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**Rules of  
 Department of Public Safety  
 Division 45—Missouri Gaming Commission  
 Chapter 8—Accounting Records and Procedures;  
 Audits**

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**Title 11—DEPARTMENT OF  
PUBLIC SAFETY**

**Division 45—Missouri Gaming  
Commission**

**Chapter 8—Accounting Records and  
Procedures; Audits**

**11 CSR 45-8.010 Definition of Licensee**

*PURPOSE: This rule establishes definitions for the chapter.*

(1) For purposes of this chapter, licensee shall mean a holder of a Class B license.

*AUTHORITY: sections 313.004 and 313.825, RSMo 2000, and section 313.805, RSMo Supp. 2012.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed March 28, 2013, effective Nov. 30, 2013.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.825, RSMo 1991, amended 1993, 2000.*

**11 CSR 45-8.020 Record Retention; Non-compliance**

*PURPOSE: This rule establishes requirements for accounting records retention.*

(1) Each licensee shall provide the commission, upon its request, with the records required to be maintained by this chapter. Unless the commission approves or requires otherwise in writing, each licensee shall retain all these records within Missouri for at least five (5) years after they are made. Failure to keep and provide such records is an unsuitable method of operation.

*AUTHORITY: sections 313.004, 313.800 and 313.805, RSMo Supp. 1993.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

*\*Original authority: 313.004, RSMo 1993 and 313.800 and 313.805, RSMo 1991, amended 1993.*

**11 CSR 45-8.030 Ownership Records**

*PURPOSE: This rule establishes ownership records to be maintained.*

(1) Each licensee shall keep and, upon request, provide to the commission the following records:

- (A) If a corporation—
1. A certified copy of the Articles of Incorporation and any amendments;
  2. A certified copy of the bylaws and any amendments;
  3. A certificate of good standing from the state of its incorporation;
  4. A certificate of authority from the Missouri Office of Secretary of State authorizing it to do business in Missouri if the corporation is operating as a foreign corporation in Missouri;
  5. A list, including names and addresses, of all current and former officers and directors;
  6. A certified copy of minutes of all meetings of the stockholders and directors;
  7. A current list of all stockholders including the names of beneficial owners of shares held in street or other names;
  8. The name of any business entity and a current list of all stockholders in that entity, including the names of beneficial owners of shares held in street or other names, in which the corporation has a direct or indirect interest;
  9. A copy of the stock certificate ledger;
  10. A complete record of all transfers of stock;
  11. A record of amounts paid to the corporation for issuance of stock and other capital contributions and dates thereof;
  12. A record of all dividends distributed by the corporation; and
  13. A record for each year of the previous five (5) years of all salaries, wages and other remuneration (including perquisites), direct or indirect, paid during the calendar or fiscal year, by the corporation, to all officers, directors and stockholders with an ownership interest at any time during the calendar or fiscal year equal to or greater than five percent (5%) of the outstanding capital stock of any class of stock;
- (B) If a partnership—
1. A certified copy of the partnership agreement;
  2. If applicable, a certificate of limited partnership of its domicile;
  3. A list of the current and former partners, including names, addresses, the percentage of interest in net assets, profits and losses held by each, the amount and date of each capital contribution of each partner and the date the interest was acquired;
  4. A record of all withdrawals of partnership funds or assets; and
  5. A record for each year of the previous five (5) years of salaries, wages and other

remuneration (including perquisites), direct or indirect, paid to each partner during the calendar or fiscal year;

(C) If a sole proprietorship—

1. A record showing the name and address of the proprietor and the amount and date of his/her original investment;
2. A record of dates and amounts of subsequent additions to the original investment and any withdrawals; and
3. A record for each year of the previous five (5) years of salaries, wages and other remuneration (including perquisites), direct or indirect, paid to the proprietor during the calendar or fiscal year.

*AUTHORITY: sections 313.004, 313.805 and 313.825, RSMo Supp. 1993.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

*\*Original authority: 313.004, RSMo 1993 and 313.805 and 313.825, RSMo 1991, amended 1993.*

**11 CSR 45-8.040 Accounting Records**

*PURPOSE: This rule establishes standards for accounting records.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.*

(1) Each licensee shall maintain complete, accurate, legible and permanent records of all transactions pertaining to its revenues and expenses, assets, liabilities and equity. The commission, from time-to-time, may direct licensees to alter the manner in which these records are maintained.

(2) The accounting records shall be maintained in accordance with generally accepted accounting principles using a double entry system of accounting, with transactions recorded on the accrual basis and supported by detailed, supporting and subsidiary records.

