENT #14: Section (12)—Adam Kates, with PENN Entertainment, suggested revising the language to require a monthly review instead of a weekly review to align with industry standards.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #15: Section (13)—Daniel Rainieri, with BetMGM, suggested revising the language to remove “no later than twenty-four (24) hours.”

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised to state five (5) calendar days.

COMMENT #16: Section (13)—Jeremiah Weinstock, a Missouri constituent, suggested revising the language to include information about low-risk gambling limits and whether an individual has exceeded this threshold with their average monthly gambling behavior.

RESPONSE: Section (13) requires the responsible gaming limit history. No changes have been made to the rule as a result of this comment.

COMMENT #17: Subsection (15)(A)—Michael Daley, a Missouri constituent, suggested revising the language to revise the five-day window for patron withdrawal to “within one business day.”

RESPONSE: This requirement is consistent with other jurisdictions. No changes have been made to the rule as a result of this comment.

COMMENT #18: Section (16)—Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the current language to clarify operators must only contact an account holder once and then wait one hundred twenty (120) days before declaring the funds abandoned.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

## 11 CSR 45-20.320 Online Sports Wagering Accounts

(3) In order to establish an online sports wagering account, a Mobile licensee shall –

(C) Verify the patron’s identity using a methodology as described in the licensee’s internal control system. The methodology shall include remote multi-sourced authentication, which may include third-party or governmental databases, and examining the patron’s valid, non-expired state or federal government-issued photo identification credential;

(D) Require the patron to establish a password or other access security feature to control access to the account. A Mobile licensee shall also utilize multi-factor authentication for each new device. After a successful login with multi-factor authentication for a specific device, a patron is not required to utilize multi-factor authentication to access his or her online sports wagering account from that device for a period of thirty (30) days. A patron shall have the ability to always require multi-factor authentication;

(4) The Mobile licensee shall use commercially reasonable means to ensure that each patron has only one (1) online sports wagering account with that Mobile licensee. An online sports wagering account shall be –

(6) An online sports wagering account may only be funded through the following methods as approved in the licensee’s internal control system:

(E) Online and mobile payments through a money transmitter licensed under the Money Transmission Modernization Act (MTMA), sections 361.900 to 361.1035, RSMo;

(8) Funds may be withdrawn or removed from an online sports wagering account for the following:

(B) Credits to the patron’s credit or debit card;

(E) Online and mobile withdrawals through a money transmitter licensed under the Money Transmission Modernization Act (MTMA), sections 361.900 to 361.1035, RSMo;

(9) Upon any deposit, withdrawal, or adjustment, the licensee shall send a confirmation email to the patron’s registered address and shall provide a means through which a patron may contest any transaction.

(10) Adjustments shall only be made by individuals in job positions as specified in the internal control system. Adjustments shall only be made –

(A) To correct an overpayment or underpayment to an online sports wagering account due to error, regardless of whether the error was human or technological in nature;

(B) Due to a wager being canceled or deemed void;

(C) Due to the addition of test funds; or

(D) Any other reason as identified in the approved internal control system.

(11) All adjustments under five hundred dollars (\$500) shall be reviewed at least monthly by supervisory personnel as set forth in the internal control system. All adjustments of five hundred dollars (\$500) or more shall be authorized by supervisory personnel prior to being entered.

(12) The online sports wagering platform shall provide a summary statement on demand of the patron’s activity during at least the prior six (6) months. When a statement is requested, it shall be transmitted no later than five (5) calendar days after the request is made and an online sports wagering platform shall be capable of providing a summary statement of all authorized participant activity during the past two (2) years. The statement shall include, at a minimum –

(A) Deposits to the online sports wagering account;

(B) Withdrawals from the online sports wagering account;

(C) Win or loss statistics, meaning a patron’s total amount wagered minus total amount won (net win or loss);

(D) Beginning and ending account balances;

(E) Responsible gaming limit history, if applicable; and

(F) A statement regarding how patrons can obtain assistance

with gambling problems.

(13) A licensee shall reverify a patron's identification any time there is reasonable suspicion that the patron's identification has been compromised.

(14) A patron shall be allowed to withdraw the funds maintained in his or her online sports wagering account.

(A) Upon verification by the Mobile licensee, the patron's request to withdraw funds shall be honored within five (5) business days of the request.

(B) The Mobile licensee may decline to honor a patron request to withdraw funds if the licensee believes the patron engaged in either fraudulent conduct or other conduct that would put the licensee in violation of any federal, state, or local law or regulation or internal control of the licensee. In such cases, the licensee shall –

1. Provide notice to the patron of the delay in honoring the request to withdraw funds from the online sports wagering account;

2. Investigate in an expedient fashion;

3. Notify the patron of the final determination of the request to withdraw funds; and

4. Notify the commission of any investigation that confirmed fraudulent conduct.

(15) The Mobile licensee shall consider an online sports wagering account to be dormant if the patron has not logged into the account for at least five (5) years. A dormant account shall be closed by the licensee. Upon closure of a dormant account, the licensee shall make reasonable efforts to contact the account holder to return any unclaimed funds. One hundred twenty (120) days after attempting to contact the account holder, the unclaimed funds in a dormant account shall be presumed abandoned. Licensees shall remit all abandoned funds in accordance with the "Missouri Uniform Disposition of Unclaimed Property Act," section 447.500 et seq., RSMo.

(16) An online sports wagering platform shall provide a conspicuous and readily accessible method for a patron to temporarily suspend or close his or her online sports wagering account. Any remaining balance in the online sports wagering account shall be refunded within five (5) business days of the request, unless the licensee believes in good faith that the patron engaged in either fraudulent or prohibited conduct. If a patron has suspended his or her account, the licensee shall not send gaming-related electronic mail to such patron while the account is suspended.

(17) Mobile licensees shall establish test accounts for the commission to be used to test the various components and operations of the sports wagering system.

**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 45-20.330 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 816). 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. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

COMMENT #1: Craig Williams, a member of the general public, suggested amending this rule to require investigations to conclude within ninety (90) days of the day the account is suspended and if it is not, the patron shall be given the right to withdraw the funds from the account.

RESPONSE: The operator's terms and conditions will address the funds held in a suspended account. No changes have been made to the rule as a result of this comment.

COMMENT #2: Subsection (2)(A)–The Joint Committee on Administrative Rules suggested revising as the language gave the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and removed. Renumbered remaining subsections.

COMMENT #3: Section (3)–Rebecca London, with DraftKings, suggested revising the language to not require accounts be permanently suspended after five (5) additional consecutive failed ACH deposit attempts within a ten (10) minute period. She also suggested revising the language to state "...the licensee shall suspend the patron's account, pending patron actions for reinstatement."

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Subsection (4)(E)–Cory Fox, with FanDuel, suggested revising the current language to state "Prevent the removal of the online sports wagering account from the online sports wagering platform."

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Subsection (5)(A)–The Joint Committee on Administrative Rules suggested revising as the language gave the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #6: Subsections (5)(D) and (5)(E)–The Joint Committee on Administrative Rules suggested revising as the language was unclear as to what happens to the patron's funds in an account that remains suspended.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and added a new section (6) that addresses funds remaining in a suspended account.

**11 CSR 45-20.330 Online Sports Wagering Account Suspension**

(2) An online sports wagering account shall be suspended by a Mobile licensee –

(A) Upon determination that a patron is prohibited from placing any wagers with that Mobile licensee pursuant to 11 CSR 45-20.360;



(B) When a patron owes funds to the Mobile licensee;  
(C) When a Mobile licensee has suspicion of illegal activity or suspicious wagering activity; and

(D) When a Mobile licensee is conducting a responsible gaming investigation based on information obtained by the licensee.

(3) After five (5) consecutive failed ACH deposit attempts within a ten- (10-) minute time period, the licensee shall temporarily suspend the patron's account for a fraud investigation. If there is no evidence of fraud, the suspension may be lifted. After five (5) additional consecutive failed ACH deposit attempts within a ten- (10-) minute period, the licensee shall suspend the patron's account, pending patron actions for reinstatement.

(4) When an online sports wagering account is suspended, the online sports wagering platform shall –

(E) Prevent the removal of the online sports wagering account from the online sports wagering platform;

(5) A suspension may only be lifted –

(A) By order of the commission after appropriate investigation into the reason for the suspension;

(6) If a suspension is not lifted, the funds in the patron's account shall be handled in accordance with the Mobile licensee's terms and conditions.

**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 45-20.340 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 816–817). 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 two (2) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

**COMMENT #1:** Sections (1), (2), and (5)–A staff member suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Catherine Snowden, with Kambi, suggested adding SW Supplier to the purpose statement so that SW Supplier licensees can also submit a request to the commission to permit wagering on other specific athletic, sporting, and other competitive events and awards involving human participants that are not already approved by the commission.

As an SW Supplier, she said they are required to make the necessary technical changes for any new approved wagering to provide the odds to Retail and Mobile licensees.

**RESPONSE:** Retail and Mobile licensees, as the parties offering the events to be wagered upon, must submit the request for the events that they wish to offer. No changes have been made to the rule as a result of this comment.

**COMMENT #3:** Section (2)–Craig Williams, a member of the general public, suggested revising the language to allow patrons to submit a request to the commission to permit wagering on other specific athletic, sporting, and other competitive events and awards involving human participants that are not already approved by the commission.

**RESPONSE:** Retail and Mobile licensees, as the parties offering the events to be wagered upon, must submit the request that they wish to offer. No changes have been made to the rule as a result of this comment.

**11 CSR 45-20.340 Requests to Authorize Events and Competitions**

(1) Retail licensees and Mobile licensees may only accept wagers on events approved by the commission and published in the catalog of approved events.

(2) Retail licensees and Mobile licensees may submit to the commission in writing a request to permit wagering on other specific athletic, sporting, and other competitive events and awards involving human participants that are not already approved by the commission.

(5) Upon approval of a request, the commission shall notify all Retail licensees and Mobile licensees of the approval and any licensee may offer wagering on the requested sport, event, league, or competition.

**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 45-20.350 Requests to Restrict or Exclude Wagering 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 817–818). No changes have been made to the text of the proposed rule, so it is not 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 one (1) written comment on the proposed rule.

COMMENT #1: Section (2) – Jeremiah Weinstock, a Missouri constituent, suggested revising the language to allow the public a direct mechanism to note when a type of wagering is contrary to public policy and submit a request to restrict, limit, or exclude a certain type, form, or category of wagering.

RESPONSE: The public can express their concern(s) about a type, form, or category of wagering by notifying the commission, and the executive director has the authority to recommend restricting, limiting, or excluding a certain type, form, or category of wagering. No changes have been made to the rule as a result of this comment.

**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 45-20.360 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 818). 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 two (2) written comments on the proposed rule. Commission staff made two (2) comments on the proposed rule.

COMMENT #1: Sections (1) through (8) – A staff member suggested clarifying which licensees are being referenced.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Subsection (2)(B) – Craig Williams, a member of the general public, and Michael Daley, a Missouri constituent, suggested removal of this subsection.

RESPONSE: This is a requirement in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (7) – A staff member suggested revising the language to clarify the notification shall be in writing.  
RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.360 Prohibited Wagering Activity**

(1) Retail licensees and Mobile licensees shall comply with the following regarding prohibited wagering activity:

(2) Retail licensees and Mobile licensees shall not allow wagering on –

(3) Retail licensees and Mobile licensees shall not accept or redeem a prohibited wager or a wager from a prohibited person.

(4) Retail licensees and Mobile licensees shall not accept a wager from a partnership, a corporation, an association, or any other entity that is not an individual.

(5) Retail licensees and Mobile licensees shall not offer any specialized wagering propositions or set or move its wagering odds, lines, or limits in an attempt to provide a benefit to a patron, unless as part of a sports wagering promotion conducted by the licensee in accordance with the promotional rules.

(6) Retail licensees and Mobile licensees have an affirmative duty to actively prevent the placement of a wager by individuals under twenty-one (21) years of age, on the SEP List, or on the MGC Excluded Persons List. Licensees have an affirmative duty to actively prevent the redemption of a wager by individuals under twenty-one (21) years of age or any wager that was placed by an individual who was on the SEP List or MGC Excluded Persons List at the time of the wager.

(7) If a Retail licensee or Mobile licensee discovers it has accepted a prohibited wager, it shall notify the commission in writing within twenty-four (24) hours of the discovery.

(8) Any wager that was prohibited at the time it was made shall be deemed void and the amount of the wager shall be refunded by the Retail licensee or Mobile licensee and deducted from adjusted gross revenue. If the voided wager is not refunded prior to the expiration date of the ticket, the amount of the wager shall be remitted to the Gaming Commission Fund and deducted from adjusted gross revenue. If there are any winnings from the voided wager, the winnings shall be nullified.

**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 45-20.370 Personal Biometric Data Prohibition 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 818–819). No changes have been made to the text of the proposed rule, so it is not 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 no written comments on the proposed rule.



**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY**  
**Division 45 – Missouri Gaming Commission**  
**Chapter 20 – Sports Wagering**

*(\$59,520), which was submitted in the original estimate.*

**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 45-20.380 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 819–821). 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 two (2) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggest revising a portion of the language as it is unnecessary.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (6)–Daniel Rainieri, with BetMGM, suggested revising “calendar days” to “business days” to align with industry standards.

RESPONSE: Given that this industry operates 24 hours a day, using “business days” may not be clear to all parties while “calendar days” is clear. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (6)–Cory Fox, with FanDuel, suggested revising “fifteen (15) calendar days” to “thirty (30) calendar days.”

RESPONSE: Fifteen (15) calendar days is consistent with current commission procedures regarding internal control deficiencies. No changes have been made to the rule as a result of this comment.

COMMENT #4: Private Cost Statement–A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

**11 CSR 45-20.380 Internal Control System**

(1) Each Retail and Mobile licensee shall establish, maintain, and update a written internal control system that includes the following:

*REVISED PRIVATE COST: The cost to private entities is an estimated initial cost of ninety-nine thousand eight hundred forty dollars (\$99,840) and an annual cost of forty-nine thousand nine hundred twenty dollars (\$49,920) versus the estimated initial cost of one hundred nineteen thousand forty dollars (\$119,040) and an annual cost of fifty-nine thousand five hundred twenty dollars*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.380 Internal Control System
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$79,200.00
14	Mobile Licensees	\$70,560.00

**III. WORKSHEET**

Retail (11 licensees X 160 hours X \$30 per hour) for initial year	\$52,800.00
Mobile (14 licensees X 112 hours X \$30 per hour) for initial year	\$47,040.00
Retail (11 licensees X 80 hours X \$30 per hour) for each subsequent year	\$26,400.00
Mobile (14 licensees X 56 hours X \$30 per hour) for each subsequent year	\$23,520.00
<b>TOTAL</b>	<b>\$149,760.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)  
14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)  
Number of labor hours for a Retail licensee to maintain and submit internal controls during the first year of operation is 160 hours and 80 hours every subsequent year.  
Number of labor hours for a Mobile licensee to maintain and submit internal controls during the first year of operation is 112 hours and 56 hours every subsequent year.  
Mobile licensees have 30% less internal control requirements than Retail licensees.  
The labor cost per hour is \$30 per hour.

**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 45-20.390 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 822–823). 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 one (1) written comment on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (1) – A staff member suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Subparagraph (1)(C)6.C. – Cory Fox, with FanDuel, suggested revising the current language to add “online and mobile payment system that support online money transfer.”

RESPONSE: This rule only applies to retail locations. Article III, Section 39(g), of the *Missouri Constitution* only provides for online and mobile payments to be used to fund online wagering accounts. No changes have been made to the rule as a result of this comment.

COMMENT #3: Subsection (1)(D) – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.390 Internal Control System Requirements**

(1) The internal control system shall include a detailed narrative description of the Retail or Mobile licensee's sports wagering, administrative, and accounting procedures, including without limitation separate sections comprehensively describing the specific procedures that the licensee will follow in meeting the requirements of this chapter. The internal control system shall include at a minimum the following topics:

(D) Other items the commission may require to ensure the security and integrity of the sports wagering operation.

**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 45-20.400 Forms 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 823–824). No changes have been made to the text of the proposed rule, so it is not 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 no written comments on the proposed rule.

**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 45-20.410 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 824–825). 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 four (4) written comments on the proposed rule. Commission staff made two (2) comments on the proposed rule.

COMMENT #1: Sections (1)-(3) and (6)-(7) – A staff member suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (6) – Craig Williams, a member of the general public, suggested revising the language to include a requirement for operators to include in the house rules a description of wagering activity that would result in account suspension or wagering limitations.

RESPONSE: The commission may consider adding this requirement in the future. No changes have been made to the rule as a result of this comment.

COMMENT #3: Subsection (6)(K) – Rebecca London, with DraftKings, suggested revising the language to state “A definition of prohibited wagering participants” instead of “prohibited wagering activity” to provide consistency between regulatory definitions and operator-specific rules.

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised. The commission added a “description of individuals prohibited from wagering” and retained “prohibited wagering activity” because not all prohibited wagering activity is related to prohibited persons.

COMMENT #4: Paragraph (6)(L)1. – Daniel Rainieri, with BetMGM, suggested revising “calendar days” to “business days” to align with industry standards.

RESPONSE: Given that this industry operates 24 hours a day, using “business days” may not be clear to all parties while “calendar days” is clear. No changes have been made to the rule as a result of this comment.

COMMENT #5: Subsection (6)(M) – Rebecca London, with DraftKings, suggested removing this subsection as it is the operator’s responsibility to monitor, investigate, and report such activity in accordance with regulatory requirements.

RESPONSE: The house rules need to include instructions on how to report prohibited conduct, criminal behavior, and violations to the commission in the instance that a patron knows of such occurrence. No changes have been made to the rule as a result of this comment.

COMMENT #6: Private Cost Statement – A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees and to reflect projected annual costs.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees and to reflect projected annual costs.

#### 11 CSR 45-20.410 House Rules

(1) Each Retail licensee and Mobile licensee shall establish and maintain house rules and shall conduct sports wagering in accordance with its house rules.

(2) Retail licensees and Mobile licensees shall not include any content in the house rules that are inconsistent with the approved internal controls or any existing regulations.

(3) Retail licensees and Mobile licensees shall provide upon request a copy of its house rules to any patron or the commission.

(6) The house rules shall include but not be limited to –

(F) Procedures for patrons to redeem winning tickets by mail, if permitted by the Retail licensee;

(I) A list of all forms of payment the Retail licensee or Mobile licensee accepts for placement of wagers;

(K) A description of individuals prohibited from wagering and prohibited wagering activities;

(L) A description of means by which a patron may submit a complaint to the Retail licensee or Mobile licensee, including –

1. Providing a response to the complaint within ten (10) calendar days; and

2. Providing the patron information regarding how to file a written complaint with the commission if the complaint is not resolved; and

(7) Each Retail licensee and Mobile licensee shall submit a copy of its house rules and any subsequent revisions to its house rules to the commission for approval. Any house rules or amendments thereto shall be approved by the commission prior to implementation.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of fifteen thousand dollars (\$15,000) versus the estimated cost of seventeen thousand four hundred dollars (\$17,400) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety**  
**Division Title: 45 – Missouri Gaming Commission**  
**Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.410 House Rules
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$6,600.00
14	Mobile Licensees	\$8,400.00

**III. WORKSHEET**

Retail (11 licensees X 20 hours X \$30 per hour)	\$6,600.00
Mobile (14 licensees X 20 hours X \$30 per hour)	\$8,400.00
<b>TOTAL</b>	<b>\$15,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)  
 14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)  
 Number of labor hours for a Retail licensee to submit house rules is 20 hours.  
 Number of labor hours for a Mobile licensee to submit house rules is 20 hours.  
 The labor cost per hour is \$30 per hour.



**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 45-20.420 Tier One and Tier Two Wagering 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 826). No changes have been made to the text of the proposed rule, so it is not 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 one (1) written comment on the proposed rule.

COMMENT #1: Section (2)–Craig Williams, a member of the general public, suggested revising the current language to remove “If a sports governing body, headquartered in the United States, does not notify the commission of its desire to supply official league data.”

RESPONSE: This language is in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

**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 45-20.430 Official League Data 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 826–827). No changes have been made to the text of the proposed rule, so it is not 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 no written comments on the proposed rule.

