

**CHAPTER 1203. APPLICATION PROCESS—TEMPORARY
REGULATIONS**

- Sec.
1203.1. Application review and processing.
1203.2. Application withdrawal.
1203.3. Existing activity.
1203.4. Renewals.
1203.5. Licensed entity representatives.

§ 1203.1. Application review and processing.

(a) The Board will review applications submitted under this subpart to ensure compliance with 4 Pa.C.S. Chapter 3 (relating to fantasy contests) and Board regulations.

(b) If an applicant fails to include any required documentation or information, the Board will notify the applicant and give him an opportunity to cure the deficiency.

(c) Upon a determination that the prerequisites for filing have been met, the application will be accepted for filing and Board staff, if applicable, will:

- (1) Obtain information as may be necessary to determine the qualifications of the applicant and any matter relating to the application.
- (2) Promptly conduct an investigation of the applicant and on any matter relating to the application, if applicable.
- (3) Request the Department to promptly conduct or update a tax clearance review.
- (4) Request the Pennsylvania State Police or Federal Bureau of Investigation to conduct or update a criminal history review.
- (5) Request any agencies, entities or persons to provide information to the Board as deemed necessary by the Board.

(d) An application submitted under this subpart and information obtained by Board staff relating to the application will be part of the evidentiary record to be utilized by the Board when deciding to approve, condition, issue or deny a fantasy contest license.

(e) A determination as to the merit of the applicant to receive a fantasy contest license will be made within 120 days. If the license is not approved, the Board will provide the applicant with the justification for not issuing the fantasy contest license.

§ 1203.2. Application withdrawal.

(a) A request for withdrawal of an application may be made at any time prior to the Board taking action on the application in accordance with all of the following requirements:

- (1) A request for withdrawal of an entity applying for a license, certification or registration, or an individual applying for a principal license shall be made by filing a petition with the Board in accordance with § 493a.4 (relating to petitions generally).
- (2) A request for withdrawal of an individual applying for a key employee license or a permit shall be made on a form supplied by the Bureau of Licensing. If Board staff objects to the request for withdrawal, the person filing the form will be notified and may be required to file a petition for withdrawal with the Board in accordance with § 493a.4.
 - (b) The petition or form must set forth the reasons for the withdrawal.
 - (c) When rendering a decision on a petition for withdrawal, the Board may set the conditions of withdrawal and may deny or grant the request with or without prejudice.
 - (d) Unless the Board otherwise directs, fees or other payments relating to an application, license, permit, registration or certification are not refundable by reason of the withdrawal.

§ 1203.3. Existing activity.

An applicant for a fantasy contest license who is conducting fantasy contests in this Commonwealth prior to the effective date of 4 Pa.C.S. Chapter 3 (relating to fantasy contests), or during the time period of a renewal application, may operate fantasy contests during the application or renewal process and prior to the Board granting a fantasy contest license unless the Board has reasonable cause to believe the person or licensed operator is, or may be, in violation of 4 Pa.C.S. Chapter 3 and the Board has required the person to suspend the operation of a fantasy contest until the Board takes action on the application.

Cross References

The provisions of this section cited in 58 Pa. Code § 1206.1 (relating to fantasy contest accounting and internal controls).

§ 1203.4. Renewals.

- (a) Licenses and registrations issued under this subpart will be for a term of 5 years from the date of issuance.
- (b) An application for renewal of a license or registration shall be submitted at least 180 days prior to the expiration of the license or registration and must include an update of the information in the initial application and any prior renewal applications.
- (c) A license, permit or registration for which an application for renewal has been timely filed will continue in effect until the Board acts upon the application for renewal.

§ 1203.5. Licensed entity representatives.

(a) A licensed entity representative shall register with the Board in a manner prescribed by the Board. The registration must include the name, employer or firm, business address and business telephone number of the licensed entity representative and any licensed operator, applicant for licensure or other person being represented.

(b) A licensed entity representative has an affirmative duty to update its registration information on an ongoing basis. Failure to update a registration is punishable by the Board.

[Next page is 1204-1.]

1203-4

(391594) No. 524 Jul. 18

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