

CHAPTER 1202. APPLICATION REQUIREMENTS—TEMPORARY REGULATIONS

Sec.

- 1202.1. General licensing requirements.
- 1202.2. Fantasy contest licenses.
- 1202.3. Licensed gaming entities.
- 1202.4. Principals.
- 1202.5. Key employees.
- 1202.6. Gaming service providers.

§ 1202.1. General licensing requirements.

A fantasy contest license holder may conduct fantasy contests in this Commonwealth in accordance with 4 Pa.C.S. Chapter 3 (relating to fantasy contests) and this subpart.

§ 1202.2. Fantasy contest licenses.

(a) An application for a fantasy contest license shall be submitted on forms or in an electronic format supplied or approved by the Board and must contain all of the following information:

(1) The identity of the applicant as follows:

(i) If the applicant is an individual, the name, Federal employer identification number, contact information and business address of the applicant.

(ii) If the applicant is a corporation, the name and business address of the corporation, the state of its incorporation, and the full name, contact information and business address of each officer and director thereof.

(iii) If the applicant is a foreign corporation, the name and business address of the corporation, whether it is qualified to do business in this Commonwealth, and the full name, contact information and business address of each officer and director thereof.

(iv) If the applicant is a partnership or joint venture, the name, contact information and business address of each officer thereof.

(2) The name and location of the applicant's licensed facility, if applicable.

(3) The name, contact information and business address of the person having custody of the applicant's financial records.

(4) The name and business address, job title, fingerprints and a photograph of each principal and key employee of the applicant who will be involved in fantasy contests and who is not currently licensed by the Board, if known. If the principal and key employee are currently licensed by the Board, the application must specifically identify their participation in offering fantasy contests.

(5) Information and documentation concerning financial background and resources, as the Board may require, to establish by clear and convincing evidence the financial stability, integrity and responsibility of the applicant.

(6) A copy of any agreement or agreements the applicant has entered into or a detailed description of the terms and conditions of any agreement the applicant will enter into to facilitate the operation or conduct of fantasy contests.

(7) Any other information the Board may require.

(b) Upon request of the Board or Board staff, the applicant shall cooperate and provide supplemental information in support of its application. The applicant shall provide requested documents, records, supporting data and other information within the time period specified in the request or, if no time is specified, within 30 days of the date of the request. If the applicant fails to provide the requested information within the required time period in the request, the Board may deny the application.

(c) The application, and amendments thereto, and other specific documents designated by the Board shall be sworn to or affirmed by the applicant before a notary public which shall be filed promptly with the Board.

(d) An application and related materials that have been submitted to the Board will become the property of the Board and will not be returned to the applicant.

§ 1202.3. Licensed gaming entities.

(a) An abbreviated application for a fantasy contest license by a licensed gaming entity may be submitted on forms or in an electronic format supplied or approved by the Board.

(b) Upon request of the Board or Board staff, the applicant shall cooperate and provide supplemental information in support of its application. The applicant shall provide requested documents, records, supporting data and other information within the time period specified in the request or, if no time is specified, within 30 days of the date of the request. If the applicant fails to provide the requested information within the required time period in the request, the Board may deny the application.

(c) The application, and amendments thereto, and other specific documents designated by the Board shall be sworn to or affirmed by the applicant before a notary public which shall be filed promptly with the Board.

(d) An application and related materials that have been submitted to the Board will become the property of the Board and will not be returned to the applicant.

§ 1202.4. Principals.

(a) A principal as defined in this subpart shall apply for licensure as a principal in accordance with § 433a.8 (relating to principal applications).

(b) In addition to information required under § 433a.8, an individual required to be licensed as a principal, unless otherwise directed by the Board, shall submit all of the following:

- (1) The nonrefundable application fee posted on the Board's web site.
 - (2) A description of responsibilities as a principal.
 - (3) Details relating to a similar license, permit or other authorization obtained in another jurisdiction.
 - (4) The consent to a background investigation by the Bureau and a release to obtain the information necessary for the completion of the background investigation.
 - (5) Other information required by the Board.
- (c) Following review of the application and background investigation, the Board may approve a principal license if the applicant has proven by clear and convincing evidence that the applicant is a person of good character, honesty and integrity, and is eligible and suitable to be licensed as a principal.
- (d) A principal license is not transferable.
- (e) A temporary credential, which may be valid up to 270 days, may be issued by the Board to a principal if the Board determines additional time is needed to complete an investigation for licensure.

§ 1202.5. Key employees.

- (a) A key employee as defined in this subpart shall apply for licensure as a key employee in accordance with § 435a.2 (relating to key employee license).
- (b) In addition to information required under § 435a.2, an individual required to be licensed as a key employee, unless otherwise directed by the Board, shall submit all of the following:
- (1) The nonrefundable application fee posted on the Board's web site.
 - (2) A description of employment responsibilities.
 - (3) The consent to a background investigation by the Bureau and a release to obtain the information necessary for the completion of the background investigation.
 - (4) Details relating to a similar license or other authorization obtained in another jurisdiction.
 - (5) Other information required by the Board.
- (c) Following review of the application and background investigation, the Board may approve a key employee license if the applicant has proven by clear and convincing evidence that the applicant is a person of good character, honesty and integrity, and is eligible and suitable to be licensed as a key employee.
- (d) A temporary credential, which may be valid up to 270 days, may be issued by the Board to a key employee if the Board determines additional time is needed to complete an investigation for licensure.
- (e) An individual may not perform duties associated with a position that requires a key employee license prior to receiving a temporary or permanent credential unless otherwise authorized by the Board.

§ 1202.6. Gaming service providers.

The Board may, in its discretion, require a licensed operator who is not a licensed gaming entity to apply for a certificate or registration as a gaming service provider to provide fantasy contests to, or on behalf of, a licensed gaming entity under 4 Pa.C.S. § 342 (relating to licensed gaming entities).

[Next page is 1203-1.]

1202-4