(3) To insure consistency, comparability and effective disclosure of financial information, the commission shall prescribe a uniform



general ledger chart of accounts and accounting classifications. The prescribed chart of accounts shall be the minimum level of detail to be maintained for each accounting classification by each licensee.

(4) The detailed, supporting and subsidiary records shall include as a minimum the following:

(A) Detailed records identifying all revenues, expenses, assets, liabilities and equity for each licensee;

(B) Records of all investments, advances, loans and receivables due the licensee;

(C) Records related to investments in property and equipment;

(D) Records of all loans and other amounts payable by the licensee;

(E) Records of all patron checks initially accepted by the licensee, deposited in licensee's bank accounts, returned to the licensee as uncollected and ultimately written-off as uncollectible;

(F) Journal entries prepared by the licensee or the independent certified public accountant selected by the commission pursuant to 11 CSR 45-8.060(10);

(G) Tax workpapers used in preparation of any state or federal tax return;

(H) Records which identify table drop, table win and percentage of table win to table drop for each table game, and those records accumulated for each type of table game, either by shift or other accounting period approved by the commission, and accumulated on a month-to-date and year-to-date basis;

(I) Records which identify actual tokens-in/out, drop, payouts, fills, win amounts and percentages, and differences between theoretical and actual win amounts and percentages for each electronic gaming device on a per-day basis or other accounting period approved by the commission and accumulated on a month-to-date and year-to-date basis;

(J) Records of the cost for complimentary goods and services. Complimentary goods or services provided to patrons in the normal course of business shall be recorded at an amount based upon the full retail price normally charged for those goods or services;

(K) Records of the purchase, receipt and destruction of gaming chips and tokens;

(L) Records required to fully comply with all the federal financial recordkeeping requirements as enumerated in 31 CFR 103;

(M) Records of the number of persons admitted on the riverboat;

(N) Records required by the licensee's internal control system; and

(O) Any other records that the commission requires be maintained.

(5) If a licensee fails to maintain records used by it to compute taxes or fees due the state or any political subdivision of the state, the commission may compute and determine the amounts due on the basis of an audit conducted by the commission, available information, statistical analysis, or a combination of these.

(6) Each licensee shall permit the commission or commission agents access to its books and records upon request.

*AUTHORITY: sections 313.004, 313.805 and 313.825, RSMo Supp. 1993.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

*\*Original authority: 313.004, RSMo 1993 and 313.805 and 313.825, RSMo 1991, amended 1993.*

**11 CSR 45-8.050 Standard Financial and Statistical Reports**

*PURPOSE: This rule establishes the standards for financial and statistical reports.*

(1) Each licensee shall file monthly, quarterly and annual reports of financial and statistical data with the commission using electronic transmission and software formats as prescribed.

(2) All reports required under this rule shall be prepared in accordance with generally accepted accounting principles.

(3) Annual reports shall be based on the licensee's fiscal year. Quarterly reports shall be based on the licensee's fiscal quarter. Monthly reports shall be based on calendar months.

(4) The electronically transmitted reports required to be filed pursuant to this section shall be authorized by individuals designated by the licensee. In addition, a letter shall be submitted by the licensee attesting to the data and shall be signed by—

- (A) Director of Finance; or
- (B) Controller.

(5) Signatures required by section (4) of this rule shall mean attestation to the completeness and accuracy of the electronically submitted reports. The letter of attestation may not be signed by the person(s) that prepared the reports.

(6) Letters shall be addressed to the commis-

sion and postmarked or faxed no later than the required filing date and reports shall be transmitted no later than the required filing date. The required filing dates are as follows:

(A) Monthly reports shall be due on the fifteenth calendar day of the following month or the next business day if the fifteenth falls on a weekend or legal holiday;

(B) Quarterly reports shall be due twenty (20) calendar days following the end of the licensee's fiscal quarter;

(C) Annual reports shall be due ninety (90) calendar days following the end of the licensee's fiscal year or ten (10) days after Form 10-K is filed with the Securities and Exchange Commission, whichever comes first;

(D) The licensee shall submit supporting schedules and documentation for the reports as prescribed by the commission; and

(E) Any adjustments to the reports resulting from review and/or audit by the commission shall be made by the licensee within five (5) business days after written notification.

(7) Delays in mailing, mail pickup, postmarking, and electronic transmissions are the licensee's responsibility.

(8) In the event of a termination or suspension of licenses, voluntary or involuntary change in business entity, or change in ownership of more than a twenty percent (20%) interest, a licensee shall file an interim monthly report as of the date of occurrence of the event, unless this event has already been disclosed in a regular monthly report or unless exempted by the commission. The filing date shall be thirty (30) calendar days after the date of occurrence of the event.