**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 45-20.440 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 827–828). 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 no written comments on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (4)–The Joint Committee on Administrative Rules suggested revising the language to use the correct pronoun.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.440 Commercial Reasonableness**

(4) If the commission determines that a petition does not meet all requirements, that petition shall be rejected and it shall notify both parties.

**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 45-20.450 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 828). 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 two (2) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

COMMENT #1: Sections (1)–(5), (8)–(10), and (12)–(13)–A staff

member suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (4) – Craig Williams, a member of the general public, suggested revising the language to clarify that licensees should accept wagers unless there is a problem with the account or the patron has violated the terms and conditions with wager types that have led to account action, such as limiting.

RESPONSE: There are many legitimate reasons why operators would not accept a wager. These reasons would be included in the terms and conditions and house rules. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (4) – Craig Williams, a member of the general public, suggested revising the language to require licensees to display the maximum bet amount a patron may wager for that specific wager in the bet slip prior to submission.

RESPONSE: Prior industry feedback suggested that having to publish fixed maximum wagers in the house rules would be difficult for operators. No changes have been made to the rule as a result of this comment.

#### **11 CSR 45-20.450 Placement of Wagers**

(1) Retail licensees and Mobile licensees shall not accept any wager of any type or kind, unless the type or kind of wager and subject of the wager has been approved by the commission.

(2) Retail licensees and Mobile licensees shall not knowingly accept wagers on any event for which the outcome has already been determined. If the licensee becomes aware that a wager was placed on an event where the outcome had already been determined, the licensee shall void and refund the wager.

(3) Retail licensees and Mobile licensees shall only accept wagers on events for which –

(4) Retail licensees and Mobile licensees shall always have the right to decline to accept any wager a patron attempts to place.

(5) Retail licensees and Mobile licensees shall only accept and record wagers in United States currency. Sources of currency accepted by a licensee shall be documented in its internal control system.

(8) Retail licensees and Mobile licensees shall not accept wagers if the sports wagering system is not available.

(9) Retail licensees and Mobile licensees shall implement methods and procedures to detect and document abnormal or suspicious wagering activity. Those methods and procedures shall be documented in the internal control system.

(10) Retail licensees and Mobile licensees shall not offer a loan, credit, or advancement of anything of value to any person to take part in sports wagering either directly or through a third party.

(12) Employees or key persons of any Retail, Mobile, SW Supplier, or Official League Data Provider licensee shall not advise or encourage an individual patron to place a specific wager of any specific type, kind, subject, or amount. This restriction does not prohibit general advertising or promotional activities.

(13) Retail licensees and Mobile licensees shall not hold a patron's funds on the understanding that the licensee will accept the funds as a wager only upon the occurrence of a specified, future contingency.

### **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 45-20.460 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 829). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule.

COMMENT #1: Private Cost Statement – A staff member suggested adding a fiscal note to account for the cost of employees needed to operate a sportsbook.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and added a fiscal note to account for the cost of Retail licensees employing at least three (3) sportsbook employees.

#### **11 CSR 45-20.460 Redemption of Wagers**

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,815,000 versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.460 Redemption of Wagers
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$1,815,000.00

**III. WORKSHEET**

Retail Licensees (11 licensees x 3 employees x \$55,000 annually)	\$1,815,000.00
<b>TOTAL</b>	<b>\$1,815,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams) will need to operate a sportsbook cage 8 hours a day, 5 days a week.  
Retail licensees will need to employ at least 3 sportsbook employees.  
The cost to employ a sportsbook employee is \$55,000 annually.

**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 45-20.470 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 829–830). 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 five (5) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

**COMMENT #1:** Sections (1)–(3), (6)–(7), (10)–(11), (14), and (17) – A staff member suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Subsection (2)(D) – Rebecca London, with DraftKings, suggested revising the current language to state “An error occurs” instead of “A material change in circumstances occurs.” She stated this change would provide greater clarity and cross-jurisdictional regulatory alignment.

**RESPONSE:** Section (10) addresses errors. Additionally, the language in this rule is consistent with at least one other jurisdiction. No changes have been made to the rule as a result of this comment.

**COMMENT #3:** Paragraph (2)(D)1. – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #4:** Subsection (3)(C) – Rebecca London, with DraftKings, suggested removing the language in this subsection because it is overly restrictive and may not reflect the full scope of legitimate, justifiable reasons for cancellation.

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised to remove the requirement that the explanation include why cancelling the wager is in the best interest of the state of Missouri.

**COMMENT #5:** Sections (10) and (11) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the language in section (10) to include that wagers may be voided if the wager was placed with incorrect odds and removing section (11) in its entirety.

**RESPONSE:** An operator may obtain approval from the commission to void a wager solely because of incorrect odds, in accordance with section (11). No changes have been made to the rule as a result of this comment.

**COMMENT #6:** Section (13) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested removing this section in its entirety as it introduces additional parties to this process which may result in delayed void processing.

**RESPONSE:** This creates a proper segregation of duties. No changes have been made to the rule as a result of this comment.

**COMMENT #7:** Section (16) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested removing the requirement for a supervisor or compliance employee independent of the initial transaction to log the voided transaction.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**11 CSR 45-20.470 Cancelled and Voided Wagers**

(1) Retail licensees and Mobile licensees shall not cancel any wager except in accordance with this rule.

(2) Cancellation by a Retail licensee or Mobile licensee of an otherwise validly placed wager shall be nondiscretionary. A licensee shall only cancel a wager under the following circumstances:

(D) A material change in circumstances occurs.

1. What constitutes a material change in circumstances for a given event or wager type shall be documented in the internal control system.

2. What constitutes a material change in circumstances shall be clearly and prominently displayed to a patron at the time of placement of the wager;

(3) Retail licensees and Mobile licensees may request the commission to order the cancellation of all wagers of a specific type, kind, or subject not otherwise identified in section (2). A request to cancel shall be in writing, and contain the following:

(C) An explanation why cancelling the wagers ensures the integrity of the Missouri sports wagering industry.

(6) If the commission approves the request to cancel, the Retail licensee or Mobile licensee shall make commercially reasonable efforts to notify patrons of the cancellation.

(7) The commission has discretion to order all Retail licensees and Mobile licensees to cancel all wagers on a specific event or wagers of a specific type or kind on a specific event.

(10) A Retail licensee or Mobile licensee may declare a wager to be void if the licensee has reasonable basis to believe there was obvious error in the placement or acceptance of the wager. Those errors include but are not limited to –

(11) Retail licensees and Mobile licensees shall not void a wager solely because the wager was placed with incorrect odds without prior approval of the commission.

(14) A wagerer may request that the commission review any wager declared void by a Retail licensee or Mobile licensee. If the commission concludes there is no reasonable basis to void the wager, the commission may order the licensee to honor the wager.

(16) All voided and cancelled wagers and all refunds of any such wagers shall be logged at the time they occurred.

(17) Retail licensees and Mobile licensees shall provide a monthly summary report of all cancelled, voided, and refunded wagers to the commission.



**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 45-20.480 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 830–833). 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 two (2) written comments on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

**COMMENT #1:** Section (8) – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Sections (8)-(10) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the language to clarify that the voucher validation system may be integrated within the retail sports wagering system, as opposed to a separate system that resides at the sports wagering facility. Specifically, he suggested revising section (9) to state the database “may” reside at the Retail licensee’s facility instead of requiring it to be located at the facility.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised. Removed section (9) in its entirety. Renumbered the remaining sections.

**COMMENT #3:** Section (12) – Daniel Mulhall, with Fanatics Betting and Gaming, suggested revising the language to allow vouchers to expire one (1) year after the date of issuance.

**RESPONSE:** Vouchers are essentially the patron’s change from a transaction. They are not equivalent to tickets. No changes have been made to the rule as a result of this comment.

**COMMENT #4:** Section (25) – The Joint Committee on Administrative Rules suggested revising the language to make it consistent with 11 CSR 45-20.490 by adding “solid outer walls” and “no windows that can be opened.”

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #5:** Private Cost Statement – The Joint Committee on Administrative Rules suggested adding a fiscal note to account for the costs of constructing a vault and sportsbook cage and the cost of employing security officers.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and added a fiscal note for the construction of a vault and sportsbook cage, as well as the employment of two security officers.

**11 CSR 45-20.480 Retail Sports Wagering Locations and Operations**

(8) The Retail licensee shall ensure the voucher validation system in use at the licensee’s facility utilizes an encryption algorithm with a minimum of a 128-bit key size, password protection, or another similarly secure method approved by the commission for files and directories containing critical or sensitive data. The voucher validation system may be integrated within the retail sports wagering system. The voucher validation system shall possess a non-alterable user audit trail. The licensee shall restrict users from viewing the contents of such files and directories, which at a minimum shall provide for the following:

(9) The Retail licensee shall maintain a system manual that includes the following for the validation of vouchers:

(A) An example of each report and, if applicable, the specific regulation for which the report is used for compliance; and

(B) A list of system codes and the corresponding explanation for each code.

(10) The sports wagering system shall be capable of recording the following information for each voucher:

A) Amount of the voucher;

(B) Date, time, and location of issuance;

(C) Unique voucher identifier used for redemption, at least three (3) digits of which shall be masked on all system menus, printed reports, and displays for all unredeemed vouchers; and

(D) Date, time, and location of redemption, if applicable.

(11) Vouchers shall not expire in the system and shall have no expiration date printed on them. Vouchers may, on their reverse, contain wording which indicates vouchers that cannot be validated may be considered void.

(12) The internal controls shall include procedures for when a kiosk is unable to print a voucher upon patron request.

(13) Patrons may redeem vouchers at ticket writer windows, wagering kiosks, or redemption kiosks for the specific amount of the voucher.

(14) Cash received by or paid out from a ticket writer window shall be spread on the counter in full view of the patron and within the dedicated surveillance coverage.

(15) The sports wagering system shall prevent a voucher from being redeemed more than once.

(16) A voucher shall only be redeemed the first time it is presented for redemption.

(17) All vouchers redeemed at a ticket writer window shall be forwarded to revenue audit on a daily basis.

(18) Once the validation information is stored in the database, the data may not be altered in any way. No job position shall have system access to view full validation numbers unless approved in the internal control system. Approved positions shall have a segregation of duties, ensuring those positions do not have the ability to redeem vouchers for cash. Any kiosk or system hardware on the kiosk that holds ticket information shall not have any options or methods that would allow for viewing of the full validation number prior to redemption.

(19) The Retail licensee shall maintain a record of “voucher liability” for vouchers that have been issued but not yet redeemed, which shall be stored in the system for not less than



five (5) years from the date of issuance of the voucher, provided that –

(A) Any unredeemed voucher removed from the system shall be stored and controlled in a manner approved by the commission;

(B) Prior to redemption the complete validation number of the unredeemed voucher shall only be available to the system and the positions approved in the internal controls; and

(C) Any unredeemed voucher which is abandoned, lost, or unclaimed shall be disposed of in accordance with sections 447.500 through 447.595, RSMo, and once delivered to the Missouri State Treasurer shall have its status changed to “redeemed” in the voucher validation system. Vouchers shall not be delivered until at least five (5) years have passed since the date of issuance. The detailed records of any unredeemed vouchers shall not be destroyed until the unredeemed liability has been delivered to the Missouri State Treasurer.

(20) Vouchers shall not be manually added to the voucher validation system for any reason.

(21) Vouchers shall not be issued by employees.

(22) Each sportsbook cage shall be designed and constructed to provide maximum security for the materials stored and the activities performed therein. Such design and construction shall be approved by the commission.

(23) Each ticket writer station shall contain –

(A) A ticket writer’s drawer and terminal through which financial transactions related to sports wagering will be conducted;

(B) Manually triggered silent alarm systems, which shall be connected directly to the surveillance monitoring room; and

(C) Fixed physical barriers sufficient to prevent unauthorized access, unless funds in excess of twenty thousand dollars (\$20,000) are either secured in a locked drop safe approved by the commission or transferred to the vault.

(24) Each Retail licensee shall have a secure location, known as the vault, for the purpose of storing funds to be used in the operation of a sportsbook. The vault shall –

(A) Be a fully enclosed room with solid outer walls and no windows that can be opened, located in an area not open to the public;

(B) Have a metal door with a locking mechanism;

(C) Have an alarm device that signals the surveillance department whenever the door to the vault is opened; and

(D) Have clear, glass-like tables, if the vault is used to count the kiosk drop.

(25) All transactions with the vault shall be supported by documentation, except for even exchanges of currency of one hundred dollars (\$100) or less.

(26) All transfers of funds of more than five hundred dollars (\$500) shall be escorted by security and observed by surveillance.

(27) A sportsbook cage shall have an operating balance not to exceed an amount described in the internal controls. Funds in excess of the operating balance shall be transferred to the vault at the end of each shift in a secured, locked container by an employee of the sportsbook cage escorted by a security officer. Prior to transporting the funds, security shall notify surveillance that the transfer will take place. Surveillance

shall monitor the transfer. The funds shall be transferred with appropriate documentation.

(28) At the end of each shift, the outgoing vault cashier shall count the vault inventory, record the inventory detail and the total inventory on a vault accountability form, and sign the form. The vault cashier shall also record the opening balance, the amount of each type of accountability transaction, the closing balance, and any variance between the counted inventory and the closing balance.

(29) The assets for which each ticket writer is responsible shall be maintained on an imprest basis. A ticket writer shall not permit any other person to access his or her imprest inventory. A ticket writer shall begin a shift with an imprest amount of currency and coin to be known as the sports wagering inventory. No funds shall be added to, or removed from, the sports wagering inventory during such shift, except –

(A) In collection of sports wagers;

(B) In order to make change for a patron buying a ticket;

(C) In payment of winning tickets;

(D) In payment for sports wagering vouchers;

(E) In transfers with the sports wagering vault; or

(F) To refund a voided or cancelled wager.

(30) Retail licensees shall not accept or cash checks.

(31) A sports wagering count sheet shall be completed for the inventory issued to a ticket writer and signed by the sports wagering supervisor, and the following information, at a minimum, shall be recorded thereon at the commencement of a shift:

(A) The date, time, and shift of preparation;

(B) The denomination of currency and coin in the sports wagering inventory issued to the ticket writer;

(C) The total amount of each denomination of currency and coin in the sports wagering inventory issued to the ticket writer;

(D) The sports wagering station number to which the ticket writer is assigned; and

(E) The signature of the sports wagering supervisor.

(32) A ticket writer assigned to a ticket writer station shall, at the beginning of his or her shift, count and verify the sports wagering inventory at the sports wagering vault or other approved location and shall agree the count to the sports wagering count sheet. The ticket writer shall sign the count sheet attesting to the accuracy of the information recorded thereon. The sports wagering inventory shall be placed in a secured ticket writer’s drawer, transported directly to the appropriate ticket writer station by the ticket writer. The ticket writer’s original sports wagering count sheet shall be placed in and remain in the ticket writer’s drawer until the conclusion of the shift. The ticket writer’s drawer shall be secured when the ticket writer is not present in the sportsbook.

(33) Whenever funds are transferred from the vault to a ticket writer, the vault cashier responsible for the vault shall prepare a two- (2-) part writer transfer-out form. Upon completion of the form, the duplicate shall be retained by the vault cashier and the original shall be retained by the ticket writer. The form shall include, at a minimum, the –

(A) Date and time of the transfer;

(B) Designation of the vault location;

(C) Ticket writer station to where the funds are being transferred;

- (D) Amount of each denomination being transferred;
- (E) Total amount of the transfer;
- (F) Signature of the vault cashier verifying and issuing the funds; and
- (G) Signature of the ticket writer verifying and receiving the funds.

(34) Whenever funds are transferred from the ticket writer to a vault, a two- (2-) part writer transfer-in form shall be prepared. Upon completion of the form, the original shall be immediately transferred with the funds to the vault and the duplicate shall be retained by the ticket writer. The form shall include, at a minimum, the –

- (A) Date and time of the transfer;
- (B) Designation of the vault location to where the funds are being transferred;
- (C) Ticket writer station from which the funds are being transferred;
- (D) Amount of each denomination of cash and currency being transferred;
- (E) Total amount of the transfer;
- (F) Signature of the ticket writer verifying and sending the funds to the vault; and
- (G) Signature of the vault cashier verifying and receiving the funds.

(35) At the conclusion of a ticket writer's shift, the content in the ticket writer's drawer shall be transported directly to the vault or to a location approved by the commission, where the ticket writer shall count the contents and record the following information, at a minimum, on the sports wagering count sheet:

- (A) The date, time, and shift of preparation;
- (B) The denomination of currency, coin, and coupons in the drawer;
- (C) The total amount of each denomination of currency, coin, and coupons in the drawer;
- (D) The total of the writer transfer-out forms;
- (E) The total of the writer transfer-in forms;
- (F) The total amount in the drawer; and
- (G) The signature of the ticket writer.

(36) The sports wagering supervisor shall compare the ticket writer system closing balance to the sports wagering count total, record any over or short amount, and sign the sports wagering count sheet.

(37) If the sports wagering count sheet lists an overage or shortage, the ticket writer and the sports wagering supervisor shall attempt to determine the cause of the discrepancy in the count. If the discrepancy cannot be resolved, such discrepancy shall be reported to the surveillance department and the sports wagering manager or department supervisor in charge at such time. Any discrepancy in excess of five hundred dollars (\$500.00) shall be reported to the commission. The report shall include the following:

- (A) Date;
- (B) Shift;
- (C) Name of the ticket writer;
- (D) Name of the supervisor;
- (E) Station number; and
- (F) Amount of the discrepancy.

(38) The premises where any sports wagering or any sports wagering activity is being conducted shall be open for inspection by the commission.

*REVISED PRIVATE COST: The cost to private entities is an estimated initial cost of \$1,489,200 and an annual cost of \$1,320,000 versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety**  
**Division Title: 45 – Missouri Gaming Commission**  
**Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.480 Retail Sports Wagering Locations and Operations
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$2,809,200.00

**III. WORKSHEET**

Retail Licensees (11 licensees x \$35,000 construction cost for vault)	\$385,000.00
Retail Licensees (7 retail licensees x \$600 clear glass table in vault)	\$4,200.00
Retail Licensees (11 licensees x \$100,000 for sportsbook cage)	\$1,100,000.00
Retail Licensees (11 licensees x 2 security officers x \$60,000 annually)	\$1,320,000.00
<b>TOTAL</b>	<b>\$2,809,200.00</b>

**IV. ASSUMPTIONS**

11 Retail Sports Wagering Operators (9 casinos and 2 sports teams) will need to construct a vault. The estimated cost of constructing a vault is \$35,000.

7 Retail Sports Wagering Operators (2 sports teams and 5 operators partnered with casinos) will need to purchase a clear table in order to conduct the count in the vault. The estimated cost of the table is \$600.

11 Retail Sports Wagering Operators will need to construct a sportsbook cage. The estimated cost of constructing the sportsbook cage is \$100,000. This cost includes panic alarms, windows, drawers, cabinets, countertops, physical barriers, and other necessary equipment.

11 Retail Sports Wagering Operators (2 sports teams and 9 casinos) will need to employ 2 security officers.

The annual cost to employ a security officer is estimated to be \$60,000.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY  
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*the original estimate.*

**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 45-20.490 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 833–834). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

COMMENT #1: Sections (1) and (2) – A staff member suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (2) – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #3: Private Cost Statement – The Joint Committee on Administrative Rules suggested adding a fiscal note to account for required equipment and employees required for the drop and count.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and added a fiscal note for jumpsuits and employees required for the drop and count.

**11 CSR 45-20.490 Mandatory Drops**

(1) Retail licensees shall drop and count the licensee's gross receipts from sports wagering at least once every seven (7) calendar days.

(2) Retail licensees shall report to the commission the time(s) when the required drop devices of kiosks will be removed and the contents counted. All drop devices shall be removed and counted at the time(s) previously designated to the commission. Removal and counting of contents at any time(s) other than the designated time(s) is prohibited unless the licensee provides advance written notice to the commission of a change in time(s). An emergency removal of the funds may only be conducted due to a drop device malfunction or full drop device and shall be conducted in accordance with the approved internal controls.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of one hundred forty-three thousand seven hundred dollars (\$143,700) versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety**  
**Division Title: 45 – Missouri Gaming Commission**  
**Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.490 Mandatory Drops
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$143,700.00

**III. WORKSHEET**

Retail Licensees (7 licensees x 2 jumpsuits x \$50 per jumpsuit)	\$700.00
Retail Licensees (11 licensees x 2 employees x 5 hours per week x 52 weeks x \$25 per hour)	\$143,000.00
<b>TOTAL</b>	<b>\$143,700.00</b>

**IV. ASSUMPTIONS**

7 Retail Licensees (2 sports teams and 5 operators partnered with casinos) will need to purchase 2 jumpsuits.  
The estimated cost per jumpsuit is \$50.  
The jumpsuits will need to be replaced annually.  
11 Retail Licensees (2 sports teams and 9 casinos) will need to pay 2 employees \$25 per hour for approximately 5 hours per week.



