

3774-2-01 General fantasy contest licensing requirements.

- (A) Applicants for a license under fantasy contest law are seeking a privilege.
- (B) An applicant must submit the completed application in the manner prescribed by the executive director.
- (C) The executive director may request additional information not prescribed in the application. The applicant shall provide all information, documents, materials, and certifications at the applicant's sole expense and cost.
- (D) An incomplete application, or an application containing false, misleading, or omitted information, is cause for administrative action.
- (E) A licensing investigation or adjudication may be reopened at any time.
- (F) The executive director may recommend to the commission that it deny any application, or limit, condition, restrict, suspend, or revoke any license or impose any fine or other penalty upon any licensee or other person in accordance with fantasy contest law.
- (G) No person may re-apply for a license under fantasy contest law for three years from the date the person's application for licensure was denied or license was revoked.
- (H) No license issued under this chapter is transferable. A majority change in or transfer of control of a licensee, as determined by the executive director shall require the filing of a new application and submission of the applicable fees under this chapter before a new license is eligible for consideration or approval. A name change to a licensee, in and of itself, does not constitute a transfer of a license nor require a licensee to seek a new license.
- (I) A renewal application must be filed in the manner prescribed by the executive director no less than ninety days before the expiration of the license.
- (J) In determining whether a person is eligible to obtain or maintain the privilege of a license under fantasy contest law, the following may be considered:
 - (1) The reputation, experience, and financial integrity of the applicant or licensee;
 - (2) Whether the applicant or licensee possesses good character, honesty, and integrity;
 - (3) If the applicant or licensee has filed, or had filed against it, a proceeding for bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise resolve the payment of any debt;
 - (4) If the applicant or licensee is or has been a defendant in litigation involving the applicant's or licensee's business practices;

- (5) If the applicant or licensee has been indicted, convicted, or pleaded guilty or no contest concerning any criminal offense under the laws of any jurisdiction, excluding minor traffic offenses;
- (6) If the applicant or licensee has been served with a complaint or other notice filed with any public body regarding a payment of any tax required under federal, state, or local law that has been delinquent for one or more years;
- (7) The extent to which the applicant or licensee has cooperated with the commission;
- (8) Whether the applicant or licensee has provided accurate and complete information or has submitted false or misleading information;
- (9) The compliance history of the applicant or licensee with fantasy contest-related requirements in this state or any other jurisdiction;
- (10) The applicant's or licensee's submission and maintenance of internal procedures required by and compliant with fantasy contest law, if applicable;
- (11) If the applicant or licensee has shown a disregard of or otherwise failed to comply with the laws and regulations of this state or any other jurisdiction;
- (12) If awarding or maintaining a license would undermine the public's confidence in fantasy contests in this state; and
- (13) The suitability of any other material person, as determined by the executive director, including but not limited to, any management company, holding company, or any person designated as a key employee as part of the fantasy contest operator's application.

(K) Nothing in paragraph (J) of this rule shall be considered a limitation on the commission's authority to consider any other information affecting the integrity of fantasy contest law.