(9) Any adjustments resulting from the quarterly and annual audits performed by the independent certified public accountant (C.P.A.) as required in 11 CSR 45-8.060 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 licensee's quarterly or annual reports and the commission concludes the adjustments are significant, a revised report may be required from the licensee. The revised filing shall be due within thirty (30) calendar days after written notification to the licensee.

(10) Each licensee 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 gaming industry in Missouri.



*AUTHORITY: sections 313.004, 313.805, and 313.825, RSMo 2016.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Amended: Filed May 4, 1994, effective Sept. 30, 1994. Amended: Filed June 25, 1996, effective Feb. 28, 1997. Amended: Filed Dec. 7, 2001, effective June 30, 2002. Amended: Filed April 26, 2018, effective Dec. 30, 2018.*

*\*Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.825, RSMo 1991, amended 1993, 2000.*

### 11 CSR 45-8.060 Audits

*PURPOSE: This rule establishes standards for audits.*

(1) Independent certified public accountants (C.P.A.s) registered or licensed in Missouri under Chapter 326, RSMo, shall conduct quarterly and annual audits of each licensee, as follows:

(A) On a quarterly calendar basis, except as noted—

1. Audit the respective quarter's adjusted gross receipts and related taxes from gambling games, and total number and amount of fees received from admissions in order to report on the fair presentation of such amounts. A reconciliation of these audited amounts to similar amounts in monthly financial reports required by 11 CSR 45-8.050 shall be provided;

2. Consider, in connection with the audit of adjusted gross receipts and admission fees referred to in paragraph (1)(A)1., the related internal control structure and report whether there exists any material weaknesses and report any reportable conditions identified. This evaluation shall include, at a minimum, walk-throughs of the internal control system, inquiries of licensee personnel, examination of supporting documents and unannounced observations of pit activity and table games and electronic gaming device drop and count procedures. For purposes of these procedures, unannounced means that no officers, directors, or employees of the licensee are given advance information regarding the dates or times of the observations; and

3. Report on compliance of the licensee's operating procedures and written system of internal controls with the requirements of 11 CSR 45-9. Whenever, in the opinion of the independent C.P.A., the

licensee's operating procedures or written system of internal controls has deviated from the minimum internal control standards or variations to the standards approved by the commission, the report shall enumerate these deviations, regardless of materiality; and

(B) On an annual basis—

1. Report on reportable conditions found during the annual audit of the licensee's financial statements. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which would adversely affect the licensee's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report; and

2. Audit, in accordance with generally accepted auditing standards, the licensee's annual financial statements covering all financial activities of the licensee's operation, including a physical count of all assets inventoried on the Main Bank/Vault Accountability form in order to report on the fair presentation of the financial statements in conformity with generally accepted accounting principles. The annual count of assets shall be performed within thirty (30) days of the fiscal year end. The commission shall be notified at least thirty (30) days prior to the annual count. The audited annual financial statements must be prepared in a format consistent with the reporting requirements under 11 CSR 45-8.050(2). Unless the commission approves otherwise in writing, these statements must be prepared on a comparative basis. If the licensee or a person controlling, controlled by, or under common control with the licensee owns or operates room, food or beverage facilities at the establishment, the financial statements must cover those operations as well as gaming operations;

(C) Sixty (60) days prior to the commencement of the annual financial audit, the independent C.P.A. shall submit to the commission a detailed written audit plan. The audit plan shall include a complete description of procedures to be performed by the licensee's internal auditor, if applicable. At its discretion, the commission may require the independent C.P.A. to perform additional testing and/or procedures; and

(D) The licensee's internal auditor may provide direct assistance to the independent C.P.A. during the annual financial audit only pursuant to commission approval of the audit plan.

(2) The licensee shall prepare and send to the commission a written response to the inde-

pendent C.P.A. reports required by paragraphs (1)(A)2. and 3., (1)(B)1. and 2. The response shall indicate in detail the licensee's statement addressing each item and corrective actions taken.

(3) One (1) hard copy or an electronic copy of the reports required by section (1) shall be received by the commission or postmarked, no later than the required filing date.

(A) Quarterly reports shall be due not later than ninety (90) calendar days after the last day of the quarter; and

(B) Annual reports shall be due not later than ninety (90) calendar days after the last day of the licensee's fiscal year or ten (10) days after Form 10-K is filed with the Securities and Exchange Commission, whichever comes first.