**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 45-20.500 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 834–835). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made two (2) comments on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Subsection (5)(F)–Cory Fox, with FanDuel, suggested revising the language to limit the requirement to “tax workpapers related to any Missouri gaming tax return used in the preparation of the Missouri state or federal tax return.”

RESPONSE: The rule requires licensees to maintain detailed, supporting, and subsidiary records. During licensing investigations, the commission may review this documentation. This information would be confidential. No changes have been made to the rule as a result of this comment.

COMMENT #3: Subsection (5)(K)–The Joint Committee on Administrative Rules suggested revising the language to reference federal law in general, instead of noting the specific law.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.500 Accounting Records**

(1) Retail and Mobile licensees shall maintain complete, accurate, legible, and permanent records of all transactions pertaining to its revenues, expenses, assets, liabilities, and equity.

(5) The detailed, supporting, and subsidiary records shall include at a minimum the following:

(K) Records required to fully comply with all federal financial recordkeeping as required by federal law;

**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 45-20.510 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 835). 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 no written comments on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Sections (1) and (2)–The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

**11 CSR 45-20.510 Record Retention**

(1) Retail licensees and Mobile licensees shall maintain in a place, secure from theft, loss, or destruction, adequate records of business operations and all records noted in this chapter or the internal control system that shall be made available to the commission upon request. These records shall be maintained for five (5) years or longer if otherwise prescribed by general accounting and auditing procedures, litigation needs, or state or federal law. These records shall be maintained either physically or digitally in a manner accessible to the commission.

(2) Retail licensees and Mobile licensees shall keep accurate, complete, and legible records of any books, records, or documents pertaining to, prepared in, or generated by the sports wagering operation, regardless of physical form, characteristics, or subject matter. Such records shall include but are not limited to all forms, reports, accounting records, ledgers, subsidiary records, computer maintained and generated data, internal audit records, internal control records, patron complaints, copies of all promotional material and advertising, correspondence, and personnel records.

**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 45-20.520 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 835–836). 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 two (2) written comments on the proposed rule. The Joint Committee on Administrative Rules made four (4) comments on the proposed rule.

**COMMENT #1:** Sections (1), (4), and (6)–(9) – The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Section (1) – The Joint Committee on Administrative Rules suggested revising as the language is unclear as to what was required by prescribing the transmission and format.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #3:** Section (1) – Rebecca London, with DraftKings, suggested revising this section to make the last sentence subsection (1)(A).

**RESPONSE:** Making this a subsection does not change the meaning or clarity of the rule. No changes have been made to the rule as a result of this comment.

**COMMENT #4:** Section (8) – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #5:** Section (8) – Rebecca London, with DraftKings, suggested revising the language to state “A remediation report and necessary revenue adjustments shall be due within thirty (30) calendar days...” instead of stating “The revised filing shall be due within thirty (30) calendar days....”

**RESPONSE:** The intent of the rule is to obtain the corrected annual report. No changes have been made to the rule as a result of this comment.

**COMMENT #6:** Private Cost Statement – The Joint Committee on Administrative Rules suggested adding a fiscal note to account for the cost of preparing annual reports and monthly statistical data reports.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and added a fiscal note to account for the cost of preparing annual reports and monthly statistical data reports.

## 11 CSR 45-20.520 Standard Financial and Statistical Records

(1) Retail licensees and Mobile licensees shall file monthly reports of statistical data and annual reports of their financial statements with the commission using electronic transmission as prescribed in this rule. Financial statements shall include a balance sheet, income statement, statement of cash flows, and statement of changes in equity.

(4) Annual reports shall be based on the Retail licensee’s or Mobile licensee’s fiscal year. Monthly statistical reports shall be based on calendar months.

(6) Retail licensees and Mobile licensees shall submit any adjustments to the reports resulting from review or audit by the commission within five (5) business days after written notification.

(7) Delays in electronic transmissions are the Retail licensee’s or Mobile licensee’s responsibility.

(8) Any adjustments resulting from the annual audit performed by an independent certified public accountant shall be recorded in the accounting records of the period to which it relates. In the event that the adjustments were not reflected in the Retail licensee’s or Mobile licensee’s annual report and the independent certified public accountant concludes the adjustments are material, a revised report shall be submitted to the commission. The revised filing shall be due within thirty (30) calendar days after written notification to the licensee.

(9) Retail licensees and Mobile licensees shall furnish to the commission, upon its written request, statistical and financial data for the purpose of compiling, evaluating, and disseminating financial information regarding the economics and trends within the sports wagering industry in Missouri.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of four hundred twenty thousand dollars (\$420,000) versus the estimated cost of less than five hundred dollars (\$500) in the aggregate, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

**I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.520 Standard Financial and Statistical Records
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$126,000.00
14	Mobile Licensees	\$294,000.00

**III. WORKSHEET**

Retail (11 licensees x \$500 per monthly statistical data report x 12 months)	\$66,000.00
Mobile (14 licensees x \$500 per monthly statistical data report x 12 months)	\$84,000.00
Retail (4 licensees x \$15,000 per annual report)	\$60,000.00
Mobile (14 licensees x \$15,000 per annual report)	\$210,000.00
<b>TOTAL</b>	<b>\$420,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams) will each spend \$500 per month preparing the statistical data report.

14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding a direct license) will each spend \$500 per month preparing the statistical data report.

4 Retail licensees will spend \$15,000 per year preparing the annual report. These 4 Retail licensees will be a separate entity from the Mobile licensees and will therefore prepare and submit separate annual reports.

14 Mobile licensees will spend \$15,000 per year preparing the annual report. 7 of these operators will prepare and submit annual reports that encompass their retail operations as well.

**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 45-20.530 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 836–837). 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 no written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Sections (1) and (3)–The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Private Cost Statement–A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

**11 CSR 45-20.530 Annual and Special Audits and Other Reporting Requirements**

(1) An annual audit shall be performed of the annual financial statements of the Missouri sports wagering operation of each Retail and Mobile licensee. If a licensee has audited financial statements prepared at the parent company level, the licensee shall include with its audited consolidated financial statements a supplemental schedule, which may be unaudited, of the licensee's sports wagering operations in Missouri. The annual audit shall be performed by an independent certified public accountant who is or whose firm is licensed in the state of Missouri.

(3) The commission may require, for just cause, a special audit of a Retail or Mobile sports wagering operation to be conducted by an independent certified public accountant who is, or whose firm is, licensed in Missouri. The commission shall establish the scope, procedures, and reporting requirements of any special audit.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,250,000 versus the estimated annual cost of \$1,450,000, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.530 Annual and Special Audits and Other Reporting Requirements
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$550,000.00
14	Mobile Licensees	\$700,000.00

**III. WORKSHEET**

Retail (11 licensees X \$50,000 per annual audit)	\$550,000.00
Mobile (14 licensees X \$50,000 per annual audit)	\$700,000.00
<b>TOTAL</b>	<b>\$1,250,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)  
14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)  
The cost of the contract with a certified public accountant to perform the annual audit is \$50,000 (250 hours X \$200 per hour).



**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 45-20.540 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 838). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (2)–The Joint Committee on Administrative Rules suggested revising to specify where the electronic funds transfer requirements imposed by the state can be found.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (6)–Rebecca London, with DraftKings, suggested revising the current language to clarify whether this includes discretionary customer credits.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to remove this section, as Article III, Section 39(g), of the *Missouri Constitution* already states when promotional credits may be deducted. Renumbered the remaining sections.

**11 CSR 45-20.540 Wagering Tax**

(2) Wagering taxes shall be paid via an electronic funds transfer system employing an Automated Clearing House Debit method (ACH-Debit). Each Retail and Mobile licensee shall maintain an account with sufficient funds to pay, in a timely fashion, all tax liabilities due. The account shall be maintained at a financial institution capable of making electronic funds transfer payments to the state.

(6) If the amount of adjusted gross revenue in a calendar month is a negative number, the licensee shall remit no sports wagering tax for that calendar month. Any negative adjusted gross revenue shall be carried over and calculated as a deduction in the subsequent calendar months until the negative balance has been brought to zero.

(7) The sports wagering tax remittance shall include all information necessary for adjustments and reconciliation of tax liability and shall be subject to audit by the commission. Adjustments to previously reported tax information shall be made by the licensee, except that no adjustment of twenty-five thousand dollars (\$25,000) or more shall be made to previously reported adjusted gross revenue without the prior written approval of the commission.

**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 45-20.550 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 838–842). 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 twelve (12) written comments on the proposed rule. Commission staff made four (4) comments on the proposed rule.

COMMENT #1: Section (4)–Rebecca London, with DraftKings, requested clarification as to whether this section applies only to Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to specifically reference Retail licensees.

COMMENT #2: Section (10)–Rebecca London, with DraftKings, suggested revising this section to remove Mobile licensees from the requirements.

RESPONSE: Mobile licensees have electronic tickets and audits of these are necessary for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (10)–A staff member suggested revising the language to require a monthly review instead of daily.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised daily to monthly.

COMMENT #4: Sections (10) and (13)–Daniel Rainieri, with BetMGM, suggested revising these sections to remove Mobile licensees from these requirements.

RESPONSE: Mobile licensees have electronic tickets that need to be audited and system exception reports that need to be reviewed for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #5: Section (13)–A staff member suggested revising the language to require a weekly review instead of daily.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised daily to weekly.

COMMENT #6: Section (14)–Daniel Rainieri, with BetMGM, suggested revising the current language to clarify if the monthly attestation needs to be submitted on a specific day of the month and if a specific format will be required.

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised to clarify when the attestation shall be remitted. No change was made requiring a specific format.

COMMENT #7: Section (16) – A staff member suggested revising the language to reference federal law in general, instead of noting the specific law.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #8: Section (17) – Rebecca London, with DraftKings, requested confirmation that Mobile licensees are not required to maintain separate documentation for each promotion offered because Mobile platforms automatically document the requested information.

RESPONSE: This rule does not require duplicate or separate documentation. It requires that Mobile licensees maintain, in a manner consistent with their respective platforms, the necessary information regarding promotions. No changes have been made to the rule as a result of this comment.

COMMENT #9: Section (18) – Rebecca London, with DraftKings, suggested revising the current language to remove Mobile licensees from the requirements of this rule as Mobile licensees operate with automated systems that are programmed to enforce promotional terms, track user eligibility, and execute payouts in accordance with preset conditions.

RESPONSE: Preset conditions are still subject to human error and, as Retail and Mobile licensees may take deductions based on promotional activity, it is necessary to ensure that promotions are run according to the promotional rules. No changes have been made to the rule as a result of this comment.

COMMENT #10: Section (19) – Rebecca London, with DraftKings, suggested specifying that this section pertains only to Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to note this addresses sensitive keys for Retail licensees.

COMMENT #11: Section (20) – Rebecca London, with DraftKings, suggested revising the current language to remove Mobile licensees from the requirements of this rule as mobile platforms operate through automated systems that log all activity digitally and include audit trails, account status changes, and system exceptions.

RESPONSE: While mobile platforms are highly automated and digitized, human input is still present and confirming the accuracy of point addition/deletion, exception reports, and account statuses is necessary for the integrity of the sports wagering operation. No changes have been made to the rule as a result of this comment.

COMMENT #12: Subsection (20)(C) – Daniel Rainieri, with BetMGM, suggested revising the current language to replace requiring two employees to review an inactive account, and instead apply the Mobile license's patron reactivation procedures noted in the Mobile license's internal controls.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #13: Section (21) – Rebecca London, with DraftKings, suggested removal of this section as it is duplicative of existing regulatory frameworks and Gaming Laboratories International (GLI) testing.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised this section in its entirety. Renumbered remaining section.

COMMENT #14: Section (21) – Adam Kates, with PENN Entertainment, requested clarification as to whether third-party testing would be compliant with this section.

RESPONSE: This section has been removed. No changes have

been made to the rule as a result of this comment.

COMMENT #15: Section (22) – Rebecca London, with DraftKings, suggested revising the language to only apply to Retail licensees.

RESPONSE: Audit procedures for both Retail and Mobile licensees shall be documented. No changes have been made to the rule as a result of this comment.

COMMENT #16: Private Cost Statement – A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

#### **11 CSR 45-20.550 Procedures for Accounting and Revenue Audit**

(4) Any overages identified on the Retail licensee's sports wagering intake summary report shall be added to sports wagering revenue, unless otherwise authorized by the tax section of the commission.

(10) For Retail and Mobile licensees, a revenue auditor or compliance employee shall, on a monthly basis, perform the following for all winning tickets in excess of ten thousand dollars (\$10,000) and for a random sample of ten (10) of all other winning tickets:

(13) For Retail and Mobile licensees, on a weekly basis, system exception reports shall be reviewed, by an individual independent of the transaction, for propriety of transactions and unusual occurrences including but not limited to changes in odds, cut-off times, results, and event data (both information input by book employees and information provided directly by a disseminator); in-progress events and void authorizations. All noted improper transactions or unusual occurrences noted during the review of exception reports shall be investigated with the results documented. If a regulatory violation is found, it shall be reported to the commission. An exception report is defined as a report produced by the computerized system identifying unusual occurrences, changes to system configuration parameters, alteration to initially recorded data, voids, etc.

(14) For the last day of each month, Retail and Mobile licensees shall verify the cash reserve meets all requirements of this chapter. By the fifteenth day of the following month, each licensee shall remit to the commission a monthly attestation of the cash reserve compliance with accompanying documentation.

(16) For Retail licensees, revenue audit or compliance personnel shall, on a daily basis, review all wagering multiple transaction logs and either ensure that Currency Transaction Reports (CTRs) have been completed for all reportable transactions or prepare CTRs for all reportable transactions pursuant to federal law.

(19) Sensitive keys for Retail licensees include but are not limited to keys used to access designated nonpublic gaming areas, date and time stamping machines, ticket writer drawers, and kiosks. Quarterly, an inventory of all sensitive keys shall be performed and reconciled to records of keys made, issued, and destroyed. Investigations shall be performed for all keys unaccounted for, with the investigations being documented.

(20) For sports wagering computerized player tracking systems for Retail and Mobile, an accounting or revenue audit employee shall perform the following procedures at least one (1) day per quarter:

(C) Review the documentation related to reactivating inactive and closed accounts to verify an employee reviewed the inactive account and affirmed that the account is permitted to be reopened prior to reopening.

(21) Documentation (e.g., log, checklist, notation on reports, and tapes attached to original documents) shall be maintained evidencing the performance of sports wagering audit procedures, including any reviews, the exceptions noted, and follow-up of all audit exceptions.

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of \$1,135,000 versus the estimated annual cost of \$1,395,000, which was submitted in the original estimate.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.550 Procedures for Accounting and Revenue Audit
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$715,000.00
14	Mobile Licensees	\$420,000.00

**III. WORKSHEET**

Retail (11 licensees X \$65,000 annually)	\$715,000.00
Mobile (14 licensees X \$30,000 annually)	\$420,000.00
<b>TOTAL</b>	<b>\$1,135,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)  
14 Mobile licensees (6 casino parent companies, 6 sports teams, and 2 sports wagering operators holding direct Mobile licenses)  
Each Retail licensee will need to employ one Revenue Auditor to perform required reviews.  
The cost for a Retail licensee to employ one Revenue Auditor will be \$65,000 per year, including benefits.  
Each Mobile licensee will need to employ one Revenue Auditor or Compliance Representative on a part-time basis to perform required reviews.  
The cost for a Mobile licensee to employ one Revenue Auditor or Compliance Representative part-time will be \$30,000 per year.

**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 45-20.560 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 843–844). 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 no written comments on the proposed rule. Commission staff made two (2) comments on the proposed rule.

COMMENT #1: A staff member suggested revising the title of the rule to clarify that it only applies to the internal audit procedures for Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Private Cost Statement – A staff member suggested revising the fiscal note to reflect the new anticipated number of Retail licensees.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised the fiscal note to change the number of Retail licensees.

**11 CSR 45-20.560 Internal Audit Procedures for Retail Licensees**

*REVISED PRIVATE COST: The cost to private entities is an estimated annual cost of nine hundred ninety thousand dollars (\$990,000) versus the estimated annual cost of \$1,350,000, which was submitted in the original estimate.*



**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11 – Department of Public Safety  
Division Title: 45 – Missouri Gaming Commission  
Chapter Title: 20 – Sports Wagering**

<b>Rule Number and Title:</b>	11 CSR 45-20.560 Procedures for Internal Audit
<b>Type of Rulemaking:</b>	Final Order of Rulemaking for a Proposed Rule with Changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11	Retail Licensees	\$990,000.00

**III. WORKSHEET**

Retail (11 licensees X \$90,000 for one Internal Auditor)	\$990,000.00
<b>TOTAL</b>	<b>\$990,000.00</b>

**IV. ASSUMPTIONS**

11 Retail licensees (9 casinos and 2 sports teams)  
Each Retail licensee will need to employ one Internal Auditor to perform required reviews.  
The annual cost to employ one Internal Auditor will be \$90,000.

**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 45-20.570 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 845–846). 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 six (6) written comments on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

**COMMENT #1:** Sections (1), (3)–(8), and (10)–(12)–The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #2:** Section (4)–Daniel Rainieri, with BetMGM, suggested revising the language to clarify material terms and conditions for promotions and outline exceptions to sizing limitations.

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised to further clarify what material conditions include.

**COMMENT #3:** Subsection (6)(A)–Rebecca London, with DraftKings, requested clarification as to whether this subsection means the date and time the promotion was made publicly available.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #4:** Section (10)–Daniel Rainieri, with BetMGM, suggested revising the language regarding how patrons may view the terms and conditions of a promotion.

**RESPONSE:** This language is in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

**Comment #5:** Section (12)–John Mehaffey, a member of the general public, suggested revising the language to prohibit affiliate marketing businesses from receiving payment based on the number of patrons acquired.

**RESPONSE:** This rule is consistent with marketing restrictions in other jurisdictions. No changes have been made to the rule as a result of this comment.

**COMMENT #6:** Section (13)–A staff member suggested removing this section as this language is in Article III, Section 39(g), of the *Missouri Constitution*.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and removed.

**COMMENT #7:** Section (13)–Adam Kates, with PENN Entertainment, requested clarification as to whether promotions may not be shown when a patron is located within a sports district.

**RESPONSE:** This section has been removed as this language is duplicative of language in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

**COMMENT #8:** Section (13)–Rebecca London, with DraftKings, requested clarification as to how this section would be enforced.

**RESPONSE:** This section has been removed as this language is duplicative of language in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

**11 CSR 45-20.570 Promotions and Marketing**

(1) Retail licensees and Mobile licensees may offer sports wagering promotions, which are any events designed to attract patrons. Promotions include but are not limited to contests, drawings, games, player reward programs, coupons, giveaways, free play, and promotional credit offers. Licensees shall be responsible for the conduct of promotional activities.

(3) Retail licensees and Mobile licensees shall create and maintain dated, written rules governing each promotion offered. The written rules shall –

(4) Retail licensees and Mobile licensees shall ensure advertising materials for promotions include material terms and conditions for that promotion and have those material terms in close proximity to the headline claim of the promotion and in a reasonably prominent size. Material conditions include information about the cost to participate and the nature of the promotion, to assist patrons in understanding the terms and conditions of the promotion.

(5) Retail licensees and Mobile licensees shall ensure the promotional rules pertaining to any available promotions are accessible to patrons and the commission upon request. Any advertisement or information provided to patrons for a promotion shall be consistent with the rules of the promotion.