(4) In the event of a license termination, change in business entity, or a change in the percentage of ownership of more than twenty percent (20%), the licensee or former licensee, not later than ninety (90) days after the event, shall submit to the commission four (4) copies of audited financial statements covering the period since the period covered by the previous statement. If a license termination, change in business entity, or a change in the percentage of ownership of more than twenty percent (20%) occurs within ninety (90) days after the end of business year for which a statement has not been submitted, the licensee may submit statements covering both the business year and the final period of business.

(5) If a licensee changes its business year, the licensee shall prepare and submit audited financial statements to the commission covering the stub period from the end of the previous business year to the beginning of the new business year not later than ninety (90) days after the end of the stub period or incorporate the financial results of the stub period in the statements for the new business year.

(6) Delays in mailing, mail pickup, and post-markings are the licensee's responsibility.

(7) The commission may request additional information and documents from either the licensee or the licensee's C.P.A., through the licensee, regarding the financial statements or the services performed by the accountant. Failure to submit the requested information or documents is an unsuitable method of operation.

(8) All of the audits and reports required by this rule, and any special audits of a licensee



required by the commission or its director, shall be prepared at the sole expense of the licensee.

(9) Any audits conducted in accordance with this rule shall be conducted by independent C.P.A.s registered or licensed in Missouri under Chapter 326, RSMo.

(10) The term independent as used in section (9) of this rule is consistent with definitions set forth by the American Institute of Certified Public Accountants or the rules of the Securities and Exchange Commission, or both, to the extent applicable.

*AUTHORITY:* sections 313.004, 313.805, and 313.825, RSMo 2016.\* *Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Amended: Filed May 4, 1994, effective Sept. 30, 1994. Amended: Filed June 25, 1996, effective Feb. 28, 1997. Amended: Filed March 21, 2006, effective Nov. 30, 2006. Amended: Filed March 28, 2013, effective Nov. 30, 2013. Amended: Filed April 26, 2018, effective Dec. 30, 2018.*

*\*Original authority:* 313.004, RSMo 1993, amended 1994, 2014; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.825, RSMo 1991, amended 1993, 2000.

**11 CSR 45-8.070 Forms, Records and Documents**

*PURPOSE:* This rule establishes accounting forms.

(1) All information required by this chapter to be recorded shall be recorded in a permanent form.

(2) Whenever duplicate or triplicate copies of a form, record or document are required by these rules—

(A) The original, duplicate and triplicate copies shall be color-coded and have the destination of the original copy identified on the duplicate and triplicate copies; and

(B) Whenever forms or serial numbers are required to be accounted for or copies of forms are required to be compared for agreement and exceptions are noted, these exceptions shall be reported immediately and in writing to the commission.

*AUTHORITY:* sections 313.004, 313.805 and

313.825, RSMo Supp. 1993.\* *Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

*\*Original authority:* 313.004, RSMo 1993 and 313.805 and 313.825, RSMo 1991, amended 1993.

**11 CSR 45-8.080 Accounting Controls Within the Cashier’s Cage**

*PURPOSE:* This rule establishes cashier’s cage accounting controls.

(1) The assets for which the cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a cashier’s count sheet the face value of each cashier’s cage inventory item counted and the total of the opening and closing cashier’s cage inventories and shall reconcile the total closing inventory to the total opening inventory. The cashiers shall sign the completed cashier’s count sheet attesting to the accuracy of the information contained on the cashier’s count sheet.

(2) At the conclusion of each day, at a minimum, a copy of the cashier’s count sheet and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other records and documents required by this chapter and recording of transactions.

(3) All accounting controls within the cashier’s cage shall conform with the approved internal control system.

*AUTHORITY:* sections 313.004, 313.805 and 313.825, RSMo Supp. 1993.\* *Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994.*

*\*Original authority:* 313.004, RSMo 1993 and 313.805 and 313.825, RSMo 1991, amended 1993.

**11 CSR 45-8.090 Mandatory Count Procedure**

*PURPOSE:* This rule establishes mandatory count requirements.

(1) Each licensee shall report to the commission the time(s) when drop devices will be

removed and the contents counted. All drop devices must be removed and counted at the time(s) previously designated to the commission. Removal and counting of contents at other than the designated time(s) is prohibited unless the licensee provides advance written notice to the commission of a change in time(s) or the commission requires a change of authorized times. An emergency removal of the funds may be allowed in accordance with the procedures outlined in 11 CSR 45-9.107.

*AUTHORITY:* sections 313.004, 313.805, and 313.825, RSMo 2016.\* *Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 28, 2013, effective Nov. 30, 2013. Amended: Filed April 26, 2018, effective Dec. 30, 2018.*

*\*Original authority:* 313.004, RSMo 1993, amended 1994, 2014; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.825, RSMo 1991, amended 1993, 2000.