(6) Retail licensees and Mobile licensees shall maintain a record of all promotional wagering offers for five (5) years in a file that shall be provided to the commission upon request. All promotional wagering offers shall be stated in clear and unambiguous terms and shall be readily accessible by the patron before and after the offer is accepted and prior to completion. Offer terms and the record of all offers shall include at a minimum –

(A) The date and time made publicly available;

(7) Retail licensees and Mobile licensees shall be responsible for the content and conduct of any and all advertising or marketing done on its behalf or to its benefit whether conducted by the licensee, an employee or agent of the licensee, an affiliated entity, or a third party pursuant to contract.

(8) Retail licensees and Mobile licensees shall retain a copy of all advertising and marketing materials intended to promote any sports wagering operation in the state of Missouri, including a publication log, to be retained for five (5) years, of when and how those materials have been published, aired,

displayed, or distributed.

(10) Retail licensees and Mobile licensees shall use commercially and technologically reasonable means to ensure marketing and advertisements –

(11) All advertising and marketing materials published, aired, displayed, or distributed by or on behalf of any Retail licensee or Mobile licensee –

(12) Retail licensees and Mobile licensees shall not enter into an agreement with a third party to conduct advertising or marketing on behalf of, or to the benefit of, the licensee when compensation is dependent on, or related to, the volume or outcome of wagers instead of the number of patrons acquired.

**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 45-20.580 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 846–847). 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 five (5) written comments on the proposed rule.

COMMENT #1: Section (2)–Daniel Mulhall, with Fanatics Betting and Gaming, requested revising the language to offer hourly limits instead of weekly and monthly. Additionally, he suggested revising subsection (2)(D) for clarification to state “Total dollar amount of wagers.”

RESPONSE AND EXPLANATION OF CHANGE: Partially agreed and revised to clarify that the items listed in section (2) are minimum requirements. Article III, Section 39(g), of the *Missouri Constitution*, requires licensees to offer the limits identified by this section; however, licensees may offer additional limits, such as hourly.

COMMENT #2: Section (2)–Rebecca London, with DraftKings, requested clarification on whether licensees are required to offer all limit categories listed (daily, weekly, and monthly) for each category outlined in the regulation or whether compliance is satisfied by offering one or more of these options per category.

RESPONSE: Article III, Section 39(g), of the *Missouri Constitution* states “limits in a daily, weekly, or monthly manner.” Therefore, an operator must offer all three limits (daily, weekly, or monthly) for categories (A) through (D). No changes have been made to the rule as a result of this comment.

COMMENT #3: Section (3)–Rebecca London, with DraftKings, suggested revising the language to clarify that more restrictive limits must be completed before a patron can select a less restrictive limit or removal of a limit.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Section (5)–Rebecca London, with DraftKings, suggested revising this section to clarify whether patrons could select custom periods of temporary suspension.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised to clarify that each operator can offer selected periods for suspensions consistent with its terms and conditions.

COMMENT #5: Section (7)–Adam Kates, with PENN Entertainment, requested clarification as to whether the marketing restriction in this section applies only to self-excluded and cool-off individuals, or if marketing materials are not to be sent to individuals who set deposit limits or wager limits.

RESPONSE: This section applies to individuals utilizing temporary suspensions, not individuals who have placed limits but still participate in wagering. No changes have been made to the rule as a result of this comment.

**11 CSR 45-20.580 Responsible Gaming**

(2) The online sports wagering platform shall allow, at a minimum, a patron to place daily, weekly, or monthly limits on –

(3) A limitation selected by a patron shall remain in effect until a patron requests to modify or remove the limitation. If the request is more restrictive, it shall become effective immediately. If the request is less restrictive or is for removal of the limit, the new limit or removal will only become effective after the more restrictive limit has elapsed.

(5) Patrons shall be permitted to determine the length of time of the temporary suspension, consistent with the Mobile licensee’s terms and conditions, but no such suspension shall be imposed for less than seventy-two (72) hours or greater than one (1) year. The temporary suspension shall not be modified or removed until the selected period of suspension has expired.

**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 45-20.590 Compulsive Gaming Prevention Fund 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 847). No changes have been made to the text of the proposed rule, so it is not 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 two (2) written comments on the proposed rule.

**COMMENT #1:** Subsection (1)(A) – Cole Wogoman, with the National Council on Problem Gambling, suggested revising the language to state “Researching and detecting patterns of compulsive gambling as well as the prevalence of gambling addiction in the state and the best methods to decrease said prevalence.”

**RESPONSE:** This is language from Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

**COMMENT #2:** Cole Wogoman, with the National Council on Problem Gambling, suggested changing the “Compulsive Gaming Prevention Fund” to the “Compulsive Gambling Prevention Fund” or “Problem Gambling Prevention Fund.” He also suggested using the terminology “problem gambling” instead of “problem gaming.”

**RESPONSE:** This is the name of the fund and terminology used in Article III, Section 39(g), of the *Missouri Constitution*. No changes have been made to the rule as a result of this comment.

## **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 45-20.600 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 847–848). 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 seven (7) written comments on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

**COMMENT #1:** Section (2) – Rebecca London, with DraftKings, suggested revising the time frame for exclusion to include options for one (1) year and five (5) years.

**RESPONSE:** Periods of one (1) year are available through temporary suspension options. No changes have been made to the rule as a result of this comment.

**COMMENT #2:** Section (2) – Daniel Rainieri, with BetMGM, suggested revising “calendar days” to “business days” to align with industry standards.

**RESPONSE:** Given that this industry operates 24 hours a day, using “business days” may not be clear to all parties while “calendar days” is clear. No changes have been made to the rule as a result of this comment.

**COMMENT #3:** Section (2) – Jeremiah Weinstock, a Missouri constituent, suggested revising the periods of exclusion from five (5) years to one (1) year, five (5) years, or lifetime.

**RESPONSE:** The rule, as written, allows the commission to maintain the integrity and accuracy of the self-exclusion list. No changes have been made to the rule as a result of this comment.

**COMMENT #4:** Section (5) – Rebecca London, with DraftKings, requested clarification as to whether the commission would notify licensees of individuals no longer on the SEP List and suggested revising the language for clarity. She also requested the addition of a one- (1-) year exclusion period.

**RESPONSE AND EXPLANATION OF CHANGE:** Partially agreed and revised to specify notification will be made by the commission that an individual has been removed from the SEP List. Additionally, periods of one (1) year are available through temporary suspension options.

**COMMENT #5:** Section (6) – The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #6:** Paragraph (6)(C)1. – Rebecca London, with DraftKings, suggested revising the language to clarify that this paragraph would not prevent a patron from withdrawing the funds from his or her wagering account.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #7:** Paragraph (6)(C)1. – The Joint Committee on Administrative Rules suggested revising the language to clarify these limitations apply to sports wagering activity.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #8:** Paragraph (6)(C)4. – Rebecca London, with DraftKings, suggested revising the language to specify that wagering accounts cannot be created after exclusion.

**RESPONSE:** The preamble to this paragraph specifies that the individuals in question are already on the SEP List. No changes have been made to the rule as a result of this comment.

**COMMENT #9:** Paragraph (6)(C)6. – The Joint Committee on Administrative Rules suggested revising the language to make it less arbitrary.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**COMMENT #10:** Paragraph (6)(C)6. – Rebecca London, with DraftKings, suggested removing this paragraph as it may be a deterrent for individuals to sign up for the self-exclusion list.

**RESPONSE AND EXPLANATION OF CHANGE:** Revised per comment #9.

#### **11 CSR 45-20.600 Self-Excluded Persons List Created – Right to Self-Exclude from Sports Wagering Activities**

(5) All Retail and Mobile licensees shall ensure that they have a process for removing any restriction on creating an online sports wagering account or placing a wager by any person after that person’s placement on the SEP List has elapsed at the end of the five- (5-) year exclusion period upon notice from



the commission that an individual has been removed from the SEP List.

(6) All Retail and Mobile licensees shall submit internal controls which set forth the following:

(C) The licensee's plan for denying access by persons on the SEP List to –

1. Cash advances, credit card transactions, debit card transactions, and wire transfers for deposits into the patron's wagering account or for placing wagers;

2. Sports wagering player reward programs or other promotions;

3. Sports wagering;

4. Creation of online sports wagering accounts;

5. Sports wagering privileges; and

6. Collect taxable winnings or prizes and any winnings greater than three thousand dollars (\$3,000) at retail locations and all winnings for mobile wagers for wagers placed after placement on the SEP List.

**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 45-20.610 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 848–849). 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 one (1) written comment on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

**COMMENT #1:** Subsection (1)(A)–Rebecca London, with DraftKings, suggested revising this subsection to add a one- (1-) year exclusion option.

**RESPONSE:** Periods of one (1) year are available through temporary suspension options. No changes have been made to the rule as a result of this comment.

**COMMENT #2:** Paragraph (1)(A)12.–The Joint Committee on Administrative Rules suggested revising as the language gives the commission broad authority.

**RESPONSE AND EXPLANATION OF CHANGE:** Agreed and revised.

**11 CSR 45-20.610 Procedure for Applying for Placement on the List of Self-Excluded Persons**

(1) The commission may place a person on the SEP List if the person has –

(A) Filed an application for placement on the SEP List with the

commission. The applicant agrees that placement on the SEP List is for five (5) years and the commission is not authorized to remove a person from the SEP List until such five- (5-) year period has elapsed. By filing the application, the applicant acknowledges that licensees may use the information provided in the application to notify their affiliated sports wagering operations that the applicant has self-excluded from sports wagering. Therefore, the applicant may be excluded from sports wagering in other jurisdictions as a result of his or her request to be placed on the SEP List. The applicant agrees that any unsettled in-person wagers may be voided and refunded within fourteen (14) calendar days of placement on the list and all unsettled online wagers will be voided and refunded. The applicant agrees that once placed on the SEP List, if he or she is discovered to be participating in sports wagering, any winnings will be forfeited. The application for placement on the SEP List shall include –

1. The applicant's full name and all aliases;

2. A physical description including height, weight, hair and eye color, ethnic origin, and any other noticeable physical characteristics;

3. The applicant's current home address;

4. The applicant's mobile phone number;

5. All email addresses used by the applicant;

6. Social Security number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C. section 552a) or International Identification Number;

7. Date of birth;

8. A copy of the applicant's valid, federal or state-issued identification;

9. A photograph of the applicant suitable for the commission and licensees to use in identifying the person requesting to be placed on the SEP List;

10. A photograph of the applicant holding his or her valid, federal or state-issued identification suitable for the commission to use in identifying the person requesting to be placed on the SEP List;

11. Interpreter information and affirmation, if applicable; and

12. Other information as deemed necessary by the commission to ensure the accuracy of the application;

**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 45-20.620 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 849). 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 no written comments on the proposed rule. The Joint Committee on Administrative Rules made one (1) comment on the proposed rule.

COMMENT #1: Section (1)–The Joint Committee on Administrative Rules suggested revising the language to qualify which employees receive notice of individuals placed on the SEP List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

#### **11 CSR 45-20.620 Procedure for Entry of Names onto the List of Self-Excluded Persons**

(1) Upon filing of an application for placement on the SEP List, the commission may file a notice of placement on the SEP List. Notwithstanding the status of some information contained therein that may be closed under section 610.021, RSMo, the application and notice may be disclosed to all Retail and Mobile licensees and their agents and employees responsible for ensuring that individuals on the SEP List are not permitted to place wagers.

### **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 45-20.630 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 849–850). 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 one (1) written comment on the proposed rule. Commission staff made one (1) comment on the proposed rule. The Joint Committee on Administrative Rules made three (3) comments on the proposed rule.

COMMENT #1: Section (1)–(3)–The Joint Committee on Administrative Rules suggested clarifying which licensees are being referenced.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #2: Section (1)–The Joint Committee on Administrative Rules suggested revising the language to qualify which employees receive notice of individuals placed on the SEP List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #3: Section (3)–The Joint Committee on Administrative Rules suggested revising the language to qualify which affiliates receive notice of individuals placed on the SEP List.

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #4: Section (3)–A staff member suggested removing unnecessary language that states “All disclosures must be made in accordance with procedures approved by the commission. Written approval of the commission is required prior to disclosing this information.”

RESPONSE AND EXPLANATION OF CHANGE: Agreed and revised.

COMMENT #5: Section (3)–Rebecca London, from DraftKings, suggested revising this section to allow operators to share the exclusion list on a broader scale and to exclude individuals on the SEP List from other platforms offered by that operator.

RESPONSE: The restrictions on sharing the SEP List prevent unintended sharing of patrons’ sensitive information. Further, Article III, Section 39(g), of the *Missouri Constitution* does not provide the commission the authority to exclude individuals from fantasy sports. No changes have been made to the rule as a result of this comment.

#### **11 CSR 45-20.630 Confidentiality of the List of Self-Excluded Persons**

(1) The commission may disclose to each Retail licensee and Mobile licensee and any of its agents or employees responsible for ensuring that individuals on the SEP List are not permitted to place wagers any or all information contained on the person’s application. The commission shall make the current SEP List available to Retail and Mobile licensees for download.

(2) Each Retail licensee and Mobile licensee shall submit to the commission a plan for the dissemination of the information regarding persons placed on the SEP List, as well as persons who have been removed from the SEP List. The plan shall be designed to safeguard, as best as is reasonably possible, the confidentiality of the information but shall include dissemination to the agents or employees of the licensee whose duties require enforcement of the SEP List. Licensees or agents or employees of the licensee may not disclose the name of, or any information about, a person who has been placed on or removed from the SEP List to anyone other than employees and agents of the licensee whose duties and functions require access to the information. The plan must be approved by the commission. All information disclosed to any licensee regarding anyone placed on or removed from the SEP List shall be deemed a closed record; however, the information may be disclosed as authorized by the individual seeking placement on the SEP List, by law, and through the provisions contained in this chapter.

(3) Retail licensees and Mobile licensees may disclose the information contained in the applications to its affiliates or agents of such affiliates who require this information in the performance of their duties. The disclosed information shall be used solely for the limited purposes of assisting in the administration of problem and responsible gaming programs and allowing the affiliate or agent of the affiliate to determine whether to deny a person on the SEP List access to sports wagering or to areas where sports wagering is conducted. Licensees may also disclose the information contained in the applications to entities engaged in marketing activities on their behalf, solely to the extent necessary to prohibit excluded individuals from receiving direct marketing or promotional communications. The licensee is responsible for maintaining the confidentiality of any information disclosed. Such information shall not be used to deny services unrelated to sports wagering to a person on the SEP List.

**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 45-20.640 Procedure to Re-Establish Self-Exclusion on the List of Self-Excluded Persons 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). No changes have been made to the text of the proposed rule, so it is not 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 one (1) written comment on the proposed rule.

COMMENT #1: Section (1) – Rebecca London, with DraftKings, suggested revising this language to clarify that Retail and Mobile licensees will be notified once an individual is removed from the SEP List. She also requested the addition of a one- (1)- year exclusion period.

RESPONSE: Periods of one (1) year are available through temporary suspension options. Commission notification of removal has been updated in 11 CSR 45-20.650. No changes have been made to the rule as a result of this comment.

**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);

**TITLE 15 – ELECTED OFFICIALS**  
**Division 60 – Attorney General**  
**Chapter 18 – Age Verification**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025, and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

15 CSR 60-18.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 691-692). 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 on June 14, 2025. The Missouri Attorney General received nine (9) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

**COMMENT #1:** Steven Kester, with Apple, Inc., stated concerns over privacy risks generally as well as the risk of the release of minors' personal information if tech companies create age-verification processes to share with third-party apps and websites. The comment also touted a number of safeguards currently in place on Apple devices, including controls available to parents of minor children, suggesting that further regulation may not be needed.

**COMMENT #2:** Megan Stokes, with the Computer & Communications Industry Association, filed written comments objecting to the requirement of individuals sharing personal information with third parties in order to verify their age.

The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the

state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

**COMMENT #3:** Melissa McKay, Digital Childhood Alliance, submitted comments objecting to requiring both device-level and website-level verification. The commenter raised concerns about device manufacturers like Apple requiring companies to transmit personal user data to third-party websites in order to verify their age. This commenter raised concerns that minors, lacking other forms of identification, would be forced to engage in biometric scans or upload birth certificates.

The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

**COMMENT #4:** Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on "OS providers, social media platforms, [and] internet search providers."

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an "existing mobile OS" to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment's speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-level age verification.

**COMMENT #5:** Alison Boden, with the Free Speech Coalition, filed written comments in opposition based on legal concerns relating to potential violations of the First Amendment such as prior restraint and free expression as well as legal issues concerning vagueness in certain aspects of the rule.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

**COMMENT #6:** Bartlett Cleland, with NetChoice, filed written comments in opposition based on objections to mobile operating systems becoming entwined with third



parties such as purveyors of pornography, including sharing sensitive age data, suggesting that individual websites hosting pornographic material should solely bear responsibility for age verification.

Commenter also expressed concerns about the regulation of search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #7: David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they “go beyond the standard legislative framework that has passed in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #8: Wilfredo Fernandez, with X Corporation, filed written comments suggesting that the best model for age verification is a device-based system, focused on app store regulation.

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #9: Ricci Joy Levy, with the Woodhull Freedom Foundation, filed written comments raising legal concerns relating to potential violations of the First Amendment relating to free speech and expression as well as legal issues concerning vagueness in certain aspects of the rule.

The commenter also objected to the requirement of individuals sharing personal information with third parties in order to verify users’ age.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the requirement to avoid retaining age-verification information but also the need to have data to demonstrate compliance with the law.

The comment also raised objections that the attorney general’s regulation infringes on territory within the purview of the Missouri General Assembly.

RESPONSE AND EXPLANATION OF CHANGE: The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

The attorney general appreciates the comments above. Changes have been made as a result of these comments with the reference to a “Mobile operating system” (section (12)) being removed from 15 CSR 60-80.010.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

The attorney general appreciates the comments above. Changes have been made as a result of these comments.

Some commenters raised concerns about the cost estimate for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above but does not believe 15 CSR 60-80.010 independently imposes any costs.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001)). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60–8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of consumers.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

In the comments above, several commenters stated their belief that the attorney general’s age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. “The power to require age

verification is within a State's authority to prevent children from accessing sexually explicit content." *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas's law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content providers featuring obscene materials, commenters have not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other states.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

#### 15 CSR 60-18.010 Definitions

(12) "Digital identification" means information stored on a digital network that may be accessed by a commercial entity and that serves as proof of the identity of an individual.

### TITLE 15 – ELECTED OFFICIALS Division 60 – Attorney General Chapter 18 – Age Verification

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025 and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

15 CSR 60-18.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 692-699). 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 on June 14, 2025. The Missouri Attorney General received nine (9) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

**COMMENT #1:** Steven Kester, with Apple, Inc., stated concerns over privacy risks generally as well as the risk of the release of minors' personal information if tech companies create age-verification processes to share with third-party apps and websites. The comment also touted a number of safeguards currently in place on Apple devices, including controls available to parents of minor children, suggesting that further regulation may not be needed.

**COMMENT #2:** Megan Stokes, with the Computer & Communications Industry Association, filed written comments objecting to the requirement of individuals sharing personal information with third parties in order to verify their age.

The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

**COMMENT #3:** Melissa McKay, Digital Childhood Alliance, submitted comments objecting to requiring both device-level and website-level verification. The commenter raised concerns about device manufacturers like Apple requiring companies to transmit personal user data to third-party websites in order to verify their age. This commenter raised concerns that minors, lacking other forms of identification, would be forced to engage in biometric scans or upload birth certificates.

The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

**COMMENT #4:** Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on "OS providers, social media platforms, [and] internet search providers."

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an "existing mobile OS" to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment's speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-



level age verification.

COMMENT #5: Alison Boden, with the Free Speech Coalition, filed written comments in opposition based on legal concerns relating to potential violations of the First Amendment such as prior restraint and free expression as well as legal issues concerning vagueness in certain aspects of the rule.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #6: Bartlett Cleland, with NetChoice, filed written comments in opposition based on objections to mobile operating systems becoming entwined with third parties such as purveyors of pornography, including sharing sensitive age data, suggesting that individual websites hosting pornographic material should solely bear responsibility for age verification.

Commenter also expressed concerns about the regulation of search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #7: David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they “go beyond the standard legislative framework that has passed in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #8: Wilfredo Fernandez, with X Corporation, filed written comments suggesting that the best model for age verification is a device-based system, focused on app store regulation.

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #9: Ricci Joy Levy, with the Woodhull Freedom Foundation, filed written comments raising legal concerns relating to potential violations of the First Amendment relating to free speech and expression as well as legal issues concerning vagueness in certain aspects of the rule.