**11 CSR 45-8.100 Count Room—Characteristics**

*PURPOSE:* This rule establishes count room characteristics.

(1) Each casino shall have a room(s) specifically designated for counting the contents of drop devices which shall be known as the count room.

(2) The count room shall be designed and constructed to provide maximum security for materials housed in and the activities conducted in that room.

(3) An alarm device (audible, visual, or both) shall be connected to the entrance of the count room that causes a signaling to the monitors of the closed circuit television system and to the commission office on the boat whenever the door to the count room is opened.

*AUTHORITY:* sections 313.004, 313.800, and 313.805, RSMo 2016.\* *Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 28, 2013, effective Nov. 30, 2013. Amended: Filed March 1, 2018, effective Oct. 30, 2018.*



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

### 11 CSR 45-8.120 Handling of Cash at Gaming Tables

**PURPOSE:** *This rule establishes requirements for handling cash at a gaming table.*

(1) Whenever cash is presented by a patron at a gaming table for exchange of gaming chips, the following procedures and requirements shall be observed:

(A) The cash shall be spread on the top of the gaming table by the dealer or box person accepting it in full view of the patron who presented it;

(B) The cash value amount, if over five hundred dollars (\$500), shall be verbalized by the dealer or box person accepting it in a tone of voice calculated to be heard by the patron and the floor supervisor assigned to that gaming table; and

(C) Immediately after that, the cash shall be taken from the top of the gaming table and placed by the dealer or box person into the drop box attached to the gaming table.

(2) No cash wagers shall be allowed to be placed at any gaming table. The cash shall be converted to chips prior to acceptance of a wager.

**AUTHORITY:** *section 313.004, RSMo 2000, and sections 313.800, 313.805, 313.812, 313.817, and 313.830, RSMo Supp. 2014.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Oct. 29, 1998, effective Nov. 15, 2008, expired May 13, 2009. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed July 31, 2014, effective Feb. 28, 2015.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010; 313.812, RSMo 1991, amended 1992, 1993, 1994, 2000, 2014; 313.817, RSMo 1991, amended 1992, 1993, 2000, 2008, 2014; and 313.830, RSMo 1991, amended 1992, 1993, 2000, 2010, 2014.*

### 11 CSR 45-8.130 Tips and Gifts

**PURPOSE:** *This rule establishes regulations regarding the acceptance of tips and gifts.*

(1) Except as provided in this rule, no occupational licensee may accept a tip, gift, or loan from any player or patron.

(2) Level II occupational licensees may accept tips for casino-related services performed by the licensee, or paid leave based on work, that is performed in a nonsupervisory capacity as a dealer, poker dealer, cage cashier, slot attendant, food and beverage personnel, valet, ticketing personnel, housekeeping, environmental services (EVS), or other positions as approved by the director.

(3) Occupational license applicants or occupational licensees eligible to accept tips shall receive such tips only in the form of currency, chips, and tickets.

(4) No occupational license applicant or occupational licensee shall solicit any tip, gift, or loan from any player, patron, or vendor of the Class B licensee where the occupational licensee is employed or working. This in no way prohibits an occupational licensee with the written consent of the general manager or the general manager's designee of the Class B licensee from soliciting a vendor for the purposes of a gift to a charitable or civic event or fundraiser or allowing the name of a licensee from appearing on a general invitation or solicitation.

(5) No dealers, poker dealers, cage cashiers, or slot attendants shall accept currency from any player or patron except as a tip and only if the Class B licensee allows such a practice and has provided procedures for accepting such tips in its internal controls which have been approved by the commission. All tips given to dealers, poker dealers, cage cashiers, and slot attendants shall be—

(A) Immediately deposited into a transparent locked box reserved for that purpose except that chips received at table games and poker games may first be immediately placed in a color up tube if approved internal controls are in place for such action. If nonvalue chips are received at a roulette table, the marker button indicating their specific value at that time shall not be removed or changed until after a dealer in the presence of a supervisor has converted the nonvalue chips into value chips which are immediately deposited in a transparent locked box reserved for the purpose;

(B) Accounted for by a recorded count; and

(C) Placed in separate pools for *pro rata* distribution among the dealers, poker dealers, cage cashiers, and slot attendants on a basis that coincides with the normal pay period, with the distribution based upon the number

of hours each dealer, poker dealer, cage cashier, or slot attendant has worked. Tips from this pool shall be deposited into an account established by the Class B licensee. Distributions to dealers, poker dealers, cage cashiers, and slot attendants from this pool shall be made following the Class B licensee's payroll accounting practices and shall be subject to all applicable state and federal withholding taxes.

(D) The previous provisions of this subsection notwithstanding, a Class B licensee may, subject to internal controls approved by the commission, allow dealers of poker as defined in 11 CSR 45-1.090 to receive tips on an individual basis. The receiving of tips individually may be allowed only when the dealer does not make decisions that can affect the outcome of the gambling game, is not eligible to receive winnings from the gambling game as an agent of the Class B licensee, and who uses an approved shuffling machine during the course of the poker game. If tips are received by poker dealers on an individual basis, all tips shall be immediately placed into a locked individual transparent tip box that shall be assigned to and maintained by the dealer while working. The locked individual tip box shall be turned in to the Class B licensee at the end of the shift for counting, withholding of taxes, and subsequent payment during the normal payroll process. For the purposes of this subsection, winnings from a gambling game shall not include commissions, commonly referred to as the "rake," withheld from amounts wagered in a game. Poker dealers may be permitted to receive tips on an individual basis only if the Class B licensee has internal controls governing such practice that have been approved by the commission.

(6) Upon receipt of a tip from a patron, a dealer, poker dealer, cage cashier, or slot attendant shall extend his/her arm in an overt motion and deposit the tip into the transparent locked box or color up tube reserved for such purposes.

(7) Occupational license applicants or occupational licensees other than surveillance and security personnel may accept gifts from suppliers of goods and services to the Class B licensee provided the Class B licensee allows such practice and has provided procedures for accepting gifts in its internal controls which have been approved by the commission. No gifts may be accepted from liquor distributors (11 CSR 45-12.090). Gifts having a reasonable market value of twenty-five dollars (\$25) or more shall be reported to the commission on a form and in a manner prescribed by the



commission.

(8) Applicable state and federal taxes shall be withheld on tips and gifts received by occupational license applicants or occupational licensees.

AUTHORITY: sections 313.004, 313.805, and 313.817, RSMo 2016.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Amended: Filed May 4, 1994, effective Sept. 30, 1994. Emergency amendment filed March 2, 1995, effective March 12, 1995, expired July 9, 1995. Amended: Filed March 2, 1995, effective Aug. 30, 1995. Amended: Filed Nov. 10, 1997, effective June 30, 1998. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Aug. 28, 1998, effective March 30, 1999. Amended: Filed Feb. 28, 2007, effective Oct 30, 2007. Amended: Filed Jan. 26, 2012, effective Aug. 30, 2012. Amended: Filed Aug. 30, 2012, effective March 30, 2013. Amended: Filed April 26, 2018, effective Dec. 30, 2018.

\*Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.817, RSMo 1991, amended 1993, 2000, 2008, 2014, 2016.

11 CSR 45-8.140 Application and Verification Procedures for Granting Credit

PURPOSE: This rule provides regulatory procedures for the Class B licensees to follow regarding standards for establishing lines of credit.

(1) A person who wants to obtain credit from a Class B licensee shall file a credit application with the Class B licensee which contains, at a minimum, the following information:

- (A) The person's name;
(B) The address of the person's residence;
(C) The person's telephone number;
(D) Bank account information including:
1. The name of the person's bank; and
2. The account number of the person's banking account upon which the person is individually authorized to draw and upon which all credit instruments will be drawn;

(E) The credit limit requested by the person; and

(F) The person's signature indicating acceptance of the terms of the credit agreement and attesting to the accuracy of the information provided. (For applications received electronically, the signature may be obtained at a later

time prior to the final verification of the credit application.)

(2) The Class B licensee shall not approve a credit limit above the amount requested by the person unless the person requests the increase in writing.

(3) Upon receipt of an application for credit, a confidential credit file for that person containing the information required under section (1) shall be prepared by a cage or credit employee of the Class B licensee either manually or electronically prior to the Class B licensee's approval of a person's credit limit. The information used to determine that an applicant is a "qualified person" pursuant to section 313.817.8, RSMo, must be contained in the person's credit file. A cage or credit employee who is responsible for receiving, processing, or verifying the information in credit applications shall not have authority to approve any credit limits or credit limit increases.