The commenter also objected to the requirement of individuals sharing personal information with third parties in order to verify users’ age.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the requirement to avoid retaining age-verification information but also the need to have data to demonstrate compliance with the law. The comment also raised objections that the attorney general’s regulation infringes on territory within the purview of the Missouri General Assembly.

RESPONSE AND EXPLANATION OF CHANGE: The attorney

general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

The attorney general appreciates the comments above. Changes have been made as a result of these comments. The title was changed to reflect the removal of search engines and to more accurately describe the application of the final rule. Section (2) is removed and references to this section are removed in sections (3) and (4).

Some commenters raised concerns about the cost estimate for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above. The cost estimate has been updated to reflect changes in the finalized rule.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60–8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of

consumers.

In the comments above, several commenters stated their belief that the attorney general's age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. "The power to require age verification is within a State's authority to prevent children from accessing sexually explicit content." *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas's law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content providers featuring obscene materials, commenters have not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other states. The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

The changes set forth above are reflected in the private fiscal note and cost statement.

#### **15 CSR 60-18.020 Operation of an Internet Website or Application**

(2) Any person or commercial entity covered by 15 CSR 60-18.020(1) that performs the age verification, or any third party that performs the age verification required by 15 CSR 60-18.020(1), may not retain any identifying information of the individual whose age is being verified unless retention of the identifying information is otherwise required by law or a court order.

(3) Any person or commercial entity covered by this chapter that performs the age verification required by 15 CSR 60-18.020(1), or any third party that performs the age verification required by 15 CSR 60-18.020(1), must use commercially reasonable methods to secure all information collected and transmitted under this chapter.

*REVISED PRIVATE COST: The Attorney General's Office estimates costs may range from \$0 to \$4,608,000 annually for social media platforms, websites, or applications.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title:** Title 15 – Elected Officials  
**Division title:** Division 60 – Attorney General  
**Chapter title:** Chapter 18 – Age Verification

<b>Rule number/name:<sup>1</sup></b>	15 CSR 60-18.020 – Age Verification – Operation of an Internet Website or Application
<b>Type of rulemaking:</b>	Final order of rulemaking for a proposed rule with changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>Social media platforms or websites distributing pornographic material online or providing access via search functions.</b>	<b>Tech Companies</b>	<b>\$0.00 because regulation enforces preexisting law</b>  <b>-In the Alternative: Up to \$384,000 per month (\$4,608,000 on an annual basis) for distributors.</b>

**III. WORKSHEET**

**Impact to Providers of Internet Pornography**

As further explained below, this fiscal note assumes that there is no cost of bringing a commercial operation into conformity with existing law.

**Impact to Providers of Internet Pornography - Estimates in the Alternative**

Estimates are difficult but reportedly 40 million Americans routinely access internet pornography. Assuming Missouri's population is approximately 2% of the nation, there would be 800,000 routine users of pornography in the state. If an age verification check

<sup>1</sup> This fiscal note describes the estimated potential impact of a rulemaking that includes proposed rules 15 CSR 60-17.010 through 15 CSR 60-17.070. The Attorney General's Office (AGO) has determined that proposed rules .010, .040, .050 and .070 do not individually require a fiscal note. As further described herein, the AGO is providing this fiscal note in connection with proposed rules .020, and .030, to assess their potential individual and collective impact. In an effort to provide the maximum amount of notice to the public, this fiscal note is filed with each of proposed rules .020, and .030.



were performed per user four times per month at .12 cents per check, it would equate to \$384,000 per month and \$4,608,000 per year.<sup>2</sup>

#### IV. ASSUMPTIONS

The following are assumptions adopted by the Attorney General's Office (AGO) as part of the determination of the cost of the proposed rulemaking.

##### **Reliance on the Fiscal Review of the Joint Committee on Legislative Research**

Pursuant to Missouri statute, the Oversight Division of the Joint Committee on Legislative Research is tasked with creating fiscal estimates for legislation pending in the General Assembly. Such fiscal notes are required to include a determination of the cost of legislation to small businesses having fifty or fewer full-time employees. § 23.140, RSMo.

On February 26, 2025, the Oversight Division released a fiscal note assessing the cost to small businesses of House Bill 236 that would require age verification for minors. In view of the fact that the legislation created a new cause of action for private parties, the Oversight Division stated that "Small business law firms could be impacted as a result of this proposal."<sup>3</sup> Oversight did not determine any other impact to small businesses but offered the following analysis in support of their assessment:

Oversight notes that according to the 2020 US Census for the State of Missouri, there were 1,379,301 minors ages 0 to 17. Assuming if only 0.1% of the parents of those minors are impacted by the proposed legislation, this could potentially result in 1,379 new liability claims. Oversight could not find any information on the number of potential liability claims related to age-verification methods; therefore, Oversight assumes the number of new claims is ultimately unknown.<sup>4</sup>

For purposes of this fiscal note, the AGO adopts the logic of the Joint Committee on Legislative Research's Oversight Division. Since this proposed rulemaking does not create a cause of action for private parties (as opposed to the house bill summarized above), the AGO assumes no fiscal impact from the age verification portion of the proposed rule.

##### **Companies Engaged in Illegal or Fraudulent Behavior May Not Claim Financial Cost to Comply With Existing Law**

The AGO further assumes that there should be no assessment of new cost to internet companies only lately adopting age verification practices as required by this proposed

<sup>2</sup> <https://www.webroot.com/us/en/resources/tips-articles/internet-pornography-by-the-numbers#:~:text=Internet%20Pornography%20Statistics%20in%20the%20United%20States,the%20word%20%22adult%22%20into%20a%20search%20engine.https://www.addictionhelp.com/porn/statistics/#:~:text=Online%20use%3A%20Approximately%2069%25%20of,is%20wrong%3B%2051%25%20disagreed>

<sup>3</sup> <https://documents.house.mo.gov/billtracking/bills251/fiscal/fispdf/0209H.04P.ORG.pdf>

<sup>4</sup> *Id.*

rule.<sup>5</sup> Missouri law already requires age verification because Missouri law already prohibits “furnishing pornographic material to minors” or “promoting pornography for minors.” §§ 573.030–.040, RSMo. The U.S. Supreme Court has long upheld laws just like these. *Ginsberg v. New York*, 390 U.S. 629, 641 (1968). Age verification has long been required in brick-and-mortar stores distributing pornographic material, *see id.*, and Missouri’s law does not differentiate between brick-and-mortar stores and the internet when it comes to prohibiting companies from providing pornographic material to minors. §§ 573.030–.040.

### **Assumptions in the Alternative**

In an effort to provide the public and private businesses with additional information about the potential fiscal impact of this proposed rulemaking, the AGO offers the following assumptions in the alternative to the zero fiscal estimate based on the assumptions above. The following assumptions are provided to determine a potential impact *if* there were to be a cost to private businesses.

Due to the private nature of online pornography sale and consumption by end-users in the State of Missouri, many of the variables needed to assess the cost of this rulemaking are unknown or difficult to quantify. However, the cost to implement age verification processes is becoming less expensive due to recent technological improvements. Some software applications are free (or provided for free as part of a larger digital service package) or offered for nominal costs.<sup>6</sup> Also, the use of valid age tokens may allow verified users to access various websites without additional per entry fees.<sup>7</sup> One commonly published estimate of cost is .12 cents per age verification check, although that number may be lower (as low as .3 cents) and will almost certainly continue to be reduced with the introduction of new technological improvements.<sup>8</sup> Likewise, apps that can be downloaded by users and the use of digital identity wallets have further reduced costs. The reusable nature of apps and identity tokens as well as the ability for one age verification check to be used dozens or hundreds of times further defrays what may be a nominal (e.g. .12 cent) cost of compliance.<sup>9</sup>

It should be noted that large purveyors of pornography like Pornhub have stated that cost of compliance may be millions of dollars per day. Pornhub reportedly has 115 million

<sup>5</sup> “The principle is well settled that no court will lend its aid to a man who founds his cause of action upon an illegal act. This is a principle founded upon public policy, not for the sake of the defendant, but for the law’s sake, and that only.” *Sandbothe v. Williams*, 552 S.W.2d 251 (Mo.App.1977) (quoting *Schoene v. Hickam*, 397 S.W.2d 596, 602 (Mo.1966)). The doctrine of *in pari delicto* holds that “anyone who engages in a fraudulent scheme forfeits all rights to protection, either at law or in equity.” *Kansas City Operating Corp. v. Durwood*, 278 F.2d 354, 357 (8th Cir.(Mo.)1960); See also, *Clouse v. Myers*, 753 S.W.2d 316, 319 (Mo.App.1988)(neither law nor equity can be invoked to redress a wrong that has resulted from the injured party’s own wrongful and illegal conduct). If the parties to a fraud are *in pari delicto*, the law will leave them where it finds them. *Durwood*, 278 F.2d at 358.” *Dobbs v. Dobbs Tire & Auto Centers, Inc.*, 969 S.W.2d 894, 897–98 (Mo.App. E.D. 1998).

<sup>6</sup> *Manhattan Institute and Technology Scholars, Brief for Respondent as Amicus Curiae in Support of Respondent, Free Speech Coalition, Inc., v. Paxton*, No. 23-1122 (U.S. filed Nov. 22, 2024).

<sup>7</sup> *Id.*

<sup>8</sup> Tony Allen, Declaration, *Free Speech Coalition, Inc., v. Colmenero*, No. 1:23-cv-00917 (W.D. Tex.) D. Ct. Doc. 26-6, (Aug.18, 2023).

<sup>9</sup> *Id.*



**TITLE 15 – ELECTED OFFICIALS**  
**Division 60 – Attorney General**  
**Chapter 18 – Age Verification**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025 and 407.145, RSMo 2016 the attorney general adopts a rule as follows:

15 CSR 60-18.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 700–705). 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 on June 14, 2025. The Missouri Attorney General received nine (9) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

**COMMENT #1:** Steven Kester, with Apple, Inc., stated concerns over privacy risks generally as well as the risk of the release of minors' personal information if tech companies create age-verification processes to share with third-party apps and websites. The comment also touted a number of safeguards currently in place on Apple devices, including controls available to parents of minor children, suggesting that further regulation may not be needed.

**COMMENT #2:** Megan Stokes, with the Computer & Communications Industry Association, filed written comments objecting to the requirement of individuals sharing personal information with third parties in order to verify their age.

The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

**COMMENT #3:** Melissa McKay, Digital Childhood Alliance, submitted comments objecting to requiring both device-level and website-level verification. The commenter raised concerns about device manufacturers like Apple requiring companies to transmit personal user data to third-party websites in order to verify their age. This commenter raised concerns that minors,

lacking other forms of identification, would be forced to engage in biometric scans or upload birth certificates.

The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

**COMMENT #4:** Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on "OS providers, social media platforms, [and] internet search providers."

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an "existing mobile OS" to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment's speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-level age verification.

**COMMENT #5:** Alison Boden, with the Free Speech Coalition, filed written comments in opposition based on legal concerns relating to potential violations of the First Amendment such as prior restraint and free expression as well as legal issues concerning vagueness in certain aspects of the rule.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

**COMMENT #6:** Bartlett Cleland, with NetChoice, filed written comments in opposition based on objections to mobile operating systems becoming entwined with third parties such as purveyors of pornography, including sharing sensitive age data, suggesting that individual websites hosting pornographic material should solely bear responsibility for age verification.

Commenter also expressed concerns about the regulation of search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

**COMMENT #7:** David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they "go beyond the standard legislative framework that has passed in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of

material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #8: Wilfredo Fernandez, with X Corporation, filed written comments suggesting that the best model for age verification is a device-based system, focused on app store regulation.

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #9: Ricci Joy Levy, with the Woodhull Freedom Foundation, filed written comments raising legal concerns relating to potential violations of the First Amendment relating to free speech and expression as well as legal issues concerning vagueness in certain aspects of the rule.

The commenter also objected to the requirement of individuals sharing personal information with third parties in order to verify users’ age.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the requirement to avoid retaining age-verification information but also the need to have data to demonstrate compliance with the law. The comment also raised objections that the attorney general’s regulation infringes on territory within the purview of the Missouri General Assembly.

COMMENT #10: Staff noted that the cross reference to 15 CSR 60-18.020(2) relating to requirement for search engines needs to be removed. Additionally, in section (2) there is a typographical error that needs to be corrected (a duplicate “the”).

RESPONSE AND EXPLANATION OF CHANGE: The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

The attorney general appreciates the comments above. Changes have been made as a result of these comments. In section (1) a cross-reference to 15 CSR 60-18.020(2) relating to requirement for search engines is removed and a typographical error is corrected in section (2) (a duplicate “the” is removed).

Some commenters raised concerns about the cost estimate for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large

mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above. The cost estimate has been updated to reflect changes in the finalized rule.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001)). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60–8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of consumers.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

In the comments above, several commenters stated their belief that the attorney general’s age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. “The power to require age verification is within a State’s authority to prevent children from accessing sexually explicit content.” *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas’s law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content

providers featuring obscene materials, commenters have not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other states. The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

The changes set forth above are reflected in the private fiscal note and cost statement.

#### **15 CSR 60-18.030 Reasonable Age Verification Methods**

(1) A commercial entity that operates a website or application subject to 15 CSR 60-18.020(1), and any third party that performs age verification under this chapter, shall require an individual to –

- (A) Provide digital identification; or
- (B) Comply with a commercial age verification system that verifies age using –
  - 1. Government-issued identification; or
  - 2. A commercially reasonable method that relies on public or private transactional data to verify the age of the individual.

(2) A commercial entity may adopt a different method of compliance so long as the entity can establish to the agency in charge of promulgating rules under the Missouri Merchandising Practices Act (MMPA), Chapter 407, RSMo, that the alternative method is equally effective. The standard of proof shall be a preponderance of the evidence.

*REVISED PRIVATE COST: The Attorney General's Office estimates costs may range from \$0 to \$4,608,000 annually for social media platforms, websites, or applications.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department title:** Title 15 – Elected Officials  
**Division title:** Division 60 – Attorney General  
**Chapter title:** Chapter 18 – Age Verification

<b>Rule number/name:<sup>1</sup></b>	15 CSR 60-18.030 – Age Verification - Reasonable Age Verification Methods
<b>Type of rulemaking:</b>	Final order of rulemaking for a proposed rule with changes

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class that would likely be affected by adoption of the rule:	Classification by type(s) of the business entities that would likely be affected by adoption of the rule:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>Social media platforms or websites distributing pornographic material online or providing access via search functions.</b>	<b>Tech Companies</b>	<b>\$0.00 because regulation enforces preexisting law</b>  <b>-In the Alternative: Up to \$384,000 per month (\$4,608,000 on an annual basis) for distributors.</b>

**III. WORKSHEET**

**Impact to Providers of Internet Pornography**

As further explained below, this fiscal note assumes that there is no cost of bringing a commercial operation into conformity with existing law.

**Impact to Providers of Internet Pornography - Estimates in the Alternative**

Estimates are difficult but reportedly 40 million Americans routinely access internet pornography. Assuming Missouri's population is approximately 2% of the nation, there would be 800,000 routine users of pornography in the state. If an age verification check

<sup>1</sup> This fiscal note describes the estimated potential impact of a rulemaking that includes proposed rules 15 CSR 60-17.010 through 15 CSR 60-17.070. The Attorney General's Office (AGO) has determined that proposed rules .010, .040, .050 and .070 do not individually require a fiscal note. As further described herein, the AGO is providing this fiscal note in connection with proposed rules .020, and .030, to assess their potential individual and collective impact. In an effort to provide the maximum amount of notice to the public, this fiscal note is filed with each of proposed rules .020, and .030.



were performed per user four times per month at .12 cents per check, it would equate to \$384,000 per month and \$4,608,000 per year.<sup>2</sup>

#### IV. ASSUMPTIONS

The following are assumptions adopted by the Attorney General's Office (AGO) as part of the determination of the cost of the proposed rulemaking.

##### **Reliance on the Fiscal Review of the Joint Committee on Legislative Research**

Pursuant to Missouri statute, the Oversight Division of the Joint Committee on Legislative Research is tasked with creating fiscal estimates for legislation pending in the General Assembly. Such fiscal notes are required to include a determination of the cost of legislation to small businesses having fifty or fewer full-time employees. § 23.140, RSMo.

On February 26, 2025, the Oversight Division released a fiscal note assessing the cost to small businesses of House Bill 236 that would require age verification for minors. In view of the fact that the legislation created a new cause of action for private parties, the Oversight Division stated that "Small business law firms could be impacted as a result of this proposal."<sup>3</sup> Oversight did not determine any other impact to small businesses but offered the following analysis in support of their assessment:

Oversight notes that according to the 2020 US Census for the State of Missouri, there were 1,379,301 minors ages 0 to 17. Assuming if only 0.1% of the parents of those minors are impacted by the proposed legislation, this could potentially result in 1,379 new liability claims. Oversight could not find any information on the number of potential liability claims related to age-verification methods; therefore, Oversight assumes the number of new claims is ultimately unknown.<sup>4</sup>

For purposes of this fiscal note, the AGO adopts the logic of the Joint Committee on Legislative Research's Oversight Division. Since this proposed rulemaking does not create a cause of action for private parties (as opposed to the house bill summarized above), the AGO assumes no fiscal impact from the age verification portion of the proposed rule.

##### **Companies Engaged in Illegal or Fraudulent Behavior May Not Claim Financial Cost to Comply With Existing Law**

The AGO further assumes that there should be no assessment of new cost to internet companies only lately adopting age verification practices as required by this proposed

<sup>2</sup> <https://www.webroot.com/us/en/resources/tips-articles/internet-pornography-by-the-numbers#:~:text=Internet%20Pornography%20Statistics%20in%20the%20United%20States,the%20word%20%22adult%22%20into%20a%20search%20engine,https://www.addictionhelp.com/porn/statistics/#:~:text=Online%20use%3A%20Approximately%2069%25%20of,is%20wrong%3B%2051%25%20disagreed>

<sup>3</sup> <https://documents.house.mo.gov/billtracking/bills251/fiscal/fispdf/0209H.04P.ORG.pdf>

<sup>4</sup> *Id.*



rule.<sup>5</sup> Missouri law already requires age verification because Missouri law already prohibits “furnishing pornographic material to minors” or “promoting pornography for minors.” §§ 573.030–.040, RSMo. The U.S. Supreme Court has long upheld laws just like these. *Ginsberg v. New York*, 390 U.S. 629, 641 (1968). Age verification has long been required in brick-and-mortar stores distributing pornographic material, *see id.*, and Missouri’s law does not differentiate between brick-and-mortar stores and the internet when it comes to prohibiting companies from providing pornographic material to minors. §§ 573.030–.040.

### **Assumptions in the Alternative**

In an effort to provide the public and private businesses with additional information about the potential fiscal impact of this proposed rulemaking, the AGO offers the following assumptions in the alternative to the zero fiscal estimate based on the assumptions above. The following assumptions are provided to determine a potential impact *if* there were to be a cost to private businesses.

Due to the private nature of online pornography sale and consumption by end-users in the State of Missouri, many of the variables needed to assess the cost of this rulemaking are unknown or difficult to quantify. However, the cost to implement age verification processes is becoming less expensive due to recent technological improvements. Some software applications are free (or provided for free as part of a larger digital service package) or offered for nominal costs.<sup>6</sup> Also, the use of valid age tokens may allow verified users to access various websites without additional per entry fees.<sup>7</sup> One commonly published estimate of cost is .12 cents per age verification check, although that number may be lower (as low as .3 cents) and will almost certainly continue to be reduced with the introduction of new technological improvements.<sup>8</sup> Likewise, apps that can be downloaded by users and the use of digital identity wallets have further reduced costs. The reusable nature of apps and identity tokens as well as the ability for one age verification check to be used dozens or hundreds of times further defrays what may be a nominal (e.g. .12 cent) cost of compliance.<sup>9</sup>

It should be noted that large purveyors of pornography like Pornhub have stated that cost of compliance may be millions of dollars per day. Pornhub reportedly has 115 million

<sup>5</sup> “The principle is well settled that no court will lend its aid to a man who founds his cause of action upon an illegal act. This is a principle founded upon public policy, not for the sake of the defendant, but for the law’s sake, and that only.” *Sandbothe v. Williams*, 552 S.W.2d 251 (Mo.App.1977) (quoting *Schoene v. Hickam*, 397 S.W.2d 596, 602 (Mo.1966)). The doctrine of *in pari delicto* holds that “anyone who engages in a fraudulent scheme forfeits all rights to protection, either at law or in equity.” *Kansas City Operating Corp. v. Durwood*, 278 F.2d 354, 357 (8th Cir.(Mo.)1960); See also, *Clouse v. Myers*, 753 S.W.2d 316, 319 (Mo.App.1988)(neither law nor equity can be invoked to redress a wrong that has resulted from the injured party’s own wrongful and illegal conduct). If the parties to a fraud are *in pari delicto*, the law will leave them where it finds them. *Durwood*, 278 F.2d at 358.” *Dobbs v. Dobbs Tire & Auto Centers, Inc.*, 969 S.W.2d 894, 897–98 (Mo.App. E.D. 1998).