(4) Prior to a Class B licensee's approval of a person's credit limit, an employee of the credit department or other employee as designated in the Class B licensee's internal control system shall—

(A) Verify the person's identity by—

1. Obtaining the person's valid, non-expired government-issued photo identification (such as a driver's license, state ID card, or passport); and

2. Confirming the person's identity by comparing the photo, physical description, and identifying information on the photo identification to the person requesting the credit;

(B) Verify the person's address (address must match at least one (1) of the addresses on the reports used to determine creditworthiness);

(C) Perform a credit check and apply usual standards to determine the dollar amount of credit for which the person qualifies;

(D) Verify the person's banking account information which includes, but is not limited to, the following:

- 1. Account number; and
2. Name and title of the person or web-based service supplying the information;

(E) Verify that the person's name is not on the List of Disassociated Persons or the Missouri Gaming Commission (MGC) Excluded Persons List;

(F) Verify the application is signed by the person; and

(G) Sign the verifications. The date and time of the signature of the verifier shall be recorded either electronically or manually contemporaneously with the verification.

(5) A person's credit worthiness shall be based on the amount of funds in the person's demand deposit account or accounts including any checking account and savings account.

(6) If the person's credit worthiness is ten thousand dollars (\$10,000) or more, the Class B licensee may accept a credit instrument of more than ten thousand dollars (\$10,000) only if the qualified person's creditworthiness is equal to or in excess of the amount of the credit instrument. If the person's credit worthiness is less than ten thousand dollars (\$10,000), the Class B licensee may only accept credit instruments that are equal to or less than half the amount of the person's creditworthiness.

AUTHORITY: sections 313.004, 313.800, 313.805, 313.812, 313.817, 313.830, and 313.930, RSMo 2016.\* Emergency rule filed July 31, 2014, effective Aug. 28, 2014, expired Feb. 26, 2015. Original rule filed July 31, 2014, effective Feb. 28, 2015. Emergency amendment filed July 28, 2016, effective Aug. 28, 2016, expired Feb. 23, 2017. Amended: Filed July 28, 2016, effective Feb. 28, 2017. Amended: Filed April 25, 2019, effective Dec. 30, 2019.

\*Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014, 2016; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010; 313.812, RSMo 1991, amended 1992, 1993, 1994, 2000, 2014; 313.817, RSMo 1991, amended 1992, 1993, 2000, 2008, 2014, 2016; 313.830, RSMo 1991, amended 1992, 1993, 2000, 2010, 2014; and 313.930, RSMo 2016.

11 CSR 45-8.141 Approval of Credit Limits

PURPOSE: This rule provides regulatory procedures for the Class B licensees to follow regarding the approval of credit limits.

(1) A credit limit, and any temporary or permanent increases thereto, shall be approved by an occupational licensee other than the licensee who processed and verified the credit application information. Each Class B licensee shall designate in its internal control system the job titles authorized to approve credit limits.

(2) The approval of credit shall be recorded in the person's credit file (either manually or electronically) and shall include the:

(A) Amount of credit for which the person qualifies as determined by the results of the credit check;

(B) Approved credit limit amount, which shall not exceed the amount requested by the person;

(C) Information used to support the credit limit and any changes thereto, including the



source of the information; and

(D) Signature of the occupational licensee approving the credit limit, together with the date and time of the approval, which shall be recorded before any actual extension of credit is tendered.

(3) Prior to approving a temporary or permanent credit limit increase, an employee of the credit department or other employee, as designated in the Class B licensee's internal control system, shall—

(A) Obtain a written request from the person which includes:

1. The date and time of the person's request;

2. The amount of credit limit increase requested by the person and if the increase requested is temporary or permanent; and

3. The signature of the person;

(B) Re-verify the information as required by the Class B licensee's internal control system for increasing credit limits;

(C) Include this information and documentation in the person's credit file; and

(D) Comply with the requirements of sections (1) and (2) of this rule.

*AUTHORITY: section 313.004, RSMo 2000, and sections 313.800, 313.805, 313.812, 313.817, and 313.830, RSMo Supp. 2014.\* Emergency rule filed July 31, 2014, effective Aug. 28, 2014, expired Feb. 26, 2015. Original rule filed July 31, 2014, effective Feb. 28, 2015.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010; 313.812, RSMo 1991, amended 1992, 1993, 1994, 2000, 2014; 313.817, RSMo 1991, amended 1992, 1993, 2000, 2008, 2014; and 313.830, RSMo 1991, amended 1992, 1993, 2000, 2010, 2014.*

### 11 CSR 45-8.142 Documentation of Customer Credit Transactions

*PURPOSE: This rule defines the documentation required for customer credit transactions.*

(1) All transactions affecting a person's outstanding indebtedness, including all issuances of credit and payments thereof, to the Class B licensee shall be recorded in chronological order in the person's credit file (either manually or electronically). The following information shall be maintained in each person's credit file:

(A) A copy of the person's valid, non-expired government-issued photo identification presented prior to approval of the person's credit limit (may be held in a separate

file);

(B) The date, amount, and check number, if applicable, of each credit instrument accepted from the person;

(C) The date, method, amount, and, if applicable, the personal check number of each payment transaction and the check number, if applicable, of the credit instrument returned to the person;

(D) The date, amount, and check number, if applicable, of each personal check used for a substitution transaction and the check number, if applicable, of the credit instrument returned to the person;

(E) The date, amount, and check number, if applicable, of each replacement credit instrument accepted from the person in a consolidation transaction and the check numbers, if applicable, of the initial credit instruments that were consolidated and returned to the person;

(F) The date, amount, and check number, if applicable, of each credit instrument deposited;

(G) The date, amount, and check number, if applicable, of each personal check or credit instrument returned to the Class B licensee by the person's bank and the reason for its return;

(H) The outstanding balance after each transaction; and

(I) The date, amount, and check number, if applicable, of any credit instruments or personal checks that have been partially or completely written off by the Class B licensee and a brief explanation of the reason for the write off.

(2) Evidence of creditworthiness and related documents shall be retained in the credit file for a minimum of five (5) years, or as long as the debt remains unpaid, whichever is longer.

(3) Player ratings (if rated) shall be retained for a minimum of five (5) years, or as long as the debt remains unpaid, whichever is longer. These records may be maintained separately from the credit file.

*AUTHORITY: section 313.004, RSMo 2000, and sections 313.800, 313.805, 313.812, 313.817, and 313.830, RSMo Supp. 2014.\* Emergency rule filed July 31, 2014, effective Aug. 28, 2014, expired Feb. 26, 2014. Original rule filed July 31, 2014, effective Feb. 28, 2015.*

*\*Original authority: 313.004, RSMo 1993, amended 1994; 313.800, RSMo 1991, amended 1992, 1993, 1994, 2005, 2014; 313.805, RSMo 1991, amended 1992, 1993, 1994, 2000, 2008, 2010; 313.812, RSMo 1991, amended 1992, 1993, 1994, 2000, 2014; 313.817, RSMo 1991, amended 1992, 1993, 2000, 2008, 2014; and 313.830, RSMo 1991, amended 1992, 1993, 2000, 2010, 2014.*

### 11 CSR 45-8.150 Cash Reserve Requirements

*PURPOSE: This rule establishes cash reserve requirements.*

(1) The licensee shall maintain in cash or cash equivalents an amount sufficient to protect patrons against defaults in gaming debts owed by the licensee. 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 commission shall distribute to licensees and make available to all interested persons a formula approved by the commission by which licensees determine the minimum bankroll requirements of this rule. If, at any time, the licensee's available cash or cash equivalents should be less than the amount required by this rule, the licensee must immediately notify the commission of this deficiency. Failure to maintain the minimum bankroll required by this rule, or a higher bankroll as required by the commission pursuant to this rule, or failure to notify the commission of any deficiencies, is an unsuitable method of operation.

(2) The Class B licensee shall maintain the following minimum bankroll requirements to ensure payment of patrons' win:

(A) First month of operation one hundred percent (100%) of licensee's projected payout to patrons (electronic gaming device and table game drop minus licensee win) for a weekly period, defined as seven (7) gaming days, based on the average daily payout multiplied by seven (7); and

(B) Second and subsequent months of operation one hundred percent (100%) of licensee's actual payout to patrons (electronic gaming device and table game drop minus licensee win) for a weekly period, based on the average daily payout multiplied by seven (7) from the previous month's operation.

*AUTHORITY: sections 313.004, 313.800, 313.805, and 313.815, RSMo 2016.\* Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Feb. 3, 1995, effective Feb. 13, 1995, expired June 12, 1995. Amended: Filed Feb. 3, 1995, effective Aug. 30, 1995. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed March 28, 2013, effective Nov. 30, 2013. Amended: Filed April 26, 2018, effective Dec. 30, 2018.*



*\*Original authority: 313.004, RSMo 1993, amended 1994, 2014; 313.800, RSMo 1991, amended 1993, 1994, 2005, 2014, 2016; 313.805, RSMo 1991, amended 1993, 1994, 2000, 2008, 2010; and 313.815, RSMo 1991, amended 1992, 1993, 2000.*

**11 CSR 45-8.160 Extension of Time for Reporting**

(Rescinded July 30, 2018)

*AUTHORITY: sections 313.004, 313.800 and 313.805, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed Dec. 7, 2017, effective July 30, 2018.*