<sup>6</sup> *Manhattan Institute and Technology Scholars, Brief for Respondent as Amicus Curiae in Support of Respondent, Free Speech Coalition, Inc., v. Paxton*, No. 23-1122 (U.S. filed Nov. 22, 2024).

<sup>7</sup> *Id.*

<sup>8</sup> Tony Allen, Declaration, *Free Speech Coalition, Inc., v. Colmenero*, No. 1:23-cv-00917 (W.D. Tex.) D. Ct. Doc. 26-6, (Aug.18, 2023).

<sup>9</sup> *Id.*

visits to its website per day<sup>10</sup> and at a cost of .12 cents per verification, this would come to \$13.8 million dollars daily but even taken at face value, the vast majority of these costs are not incurred with the State of Missouri.<sup>11</sup> As noted above, .12 cents may be a high number and is likely to be reduced over time as technology improves. Also, it should be noted that the owners of some large pornographic websites are based outside of Missouri and even outside of the United States so any assessment of projected cost in this fiscal note is provided for informational purposes and likely not required.

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<sup>10</sup> *Free Speech Coal., v. Rokita*, 738 F. Supp. 3d 1041, 1049 (S.D. Ind. 2024).

<sup>11</sup> It is estimated that Missouri accounts for approximately .076% of the global population and as such might account for a comparable share of Pornhub's customer base. Using this number, a \$10,488 daily (\$3,828,120 annual) cost of compliance might be attributable to this particular company from this regulation. See [www.census.gov/programs-surveys/popest.html](https://www.census.gov/programs-surveys/popest.html) (estimated global population); <https://data.census.gov/profile/Missouri?g=040XX00US29> (Missouri population as of 2020 census).

**TITLE 15 – ELECTED OFFICIALS  
Division 60 – Attorney General  
Chapter 18 – Age Verification**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025, and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

**15 CSR 60-18.040 Applicability of This Rule is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 706). No changes have been made to the text of the proposed rule, so it is not 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 on June 14, 2025. The Missouri Attorney General received nine (9) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

**COMMENT #1:** Steven Kester, with Apple, Inc., stated concerns over privacy risks generally as well as the risk of the release of minors' personal information if tech companies create age-verification processes to share with third-party apps and websites. The comment also touted a number of safeguards currently in place on Apple devices, including controls available to parents of minor children, suggesting that further regulation may not be needed.

**COMMENT #2:** Megan Stokes, with the Computer & Communications Industry Association, filed written comments objecting to the requirement of individuals sharing personal information with third parties in order to verify their age.

The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

**COMMENT #3:** Melissa McKay, Digital Childhood Alliance, submitted comments objecting to requiring both device-level and website-level verification. The commenter raised concerns about device manufacturers like Apple requiring companies to

transmit personal user data to third-party websites in order to verify their age. This commenter raised concerns that minors, lacking other forms of identification, would be forced to engage in biometric scans or upload birth certificates.

The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

**COMMENT #4:** Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on "OS providers, social media platforms, [and] internet search providers."

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an "existing mobile OS" to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment's speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-level age verification.

**COMMENT #5:** Alison Boden, with the Free Speech Coalition, filed written comments in opposition based on legal concerns relating to potential violations of the First Amendment such as prior restraint and free expression as well as legal issues concerning vagueness in certain aspects of the rule.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

**COMMENT #6:** Bartlett Cleland, with NetChoice, filed written comments in opposition based on objections to mobile operating systems becoming entwined with third parties such as purveyors of pornography, including sharing sensitive age data, suggesting that individual websites hosting pornographic material should solely bear responsibility for age verification.

Commenter also expressed concerns about the regulation of search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

**COMMENT #7:** David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they "go beyond the standard legislative framework that has passed



in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #8: Wilfredo Fernandez, with X Corporation, filed written comments suggesting that the best model for age verification is a device-based system, focused on app store regulation.

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #9: Ricci Joy Levy, with the Woodhull Freedom Foundation, filed written comments raising legal concerns relating to potential violations of the First Amendment relating to free speech and expression as well as legal issues concerning vagueness in certain aspects of the rule.

The commenter also objected to the requirement of individuals sharing personal information with third parties in order to verify users’ age.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the requirement to avoid retaining age-verification information but also the need to have data to demonstrate compliance with the law.

The comment also raised objections that the attorney general’s regulation infringes on territory within the purview of the Missouri General Assembly.

RESPONSE: Many of the comments received stated that they were directed at proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070 (therefore inclusive of 15 CSR 60-80.040) and as such, the attorney general responds as set forth below. However, because 15 CSR 60-80.040 functions largely as a limitation on the applicability of the related rules, no single comment is viewed as directly calling for it to be altered or withdrawn. The attorney general has therefore considered the comments received but does not believe this particular rulemaking should be altered or withdrawn.

The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

Some commenters raised concerns about the cost estimate

for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above but does not believe 15 CSR 60-80.040 independently imposes any costs.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001)). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60-8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of consumers.

In the comments above, several commenters stated their belief that the attorney general’s age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. “The power to require age verification is within a State’s authority to prevent children from accessing sexually explicit content.” *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas’s law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content providers featuring obscene materials, commenters have

not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other states.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

**TITLE 15 – ELECTED OFFICIALS**  
**Division 60 – Attorney General**  
**Chapter 18 – Age Verification**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025, and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

15 CSR 60-18.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 706). 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 on June 14, 2025. The Missouri Attorney General received nine (9) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

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The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules

are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

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The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

**COMMENT #4:** Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on "OS providers, social media platforms, [and] internet search providers."

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an "existing mobile OS" to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment's speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-level age verification.

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The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

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Commenter also expressed concerns about the regulation of



search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #7: David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they “go beyond the standard legislative framework that has passed in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

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The commenter also objected to the requirement of individuals sharing personal information with third parties in order to verify users’ age.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the requirement to avoid retaining age-verification information but also the need to have data to demonstrate compliance with the law.

The comment also raised objections that the attorney general’s regulation infringes on territory within the purview of the Missouri General Assembly.

RESPONSE AND EXPLANATION OF CHANGE: The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

The attorney general appreciates the comments above. Changes have been made as a result of these comments. The term “search engine” has been removed from section (1).

Some commenters raised concerns about the cost estimate for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above but has determined that 15 CSR 60-80.050 does not independently impose any costs.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001)). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60–8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of consumers.

In the comments above, several commenters stated their belief that the attorney general’s age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. “The power to require age verification is within a State’s authority to prevent children from accessing sexually explicit content.” *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas’s law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content

providers featuring obscene materials, commenters have not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other States.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

#### 15 CSR 60-18.050 Counting Violations

(1) For purposes of civil penalties under section 407.100, RSMo, each time an individual accesses a website or application not in compliance with 15 CSR 60-18.020 shall constitute a separate violation, but in no event shall an entity accrue more than ten thousand dollars (\$10,000) in violations in a single day.

### TITLE 15 – ELECTED OFFICIALS Division 60 – Attorney General Chapter 18 – Age Verification

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025, and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

#### 15 CSR 60-18.060 Requirement to Create Device-Side Verification Option is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 706–711). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended on June 14, 2025. The Missouri Attorney General received a number of negative comments on proposed rule 15 CSR 60-18.060.

COMMENT #1: The comments emphasized various financial and technical difficulties and burdens on device makers with implementing the rule.

RESPONSE: The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and as a result, is withdrawing this rulemaking. The attorney general's decision to withdraw this rulemaking is not due to comments regarding First Amendment legal concerns or comments suggesting that his authority is limited under the Missouri Merchandising Practices Act (MMPA).

### TITLE 15 – ELECTED OFFICIALS Division 60 – Attorney General Chapter 18 – Age Verification

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Attorney General under sections 407.020, RSMo Supp. 2025, and 407.145, RSMo 2016, the attorney general adopts a rule as follows:

15 CSR 60-18.070 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2025 (50 MoReg 712). No changes have been made to the text of the proposed rule, so it is not 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 on June 14, 2025. The Missouri Attorney General received eight (8) comments on proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070. Because these proposed rules closely relate to each other, and because the comments were directed at the proposed rules as a group, the attorney general provides a single response to the various comments, addressing all proposed rules. Due to the similarity of the following comments, one response is provided at the end of these comments.

COMMENT #1: Steven Kester, with Apple, Inc., stated concerns over privacy risks generally as well as the risk of the release of minors' personal information if tech companies create age-verification processes to share with third-party apps and websites.

The comment also touted a number of safeguards currently in place on Apple devices, including controls available to parents of minor children, suggesting that further regulation may not be needed.

COMMENT #2: Megan Stokes, with the Computer & Communications Industry Association, filed written comments objecting to the requirement of individuals sharing personal information with third parties in order to verify their age.

The comment also touted a number of safeguards and filtering tools currently available, including controls available to parents of minor children, suggesting that further regulation may not be needed.

Commenter also stated a concern over increased government surveillance and data collection.

The comment raises concerns over the cost of compliance and specifically of the cost to smaller start-up companies.

In addition, the comment suggests that compliance with the rule would be technically impractical and burdensome, specifically the need to blur out pornographic images, as well as providing a geofence filter to ensure compliance within the state of Missouri.

The comment also raised a number of legal concerns relating to potential violations of the First Amendment such as compelled speech and free expression.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

COMMENT #3: Melissa McKay, Digital Childhood Alliance, submitted comments objecting to requiring both device-level and website-level verification. The commenter raised concerns about device manufacturers like Apple requiring companies to transmit personal user data to third-party websites in order to verify their age. This commenter raised concerns that minors, lacking other forms of identification, would be forced to engage in biometric scans or upload birth certificates.

The commenter also raised legal concerns that the rule runs afoul of the First Amendment's protections against compelled speech. Further concerns include the use of a percentage of pornographic content on a website under the definitions rather than using an "ordinary course of business" standard.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the

attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

3COMMENT #4: Kara Corches, with the Missouri Chamber of Commerce, filed written comments expressing concerns about the burdens the proposed rules would impose on device makers and Internet service providers.

Commenter also asserted that the fiscal note failed to account for costs imposed on “OS providers, social media platforms, [and] internet search providers.”

The comment also asserted that the proposed rules had not adequately considered the technical feasibility of requiring an “existing mobile OS” to implement age-verification. The comment also expressed feasibility concerns about the ability of search engines and Internet service providers to monitor for pornographic content.

The comment also asserted that age verification rules do not meaningfully alter behavior and can be circumvented.

The comment also raised objections that the proposed rules are overly broad, are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA), and infringe on territory within the purview of the Missouri General Assembly.

The commenter also raises legal concerns that the rule runs afoul of the First Amendment’s speech protections, including prohibitions against compelled speech.

The commenter requests more time to implement device-level age verification.

COMMENT #5: Alison Boden, with the Free Speech Coalition, filed written comments in opposition based on legal concerns relating to potential violations of the First Amendment such as prior restraint and free expression as well as legal issues concerning vagueness in certain aspects of the rule.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act (MMPA).

The Comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

COMMENT #6: Bartlett Cleland, with NetChoice, filed written comments in opposition based on objections to mobile operating systems becoming entwined with third parties such as purveyors of pornography, including sharing sensitive age data, suggesting that individual websites hosting pornographic material should solely bear responsibility for age verification.

Commenter also expressed concerns about the regulation of search engines.

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #7: David Edmonson, with TechNet, filed written comments opposing the proposed rules to the extent they “go beyond the standard legislative framework that has passed in numerous states requiring age verification for websites or online platforms that disseminate a substantial volume of material deemed harmful to minors, such as pornography.” In particular, the comment expressed opposition to requiring mobile operating systems to conduct age verification. The comment also expressed concerns about the technological feasibility of requiring search engines to blur pornographic material.

The comment also raised objections that the proposed rules are overly broad and are beyond the authority granted to the attorney general by the Missouri Merchandising Practices Act

(MMPA).

The comment also raised legal concerns relating to potential violations of the First Amendment relating to free speech and expression.

COMMENT #8: Wilfredo Fernandez, with X Corporation, filed written comments suggesting that the best model for age verification is a device-based system, focused on app store regulation.

The comment also suggested that parental controls may be adequate to address the issue of access by minors to pornographic content.

RESPONSE: Many of the comments received stated that they were directed at proposed rules 15 CSR 60-18.010 to 15 CSR 60-18.070 (therefore inclusive of 15 CSR 60-80.070) and as such, the attorney general responds as set forth below. However, because 15 CSR 60-80.070 functions chiefly as a limitation on the applicability of the related rules and as a severability clause, no single comment is viewed as directly calling for it to be altered or withdrawn. The attorney general has therefore considered the comments received but does not believe this particular rulemaking should be altered or withdrawn.

The attorney general has considered comments about the challenges of asking large mobile operating systems to implement age-verification procedures. The attorney general shares the concern of some commenters about protecting the sensitive age data of children. The attorney general will take additional time to consider these concerns, and will therefore not impose age-verification obligations on large mobile operating systems at this time.

Beyond that specific context, the attorney general believes that the proposed age-verification rules do not unduly jeopardize any privacy interests.

Some commenters raised concerns about the technical feasibility of requiring search engines to blur out or make unavailable pornographic images made available by third-party content providers. The attorney general wishes to take more time to consider these concerns, and therefore will not implement such requirements for search engines at this time.

Some commenters raised concerns about the cost estimate for private companies in the proposed regulation. Those concerns focused on the costs that would be incurred by large mobile operating systems and search engines. Because age verification will not be required at this time for such entities, most concerns about cost have become moot.

As for applications and websites that offer access to pornographic material, the attorney general believes that, under Missouri law, the regulations impose no new cost because they are merely enforcing preexisting law.

In the alternative, the attorney general acknowledges that some costs will be imposed on content providers who offer access to pornographic material. A variety of entities offer age-verification services under various types of contracts. The attorney general believes the relevant, original cost estimate is accurate.

The attorney general appreciates the comments above but does not believe 15 CSR 60-80.070 independently imposes any costs.

The attorney general has considered comments challenging his authority to issue the proposed regulations under the MMPA. The MMPA prohibits a wide variety of unfair and deceptive practices that impact consumers. “[T]he literal words cover every practice imaginable and every unfairness to whatever degree.” *Ports Petroleum Co. v. Nixon*, 37 S.W.3d 237, 240 (Mo. banc 2001)). The Missouri Supreme Court has concluded that the MMPA covers any violation of “any public policy” so long as the violation of that other law “presents a

risk” of “substantial injury to consumers.” *Huch v. Charter Commun., Inc.*, 290 S.W.3d 721, 725 (Mo. banc 2009) (quoting 15 CSR 60–8.020(1)). Furthermore, the failure of a legislative body to pass a bill is “an unpersuasive basis upon which to interpret the statute.” *R.M.A. by Appleberry v. Blue Springs R-IV Sch. Dist.*, 568 S.W.3d 420, at 427 n.9 (Mo. 2019).

The attorney general has authority to issue the proposed regulations under the MMPA. Age verification has long been required in brick-and-mortar stores distributing pornographic material, and Missouri’s law does not differentiate between brick-and-mortar stores and the Internet when it comes to prohibiting companies from providing pornographic material to minors. The proposed regulations merely clarify and confirm that entities distributing pornographic material on the Internet also have the responsibility to verify the age of consumers.

In the comments above, several commenters stated their belief that the attorney general’s age-verification rule violated the First Amendment by inhibiting adults from viewing pornographic material, imposing a prior restraint, limiting free expression and stifling freedom of speech. Relatedly, some commenters objected to adults having to provide information to third parties in order to verify their age.

The attorney general finds these comments unpersuasive. The United States Supreme Court recently upheld a similar Texas state law, finding that it did not unconstitutionally burden the right to free speech. “The power to require age verification is within a State’s authority to prevent children from accessing sexually explicit content.” *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2299 (2025). Any incidental burdens on adults are comparable to those in Texas’s law, and the attorney general judges those burdens to be outweighed by the importance of protecting children from obscene material.

Some commenters above raised concerns about technical difficulties in implementing the rule, including the cost and feasibility of implementation as well as the likely rate of failure to effectively establish such safeguards. With respect to age-verification requirements imposed directly on content providers featuring obscene materials, commenters have not been able to adequately explain why the rule would be unworkable since it largely mirrors requirements imposed in other states.

The attorney general appreciates the comments above. No changes have been made to the rules as a result of these comments.

days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## **TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

### **Division 2263 – State Committee for Social Workers Chapter 2 – Licensure Requirements**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2025, the committee amends a rule as follows:

#### **20 CSR 2263-2.082 Continuing Education is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2025 (50 MoReg 952). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30)



The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [adrules.dissolutions@sos.mo.gov](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF DISSOLUTION AND WINDING TO ALL CREDITORS OF AND CLAIMANTS AGAINST SKINNER & SWITZER, LLC**

You are hereby notified that Skinner & Switzer, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 4th day of September, 2025. If you believe you have a claim against the Company, you must present your claim in writing in accordance with said Notice of Winding Up. The claim must be mailed to:

SKINNER & SWITZER, LLC  
c/o Thomas H. Skinner  
29699 Jackpot St.  
Jacksonville, MO 65260

A written summary of any claims against Company, including:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) of occurrence of the event(s) on which the claim is based.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF ENTITY DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST OPERATION BRIGHTER FUTURE, INC**

Operation Brighter Future, Inc., a Missouri nonprofit corporation ("Company"), filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State, effective date September 30, 2025. In accordance with the filing of the Articles of Dissolution by Voluntary Action, and pursuant to the Missouri Nonprofit Corporation Act, any and all claims against the Company should be sent by mail to:

Operation Brighter Future, Inc.  
3039 Troost Avenue  
Kansas City, MO 64109

Each claim should include the following:

- 1) A brief description of the nature and basis for your claim;
- 2) The date(s) when the events on which your claim is based arose;
- 3) The amount of your claim;
- 4) The name, address, telephone number, and email address (if applicable) of the claimant; and
- 5) Any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of the publication of this Notice.

**NOTICE OF CORPORATION DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CIMMARON ELECTRIC, INC**

On September 3, 2025, Cimmaron Electric, Inc., a Missouri corporation, Charter Number 00294837, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. All persons or organizations having claims against Cimmaron Electric, Inc., are required to present them immediately in writing to:

Molly Nail, Attorney at Law  
Chinnery Evans & Nail, P.C.  
800 NE Vanderbilt Lane  
Lee's Summit, MO 64064

Each claim must contain the following information:

- 1) Name and current address of the claimant;
- 2) A clear and concise statement of the facts supporting the claim;
- 3) The date the claim was incurred; and
- 4) The amount of money or alternate relief demanded.

Note: Claims against Cimmaron Electric, Inc., will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS OF CLAIMS AGAINST LANKFORD & ASSOCIATES CONSULTING ENGINEERS, LLC**

On September 10, 2025, Lankford & Associates Consulting Engineers, LLC, a Missouri limited liability company filed its Notice of Winding Up with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against Lankford & Associates Consulting Engineers, LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

Lankford & Associates Consulting Engineers, LLC  
1730 Walnut St  
Kansas City, MO 64108

The summary of your claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date on which the event on which the claim is based occurred; and
- 4) A brief description of the nature of the debt or the basis for the claim.

All claims against Lankford & Associates Consulting Engineers, LLC, will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 49 (2024) and 50 (2025). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR	Notice of Periodic Rule Review				50 MoReg 960
1 CSR 10	State Officials' Salary Compensation Schedule				47 MoReg 1457
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR	Notice of Periodic Rule Review				50 MoReg 960
2 CSR 80-2.190	State Milk Board		50 MoReg 742		
2 CSR 90	Weights, Measures and Consumer Protection				50 MoReg 718
2 CSR 90-21.010	Weights, Measures and Consumer Protection		50 MoReg 1318		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR	Notice of Periodic Rule Review				50 MoReg 960
3 CSR 10-4.130	Conservation Commission		50 MoReg 691	50 MoReg 1258	
3 CSR 10-4.135	Conservation Commission				
3 CSR 10-4.140	Conservation Commission				
3 CSR 10-5.205	Conservation Commission				
3 CSR 10-5.215	Conservation Commission		50 MoReg 890		
3 CSR 10-5.222	Conservation Commission		50 MoReg 890R		
3 CSR 10-5.225	Conservation Commission		50 MoReg 891		
3 CSR 10-5.250	Conservation Commission		50 MoReg 891		
3 CSR 10-5.300	Conservation Commission		50 MoReg 891		
3 CSR 10-5.310	Conservation Commission		50 MoReg 892		
3 CSR 10-5.315	Conservation Commission		50 MoReg 892		
3 CSR 10-5.320	Conservation Commission		50 MoReg 892		
3 CSR 10-5.324	Conservation Commission		50 MoReg 893		
3 CSR 10-5.330	Conservation Commission		50 MoReg 893		
3 CSR 10-5.331	Conservation Commission		50 MoReg 894		
3 CSR 10-5.340	Conservation Commission		50 MoReg 894		
3 CSR 10-5.345	Conservation Commission		50 MoReg 894		
3 CSR 10-5.351	Conservation Commission		50 MoReg 894		
3 CSR 10-5.352	Conservation Commission		50 MoReg 895		
3 CSR 10-5.359	Conservation Commission		50 MoReg 895		
3 CSR 10-5.360	Conservation Commission		50 MoReg 895		
3 CSR 10-5.365	Conservation Commission		50 MoReg 896		
3 CSR 10-5.370	Conservation Commission		50 MoReg 896		
3 CSR 10-5.425	Conservation Commission		50 MoReg 896		
3 CSR 10-5.429	Conservation Commission		50 MoReg 897		
3 CSR 10-5.430	Conservation Commission		50 MoReg 897		
3 CSR 10-5.434	Conservation Commission		50 MoReg 897		
3 CSR 10-5.435	Conservation Commission		50 MoReg 898		
3 CSR 10-5.436	Conservation Commission		50 MoReg 898		
3 CSR 10-5.440	Conservation Commission		50 MoReg 898		
3 CSR 10-5.445	Conservation Commission		50 MoReg 899		
3 CSR 10-5.460	Conservation Commission		50 MoReg 899		
3 CSR 10-5.465	Conservation Commission		50 MoReg 899		
3 CSR 10-5.535	Conservation Commission		50 MoReg 900		
3 CSR 10-5.540	Conservation Commission		50 MoReg 900		
3 CSR 10-5.545	Conservation Commission		50 MoReg 900		
3 CSR 10-5.551	Conservation Commission		50 MoReg 901		
3 CSR 10-5.552	Conservation Commission		50 MoReg 901		
3 CSR 10-5.554	Conservation Commission		50 MoReg 901		
3 CSR 10-5.559	Conservation Commission		50 MoReg 901		
3 CSR 10-5.560	Conservation Commission		50 MoReg 902		50 MoReg 121
3 CSR 10-5.565	Conservation Commission		50 MoReg 902		
3 CSR 10-5.567	Conservation Commission		50 MoReg 902		
3 CSR 10-5.570	Conservation Commission		50 MoReg 903		
3 CSR 10-5.576	Conservation Commission		50 MoReg 903		
3 CSR 10-5.579	Conservation Commission		50 MoReg 903		
3 CSR 10-5.580	Conservation Commission		50 MoReg 904		
3 CSR 10-5.600	Conservation Commission		50 MoReg 904		
3 CSR 10-5.605	Conservation Commission		50 MoReg 904		
3 CSR 10-5.700	Conservation Commission		50 MoReg 905		
3 CSR 10-5.710	Conservation Commission		50 MoReg 905		
3 CSR 10-5.800	Conservation Commission		50 MoReg 905		
3 CSR 10-5.805	Conservation Commission		50 MoReg 905		
3 CSR 10-5.900	Conservation Commission		50 MoReg 906		
3 CSR 10-5.950	Conservation Commission		50 MoReg 906		
3 CSR 10-6.415	Conservation Commission				
3 CSR 10-6.535	Conservation Commission				
3 CSR 10-6.550	Conservation Commission				
3 CSR 10-7.410	Conservation Commission		50 MoReg 919		
3 CSR 10-7.412	Conservation Commission				
3 CSR 10-7.431	Conservation Commission				
3 CSR 10-7.433	Conservation Commission				

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
3 CSR 10-7.434	Conservation Commission				
3 CSR 10-7.435	Conservation Commission				
3 CSR 10-7.437	Conservation Commission				
3 CSR 10-7.440	Conservation Commission				
3 CSR 10-7.450	Conservation Commission				
3 CSR 10-7.455	Conservation Commission				
3 CSR 10-7.700	Conservation Commission				
3 CSR 10-7.705	Conservation Commission				
3 CSR 10-7.710	Conservation Commission				
3 CSR 10-7.900	Conservation Commission				
3 CSR 10-7.905	Conservation Commission				
3 CSR 10-8.510	Conservation Commission		50 MoReg 919		
3 CSR 10-8.515	Conservation Commission		50 MoReg 921		
3 CSR 10-9.105	Conservation Commission		50 MoReg 921		
3 CSR 10-9.106	Conservation Commission		50 MoReg 922		
3 CSR 10-9.350	Conservation Commission		50 MoReg 922		
3 CSR 10-9.351	Conservation Commission		50 MoReg 922		
3 CSR 10-9.352	Conservation Commission		50 MoReg 923		
3 CSR 10-9.370	Conservation Commission		50 MoReg 923		
3 CSR 10-9.420	Conservation Commission		50 MoReg 923		
3 CSR 10-9.425	Conservation Commission		50 MoReg 924		
3 CSR 10-9.440	Conservation Commission		50 MoReg 924		
3 CSR 10-9.560	Conservation Commission		50 MoReg 924		
3 CSR 10-9.565	Conservation Commission		50 MoReg 925		
3 CSR 10-9.570	Conservation Commission		50 MoReg 928		
3 CSR 10-9.575	Conservation Commission		50 MoReg 928		
3 CSR 10-9.625	Conservation Commission		50 MoReg 929		
3 CSR 10-9.627	Conservation Commission		50 MoReg 929		
3 CSR 10-9.640	Conservation Commission		50 MoReg 929		
3 CSR 10-9.950	Conservation Commission		50 MoReg 930		
3 CSR 10-10.705	Conservation Commission		50 MoReg 936		
3 CSR 10-10.707	Conservation Commission		50 MoReg 936		
3 CSR 10-10.708	Conservation Commission		50 MoReg 936		
3 CSR 10-10.720	Conservation Commission		50 MoReg 937		
3 CSR 10-10.722	Conservation Commission		50 MoReg 937		
3 CSR 10-10.724	Conservation Commission		50 MoReg 937		
3 CSR 10-10.728	Conservation Commission		50 MoReg 938		
3 CSR 10-10.732	Conservation Commission		50 MoReg 938		
3 CSR 10-10.739	Conservation Commission		50 MoReg 938		
3 CSR 10-10.744	Conservation Commission		50 MoReg 939		
3 CSR 10-10.767	Conservation Commission		50 MoReg 939		
3 CSR 10-10.771	Conservation Commission		50 MoReg 939		
3 CSR 10-10.788	Conservation Commission		50 MoReg 940		
3 CSR 10-10.789	Conservation Commission		50 MoReg 940		
3 CSR 10-10.800	Conservation Commission		50 MoReg 940		
3 CSR 10-10.805	Conservation Commission		50 MoReg 941		
3 CSR 10-10.810	Conservation Commission		50 MoReg 941		
3 CSR 10-10.950	Conservation Commission		50 MoReg 942		
3 CSR 10-11.115	Conservation Commission				
3 CSR 10-11.120	Conservation Commission				
3 CSR 10-11.130	Conservation Commission				
3 CSR 10-11.135	Conservation Commission				
3 CSR 10-11.180	Conservation Commission				
3 CSR 10-11.186	Conservation Commission				
3 CSR 10-11.205	Conservation Commission				
3 CSR 10-12.109	Conservation Commission				
3 CSR 10-12.110	Conservation Commission				
3 CSR 10-12.115	Conservation Commission				
3 CSR 10-12.125	Conservation Commission				
3 CSR 10-12.130	Conservation Commission				
3 CSR 10-12.140	Conservation Commission				
3 CSR 10-12.145	Conservation Commission				
3 CSR 10-20.805	Conservation Commission		50 MoReg 947		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR	Notice of Periodic Rule Review				50 MoReg 960
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR	Notice of Periodic Rule Review				50 MoReg 960
5 CSR 20-400.440	Division of Learning Services		50 MoReg 532	50 MoReg 1221	
5 CSR 20-400.450	Division of Learning Services		50 MoReg 988		
5 CSR 20-400.530	Division of Learning Services		50 MoReg 989		
5 CSR 20-400.540	Division of Learning Services		50 MoReg 990		
5 CSR 20-400.600	Division of Learning Services		50 MoReg 991		
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR	Notice of Periodic Rule Review				50 MoReg 960
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 20-2.010	Labor and Industrial Relations Commission		50 MoReg 1285		
<b>DEPARTMENT OF MENTAL HEALTH</b>					



RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
9 CSR 30-3.132	Certification Standards		50 MoReg 1318		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-6.061	Director's Office		50 MoReg 770		
10 CSR 10-6.070	Director's Office		50 MoReg 145	50 MoReg 1110	
10 CSR 10-6.075	Director's Office		50 MoReg 149	50 MoReg 1110	
10 CSR 10-6.080	Director's Office		50 MoReg 150	50 MoReg 1110	
10 CSR 10-6.140	Director's Office		50 MoReg 775R		
10 CSR 20-2.010	Clean Water Commission		50 MoReg 1189		
10 CSR 20-6.015	Clean Water Commission		50 MoReg 1195		
10 CSR 20-6.020	Clean Water Commission		50 MoReg 1205		
10 CSR 20-6.060	Clean Water Commission		50 MoReg 1207		
10 CSR 20-6.200	Clean Water Commission		50 MoReg 1208		
10 CSR 25-6.263	Hazardous Waste Management Commission		50 MoReg 16	50 MoReg 1111	
10 CSR 25-7	Hazardous Waste Management Commission				50 MoReg 718
10 CSR 25-8.124	Hazardous Waste Management Commission		50 MoReg 20	50 MoReg 1111	
10 CSR 25-13.010	Hazardous Waste Management Commission		50 MoReg 27R	50 MoReg 1115R	
10 CSR 90-2.030	State Parks		50 MoReg 950		
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 45-1.010	Missouri Gaming Commission		50 MoReg 776	This Issue	
11 CSR 45-1.015	Missouri Gaming Commission		50 MoReg 776	This Issue	
11 CSR 45-1.020	Missouri Gaming Commission		50 MoReg 776	This Issue	
11 CSR 45-1.080	Missouri Gaming Commission		50 MoReg 777	This Issue	
11 CSR 45-1.100	Missouri Gaming Commission		50 MoReg 777	This Issue	
11 CSR 45-2.010	Missouri Gaming Commission		50 MoReg 777	This Issue	
11 CSR 45-13.010	Missouri Gaming Commission		50 MoReg 778	This Issue	
11 CSR 45-13.020	Missouri Gaming Commission		50 MoReg 778	This Issue	
11 CSR 45-13.030	Missouri Gaming Commission		50 MoReg 778	This Issue	
11 CSR 45-13.040	Missouri Gaming Commission		50 MoReg 779	This Issue	
11 CSR 45-13.045	Missouri Gaming Commission		50 MoReg 779	This Issue	
11 CSR 45-13.050	Missouri Gaming Commission		50 MoReg 780	This Issue	
11 CSR 45-13.052	Missouri Gaming Commission		50 MoReg 780	This Issue	
11 CSR 45-13.055	Missouri Gaming Commission		50 MoReg 781	This Issue	
11 CSR 45-13.060	Missouri Gaming Commission		50 MoReg 782	This Issue	
11 CSR 45-13.065	Missouri Gaming Commission		50 MoReg 783	This Issue	
11 CSR 45-13.070	Missouri Gaming Commission		50 MoReg 783	This Issue	
11 CSR 45-13.080	Missouri Gaming Commission		50 MoReg 783	This Issue	
11 CSR 45-15.010	Missouri Gaming Commission		50 MoReg 784	This Issue	
11 CSR 45-15.020	Missouri Gaming Commission		50 MoReg 784	This Issue	
11 CSR 45-15.030	Missouri Gaming Commission		50 MoReg 785	This Issue	
11 CSR 45-15.040	Missouri Gaming Commission		50 MoReg 785	This Issue	
11 CSR 45-15.050	Missouri Gaming Commission		50 MoReg 786	This Issue	
11 CSR 45-20.010	Missouri Gaming Commission		50 MoReg 786	This Issue	
11 CSR 45-20.140	Missouri Gaming Commission		50 MoReg 789	This Issue	
11 CSR 45-20.150	Missouri Gaming Commission		50 MoReg 789	This Issue	
11 CSR 45-20.160	Missouri Gaming Commission		50 MoReg 790	This Issue	
11 CSR 45-20.170	Missouri Gaming Commission		50 MoReg 791	This Issue	
11 CSR 45-20.180	Missouri Gaming Commission		50 MoReg 792	This Issue	
11 CSR 45-20.190	Missouri Gaming Commission		50 MoReg 794	This Issue	
11 CSR 45-20.200	Missouri Gaming Commission		50 MoReg 794	This Issue	
11 CSR 45-20.210	Missouri Gaming Commission		50 MoReg 797	This Issue	
11 CSR 45-20.220	Missouri Gaming Commission		50 MoReg 800	This Issue	
11 CSR 45-20.230	Missouri Gaming Commission		50 MoReg 801	This Issue	
11 CSR 45-20.240	Missouri Gaming Commission		50 MoReg 804	This Issue	
11 CSR 45-20.250	Missouri Gaming Commission		50 MoReg 806	This Issue	
11 CSR 45-20.260	Missouri Gaming Commission		50 MoReg 807	This Issue	
11 CSR 45-20.270	Missouri Gaming Commission		50 MoReg 807	This Issue	
11 CSR 45-20.280	Missouri Gaming Commission		50 MoReg 808	This Issue	
11 CSR 45-20.290	Missouri Gaming Commission		50 MoReg 809	This Issue	
11 CSR 45-20.300	Missouri Gaming Commission		50 MoReg 810	This Issue	
11 CSR 45-20.310	Missouri Gaming Commission		50 MoReg 812	This Issue	
11 CSR 45-20.320	Missouri Gaming Commission		50 MoReg 814	This Issue	
11 CSR 45-20.330	Missouri Gaming Commission		50 MoReg 816	This Issue	
11 CSR 45-20.340	Missouri Gaming Commission		50 MoReg 816	This Issue	
11 CSR 45-20.350	Missouri Gaming Commission		50 MoReg 817	This Issue	
11 CSR 45-20.360	Missouri Gaming Commission		50 MoReg 818	This Issue	
11 CSR 45-20.370	Missouri Gaming Commission		50 MoReg 818	This Issue	
11 CSR 45-20.380	Missouri Gaming Commission		50 MoReg 819	This Issue	
11 CSR 45-20.390	Missouri Gaming Commission		50 MoReg 822	This Issue	
11 CSR 45-20.400	Missouri Gaming Commission		50 MoReg 823	This Issue	
11 CSR 45-20.410	Missouri Gaming Commission		50 MoReg 824	This Issue	
11 CSR 45-20.420	Missouri Gaming Commission		50 MoReg 826	This Issue	
11 CSR 45-20.430	Missouri Gaming Commission		50 MoReg 826	This Issue	
11 CSR 45-20.440	Missouri Gaming Commission		50 MoReg 827	This Issue	
11 CSR 45-20.450	Missouri Gaming Commission		50 MoReg 828	This Issue	
11 CSR 45-20.460	Missouri Gaming Commission		50 MoReg 829	This Issue	
11 CSR 45-20.470	Missouri Gaming Commission		50 MoReg 829	This Issue	
11 CSR 45-20.480	Missouri Gaming Commission		50 MoReg 830	This Issue	
11 CSR 45-20.490	Missouri Gaming Commission		50 MoReg 833	This Issue	
11 CSR 45-20.500	Missouri Gaming Commission		50 MoReg 834	This Issue	
11 CSR 45-20.510	Missouri Gaming Commission		50 MoReg 835	This Issue	
11 CSR 45-20.520	Missouri Gaming Commission		50 MoReg 835	This Issue	

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
11 CSR 45-20.530	Missouri Gaming Commission		50 MoReg 836	This Issue	
11 CSR 45-20.540	Missouri Gaming Commission		50 MoReg 838	This Issue	
11 CSR 45-20.550	Missouri Gaming Commission		50 MoReg 838	This Issue	
11 CSR 45-20.560	Missouri Gaming Commission		50 MoReg 843	This Issue	
11 CSR 45-20.570	Missouri Gaming Commission		50 MoReg 845	This Issue	
11 CSR 45-20.580	Missouri Gaming Commission		50 MoReg 846	This Issue	
11 CSR 45-20.590	Missouri Gaming Commission		50 MoReg 847	This Issue	
11 CSR 45-20.600	Missouri Gaming Commission		50 MoReg 847	This Issue	
11 CSR 45-20.610	Missouri Gaming Commission		50 MoReg 848	This Issue	
11 CSR 45-20.620	Missouri Gaming Commission		50 MoReg 849	This Issue	
11 CSR 45-20.630	Missouri Gaming Commission		50 MoReg 849	This Issue	
11 CSR 45-20.640	Missouri Gaming Commission		50 MoReg 850	This Issue	
11 CSR 45-20.650	Missouri Gaming Commission		50 MoReg 850	This Issue	
11 CSR 85-1.050	Veterans Affairs		50 MoReg 1285		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.140	Director of Revenue		50 MoReg 1325		
12 CSR 10-2.150	Director of Revenue		50 MoReg 950	50 MoReg 1379	
12 CSR 10-2.155	Director of Revenue		50 MoReg 951	50 MoReg 1379	
12 CSR 10-2.436	Director of Revenue		50 MoReg 568	50 MoReg 1221	
12 CSR 10-2.740	Director of Revenue		50 MoReg 1326		
12 CSR 10-16.090	Director of Revenue		50 MoReg 1250		
12 CSR 10-23.090	Director of Revenue		50 MoReg 1328		
12 CSR 10-23.100	Director of Revenue		50 MoReg 1328		
12 CSR 10-23.185	Director of Revenue		50 MoReg 1329		
12 CSR 10-23.210	Director of Revenue		50 MoReg 1329R		
12 CSR 10-23.295	Director of Revenue		50 MoReg 1330		
12 CSR 10-23.400	Director of Revenue		50 MoReg 1330R		
12 CSR 10-23.430	Director of Revenue		50 MoReg 1330		
12 CSR 10-23.470	Director of Revenue		50 MoReg 1331		
12 CSR 10-23.475	Director of Revenue		50 MoReg 1331		
12 CSR 10-23.500	Director of Revenue		50 MoReg 1332		
12 CSR 10-24.090	Director of Revenue		50 MoReg 1332		
12 CSR 10-24.200	Director of Revenue		50 MoReg 570	50 MoReg 1221	
12 CSR 10-24.300	Director of Revenue		50 MoReg 1333		
12 CSR 10-24.360	Director of Revenue		50 MoReg 1250		
12 CSR 10-24.380	Director of Revenue		50 MoReg 1334		
12 CSR 10-24.395	Director of Revenue		50 MoReg 1251		
12 CSR 10-24.412	Director of Revenue		50 MoReg 1334		
12 CSR 10-24.440	Director of Revenue		50 MoReg 742R	50 MoReg 1293R	
12 CSR 10-24.444	Director of Revenue		50 MoReg 1335		
12 CSR 10-26.030	Director of Revenue		50 MoReg 570	50 MoReg 1221	
12 CSR 10-26.120	Director of Revenue		50 MoReg 1336R		
12 CSR 10-41.020	Director of Revenue		50 MoReg 1336		
12 CSR 10-41.025	Director of Revenue		50 MoReg 1337		
12 CSR 10-41.040	Director of Revenue		50 MoReg 743R	50 MoReg 1293R	
12 CSR 10-101.600	Director of Revenue		50 MoReg 1252		
12 CSR 10-103.017	Director of Revenue		50 MoReg 1337		
12 CSR 10-103.050	Director of Revenue		50 MoReg 1338		
12 CSR 10-103.390	Director of Revenue		50 MoReg 1338		
12 CSR 10-103.555	Director of Revenue		50 MoReg 1339		
12 CSR 10-104.020	Director of Revenue		50 MoReg 1339		
12 CSR 10-104.040	Director of Revenue		50 MoReg 1340		
12 CSR 10-110.013	Director of Revenue		50 MoReg 1341		
12 CSR 10-110.300	Director of Revenue		50 MoReg 1342		
12 CSR 10-110.846	Director of Revenue		50 MoReg 1342R		
12 CSR 10-110.910	Director of Revenue		50 MoReg 1252		
12 CSR 10-110.955	Director of Revenue		50 MoReg 1343		
12 CSR 10-112.300	Director of Revenue		50 MoReg 1343		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35-60.040	Children's Division	50 MoReg 741	50 MoReg 743	50 MoReg 1379	
13 CSR 35-71.050	Children's Division		50 MoReg 1286		
13 CSR 70-3.200	MO HealthNet Division	50 MoReg 1033	50 MoReg 1076		
13 CSR 70-3.230	MO HealthNet Division		50 MoReg 1252		
13 CSR 70-3.250	MO HealthNet Division		50 MoReg 1079		
13 CSR 70-7.050	MO HealthNet Division		50 MoReg 1289		
13 CSR 70-10.110	MO HealthNet Division	50 MoReg 1036	50 MoReg 1289		
13 CSR 70-15.010	MO HealthNet Division	50 MoReg 1036	This Issue		
13 CSR 70-15.015	MO HealthNet Division	50 MoReg 1048	50 MoReg 1079		
13 CSR 70-15.110	MO HealthNet Division	50 MoReg 1054	50 MoReg 1086		
13 CSR 70-15.160	MO HealthNet Division	50 MoReg 1059	50 MoReg 1090		
13 CSR 70-15.190	MO HealthNet Division	50 MoReg 1063	50 MoReg 1094		
13 CSR 70-15.220	MO HealthNet Division	50 MoReg 1063	50 MoReg 1094		
13 CSR 70-15.230	MO HealthNet Division		50 MoReg 1344		
13 CSR 70-20.320	MO HealthNet Division	50 MoReg 1070	50 MoReg 1100		
13 CSR 70-25.130	MO HealthNet Division		50 MoReg 851	50 MoReg 1379	
13 CSR 70-25.140	MO HealthNet Division		50 MoReg 534	50 MoReg 1258	
13 CSR 70-94.020	MO HealthNet Division	50 MoReg 465	50 MoReg 471	50 MoReg 1222	
<b>ELECTED OFFICIALS</b>					
15 CSR 30-50.030	Secretary of State		50 MoReg 1103		
15 CSR 30-51.170	Secretary of State		50 MoReg 1103		
15 CSR 30-51.172	Secretary of State		50 MoReg 1104		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
15 CSR 30-54.205	Secretary of State		50 MoReg 1105		
15 CSR 30-70.030	Secretary of State		50 MoReg 992		
15 CSR 50-5.010	Treasurer		50 MoReg 993R		
			50 MoReg 1105		
15 CSR 50-5.020	Treasurer		50 MoReg 993R		
			50 MoReg 1105		
15 CSR 50-5.030	Treasurer		50 MoReg 993R		
			50 MoReg 1106		
15 CSR 50-5.035	Treasurer	50 MoReg 1249	50 MoReg 994		
15 CSR 60-18.010	Attorney General		50 MoReg 691	This Issue	
15 CSR 60-18.020	Attorney General		50 MoReg 692	This Issue	
15 CSR 60-18.030	Attorney General		50 MoReg 700	This Issue	
15 CSR 60-18.040	Attorney General		50 MoReg 706	This Issue	
15 CSR 60-18.050	Attorney General		50 MoReg 706	This Issue	
15 CSR 60-18.060	Attorney General		50 MoReg 706	This Issue W	
15 CSR 60-18.070	Attorney General		50 MoReg 712	This Issue	
15 CSR 60-19.010	Attorney General		50 MoReg 852		
15 CSR 60-19.020	Attorney General		50 MoReg 853		
15 CSR 60-19.030	Attorney General		50 MoReg 858		
15 CSR 60-19.040	Attorney General		50 MoReg 858		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 20-2.010	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1215		
16 CSR 20-2.085	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1216		
16 CSR 20-2.086	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1217		
16 CSR 20-3.020	Missouri Local Government Employees' Retirement System (LAGERS)		50 MoReg 1218		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 30-1.006	Division of Regulation and Licensure		50 MoReg 1253		
19 CSR 30-30.062	Division of Regulation and Licensure	50 MoReg 525	50 MoReg 538	50 MoReg 1222	
19 CSR 30-82.060	Division of Regulation and Licensure		50 MoReg 1347		
19 CSR 60-50	Missouri Health Facilities Review Committee				50 MoReg 1223 50 MoReg 1262 50 MoReg 1382
19 CSR 60-50.300	Missouri Health Facilities Review Committee		50 MoReg 1348		
19 CSR 60-50.400	Missouri Health Facilities Review Committee		50 MoReg 1349		
19 CSR 60-50.410	Missouri Health Facilities Review Committee		50 MoReg 1350		
19 CSR 60-50.420	Missouri Health Facilities Review Committee		50 MoReg 1356		
19 CSR 60-50.430	Missouri Health Facilities Review Committee		50 MoReg 1357		
19 CSR 60-50.450	Missouri Health Facilities Review Committee		50 MoReg 1361		
19 CSR 60-50.470	Missouri Health Facilities Review Committee		50 MoReg 1361		
19 CSR 60-50.500	Missouri Health Facilities Review Committee		50 MoReg 1362		
19 CSR 60-50.700	Missouri Health Facilities Review Committee		50 MoReg 1362		
19 CSR 60-50.800	Missouri Health Facilities Review Committee		50 MoReg 1363		
<b>DEPARTMENT OF COMMERCE AND INSURANCE</b>					
20 CSR	Applied Behavior Analysis Maximum Benefit				50 MoReg 309
20 CSR	Construction Claims Binding Arbitration Cap				50 MoReg 309
20 CSR	Non-Economic Damages in Medical Malpractice Cap				50 MoReg 309
20 CSR	Sovereign Immunity Limits				49 MoReg 1905
20 CSR	State Legal Expense Fund Cap				50 MoReg 309
20 CSR 2070-2.110	State Board of Chiropractic Examiners		50 MoReg 1291R		
20 CSR 2085-4.070	Board of Cosmetology and Barber Examiners		50 MoReg 1255		
20 CSR 2110-2.071	Missouri Dental Board		50 MoReg 743	50 MoReg 1293	
20 CSR 2110-2.240	Missouri Dental Board		50 MoReg 571	50 MoReg 1222	
20 CSR 2150-5.030	State Board of Registration for the Healing Arts		50 MoReg 744		
20 CSR 2150-7.135	State Board of Registration for the Healing Arts		50 MoReg 571	50 MoReg 1293	
20 CSR 2197-4.030	Board of Therapeutic Massage		50 MoReg 1292		
20 CSR 2220-7.010	State Board of Pharmacy		50 MoReg 1363		
20 CSR 2220-7.025	State Board of Pharmacy		50 MoReg 1364		
20 CSR 2220-7.027	State Board of Pharmacy		50 MoReg 1364		
20 CSR 2220-7.030	State Board of Pharmacy		50 MoReg 1365		
20 CSR 2220-7.040	State Board of Pharmacy		50 MoReg 1366		
20 CSR 2220-7.050	State Board of Pharmacy		50 MoReg 1369		
20 CSR 2220-7.060	State Board of Pharmacy		50 MoReg 1369		
20 CSR 2231-2.010	Division of Professional Registration		50 MoReg 1255		
20 CSR 2234-6.010	Board of Private Investigator and Private Fire Investigator Examiners		50 MoReg 1370		
20 CSR 2245-6.017	Real Estate Appraisers		50 MoReg 858		
20 CSR 2245-6.018	Real Estate Appraisers		50 MoReg 860		
20 CSR 2263-2.031	State Committee for Social Workers		50 MoReg 1107		
20 CSR 2263-2.070	State Committee for Social Workers		50 MoReg 1107		
20 CSR 2263-2.082	State Committee for Social Workers		50 MoReg 952	This Issue	
20 CSR 2270-1.031	Missouri Veterinary Medical Board		50 MoReg 1218		
20 CSR 2270-2.031	Missouri Veterinary Medical Board		50 MoReg 1219		
20 CSR 2270-2.041	Missouri Veterinary Medical Board		50 MoReg 1219		
20 CSR 2270-3.020	Missouri Veterinary Medical Board		50 MoReg 1219		
20 CSR 2270-4.060	Missouri Veterinary Medical Board		50 MoReg 1108		
20 CSR 2085-4.070	Board of Cosmetology and Barber Examiners		50 MoReg 1255		
20 CSR 4240-10.035	Public Service Commission		50 MoReg 1370		
20 CSR 4240-10.165	Public Service Commission		50 MoReg 1376		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
20 SCR 4240-13.055	Public Service Commission		50 MoReg 1376		
20 CSR 4240-40.020	Public Service Commission		50 MoReg 572	50 MoReg 1379	
20 CSR 4240-40.030	Public Service Commission		50 MoReg 576	50 MoReg 1380	
20 CSR 4240-40.080	Public Service Commission		50 MoReg 615	50 MoReg 1381	

MISSOURI CONSOLIDATED HEALTH CARE PLAN

MISSOURI DEPARTMENT OF THE NATIONAL GUARD



AGENCY	PUBLICATION	EFFECTIVE	EXPIRATION
<b>Department of Elementary and Secondary Education</b>			
Division of Learning Services			
5 CSR 20-300.110	Individuals with Disabilities Education Act, Part B. . . . .	Next Issue. . . . .	Sept. 30, 2025. . . . . March 28, 2026
<b>Department of Social Services</b>			
Children's Division			
13 CSR 35-60.040	Physical and Environmental Standards. . . . .	50 MoReg 741. . . . .	May 5, 2025. . . . . Feb. 11, 2026
MO HealthNet Division			
13 CSR 70-3.200	Ambulance Service Reimbursement Allowance. . . . .	50 MoReg 1033. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-10.110	Nursing Facility Reimbursement Allowance. . . . .	50 MoReg 1036. . . . .	July 8, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Methodology. . . . .	50 MoReg 1036. . . . .	July 8, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.015	[Direct Medicaid]Supplemental Payments. . . . .	50 MoReg 1048. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA). . . . .	50 MoReg 1054. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.160	Outpatient Hospital Services Reimbursement Methodology. . . . .	50 MoReg 1059. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.190	Out-of-State Hospital Services Reimbursement Plan. . . . .	50 MoReg 1063. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-15.220	Disproportionate Share Hospital (DSH) Payments. . . . .	50 MoReg 1063. . . . .	July 7, 2025. . . . . Feb. 26, 2026
13 CSR 70-20.320	Pharmacy Reimbursement Allowance. . . . .	50 MoReg 1070. . . . .	July 8, 2025. . . . . Feb. 26, 2026
<b>Elected Officials</b>			
Treasurer			
15 CSR 50-5.035	Grant Program. . . . .	50 MoReg 1249. . . . .	Aug. 8, 2025. . . . . Feb. 3, 2026

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
<b>2025</b>			
25-30	Orders the Director of the Missouri Department of Social Services to prepare and submit a request for a waiver to the United States Department of Agriculture to authorize alterations to Missouri's SNAP program in a manner that prioritizes healthy food and nutritional value	September 28, 2025	Next Issue
25-29	Declares a Drought Alert in several Missouri counties, directs the Director of the Department of Natural Resources to promote the use of Condition Monitoring Observer Reports, and directs all state agencies to provide assistance to affected communities	September 22, 2025	Next Issue
25-28	Extends portions of Executive Order 25-27 until October 31, 2025	August 28, 2025	50 MoReg 1317
25-27	Extends Executive Orders 25-23 and 25-24 until August 31, 2025	June 30, 2025	50 MoReg 1075
25-26	Designates members of his staff to have supervisory authority over departments, divisions, and agencies of state government	June 24, 2025	50 MoReg 1073
25-25	Declares a State of Emergency and orders the Adjutant General to call into active service any state militia deemed necessary to support civilian authorities due to civil unrest in Missouri	June 12, 2025	50 MoReg 987
Proclamation	Convenes the First Extraordinary Session of the First Regular Session of the One Hundred Third General Assembly to appropriate money to specific areas as well as enact legislation regarding income tax deductions, the Missouri Housing Trust Fund, tax credits, and economic incentives	May 27, 2025	50 MoReg 888
25-24	Orders the Director of the Missouri Department of Health and Senior Services and the State Board of Pharmacy vested with full discretionary authority to temporarily waive or suspend statutory or administrative rule or regulation to serve the interests of public health and safety in the aftermath of severe weather that began on March 14, 2025	May 20, 2025	50 MoReg 887
25-23	Extends Executive Orders 25-20 and 25-22 until June 30, 2025	May 13, 2025	50 MoReg 769
25-22	Extends Executive Orders 25-19, 25-20, and 25-21 until May 14, 2025	April 14, 2025	50 MoReg 690
25-21	Directs the Adjutant General to call into active service any state militia deemed necessary to support civilian authorities due to the severe weather beginning April 1, 2025	April 2, 2025	50 MoReg 689
25-20	Orders that the Director of the Missouri Department of Natural Resources is vested with authority to temporarily waive or suspend statutory or administrative rule or regulation to serve the interests of public health and safety in the aftermath of severe weather that began on March 14, 2025	March 20, 2025	50 MoReg 567
25-19	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems beginning on March 14	March 14, 2025	50 MoReg 531
25-18	Orders all executive agencies to comply with the principle of equal protection and ensure all rules, policies, employment practices, and actions treat all persons equally. Executive agencies are prohibited from considering diversity, equity, and inclusion in their hiring decisions, and no state funds shall be utilized for activities that solely or primarily support diversity, equity, and inclusion initiatives	February 18, 2025	50 MoReg 413
25-17	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until March 10, 2025	February 10, 2025	50 MoReg 411

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
25-16	Establishes the Governor's Workforce of the Future Challenge for the Missouri Department of Elementary and Secondary Education, with the Missouri Department of Education and Workforce Development, to improve existing career and technical education delivery systems	January 28, 2025	50 MoReg 361
25-15	Orders the Office of Childhood within the Missouri Department of Elementary and Secondary Education to improve the state regulatory environment for child care facilities and homes	January 28, 2025	50 MoReg 360
25-14	Establishes the Missouri School Funding Modernization Task Force to develop recommendations for potential state funding models for K-12 education	January 28, 2025	50 MoReg 358
25-13	Orders Executive Department directors and commissioners to solicit input from their respective agency stakeholders and establishes rulemaking requirements for state agencies	January 23, 2025	50 MoReg 356
25-12	Establishes a Code of Conduct for all employees of the Office of the Governor	January 23, 2025	50 MoReg 354
25-11	Designates members of his staff to have supervisory authority over departments, divisions, and agencies of state government	January 23, 2025	50 MoReg 352
25-10	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting products utilized by poultry and livestock producers in their farming and ranching operations until January 24, 2025	January 17, 2025	50 MoReg 350
25-09	Directs the Commissioner of Administration to ensure all flags of the United States and the State of Missouri are flown at full staff at all state buildings and grounds on January 20, 2025 for a period of 24 hours	January 15, 2025	50 MoReg 290
25-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan and exempts hours of service requirements for vehicles transporting residential heating fuel until February 2, 2025	January 13, 2025	50 MoReg 288
25-07	Orders the Department of Corrections and the Missouri Parole Board to assemble a working group to develop recommendations to rulemaking for the parole process	January 13, 2025	50 MoReg 287
25-06	Orders the Director of the Department of Public Safety and the Superintendent of the Missouri State Highway Patrol to modify the Patrol's salary schedule by reducing the time of service required to reach the top salary tier from 15 years of service to 12 years of service	January 13, 2025	50 MoReg 286
25-05	Directs the Department of Public Safety in collaboration with the Missouri State Highway Patrol to include immigration status in the state's uniform crime reporting system and to facilitate the collection of such information across the state	January 13, 2025	50 MoReg 285
25-04	Directs the Director of the Department of Public Safety in collaboration with the Superintendent of the Missouri State Highway Patrol to establish and maintain a memorandum of understanding with the U.S. Department of Homeland Security and actively collaborate with federal agencies. The Superintendent of the Missouri State Highway Patrol shall designate members for training in federal immigration enforcement	January 13, 2025	50 MoReg 284
25-03	Establishes the "Blue Shield Program" within the Department of Public Safety to recognize local governments committed to public safety within their community	January 13, 2025	50 MoReg 282
25-02	Establishes "Operation Relentless Pursuit," a coordinated law enforcement initiative	January 13, 2025	50 MoReg 281

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
25-01	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until January 13, 2025	January 3, 2025	50 MoReg 279
2024			
24-16	Orders state offices to be closed at 12:00 p.m. on Tuesday, December 24, 2024	December 9, 2024	50 MoReg 14
24-15	Orders state offices to be closed on Friday, November 29, 2024	November 7, 2024	49 MoReg 1890
24-14	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to ongoing and forecasted severe storm systems	November 5, 2024	49 MoReg 1889
24-13	Declares a drought alert for 88 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	October 29, 2024	49 MoReg 1802
24-12	Revokes the rescission of Executive Order 97-97	October 24, 2024	49 MoReg 1801
24-11	Rescinds 177 executive orders that are no longer necessary or applicable to the operations of the government	October 23, 2024	49 MoReg 1799
24-10	Directs the Department of Health and Senior Services to address foods containing unregulated psychoactive cannabis products and the Department of Public Safety Division of Alcohol and Tobacco to amend regulations on unregulated psychoactive cannabis products	August 1, 2024	49 MoReg 1343
24-09	Orders executive branch state offices closed on Friday, July 5, 2024	July 1, 2024	49 MoReg 1188
24-08	Extends Executive Order 24-06 and the State of Emergency until July 31, 2024	June 26, 2024	49 MoReg 1187
24-07	Extends Executive Order 23-06 and the State of Emergency until June 30, 2024	May 30, 2024	49 MoReg 954
24-06	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	May 2, 2024	49 MoReg 847
24-05	Extends Executive Order 23-05 to address drought-response efforts until September 1, 2024	April 26, 2024	49 MoReg 792
24-04	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 29, 2024	49 MoReg 447
24-03	Declares a State of Emergency and declares Missouri will implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Texas to provide support with border operations	February 20, 2024	49 MoReg 446
24-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted winter storm systems	January 11, 2024	49 MoReg 270
24-01	Orders the Dept. of Agriculture to establish rules regarding acquisitions of agricultural land by foreign businesses	January 2, 2024	49 MoReg 136



The rule number and the MoReg publication date follow each entry to this index.

**ADMINISTRATION, OFFICE OF**

notice of periodic rule review; 1 CSR; 7/1/25  
state official's salary compensation schedule; 1 CSR 10; 10/3/22

**AGRICULTURE, DEPARTMENT OF**animal health

notice of periodic rule review; 2 CSR; 7/1/25

state milk board

adoption of the methods of making sanitation ratings of milk shippers, 2023 revision of the united states department of health and human services, public health service, food and drug administration; 2 CSR 80-2.005; 4/15/25  
state milk board grade "A" milk policies; 2 CSR 80-2.190; 6/2/25

weights, measures and consumer protection

propane safety commission annual budget plan; 2 CSR 90; registration of servicepersons and service agencies; 2 CSR 90-21.010; 10/1/25  
yearly propane budget; 2 CSR 90; 5/15/25

**CONSERVATION, DEPARTMENT OF**

apprentice hunter authorization; 3 CSR 10-5.300; 7/1/25  
black bear hunting season: application and draw process; 3 CSR 10-7.905;  
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