

230.836 Fantasy contest service provider licensure -- Application procedures -- Background check -- Fee -- Administrative regulation -- Restrictions.

- (1) Except as otherwise provided in this section, a person shall not offer fantasy contests in the Commonwealth unless the person is licensed by the corporation as a fantasy contest service provider.
- (2) An applicant for a fantasy contest service provider license shall:
 - (a) Submit an application to the corporation in the form the corporation requires in the corporation's administrative regulations;
 - (b) Submit fingerprints for a national criminal history record check by a law enforcement agency, which shall be:
 1. Furnished by the applicant's director, officer, key employee, or individual owner of five percent (5%) or more of the fantasy contest service provider; and
 2. Accompanied by a signed authorization for the release of information by the law enforcement agency; and
 - (c) Be denied a license if previously convicted of a disqualifying offense as established in subsection (8) of this section.
- (3) The corporation may require additional background checks on a fantasy contest service provider when a fantasy contest service provider submits a renewal application.
- (4) This section shall not require a fantasy contest service provider applicant or person who has submitted to a national criminal history record check in Kentucky or any other state within the twelve (12) months prior to submitting the application to resubmit to another record check if the fantasy service provider applicant or person submits the results of the previous record check and affirms there has been no material change since the previous record check.
- (5) The form required by the corporation under subsection (2) of this section shall include but is not limited to the following information:
 - (a) The fantasy contest service provider's name;
 - (b) The location of the fantasy contest service provider's principal place of business;
 - (c) The fantasy contest service provider's contact information;
 - (d) The fantasy contest service provider's Social Security number or, if applicable, federal employer identification number;
 - (e) The name and address of each person that holds a five percent (5%) or more ownership interest or shares in the fantasy contest service provider;
 - (f) The fantasy contest service provider's criminal record or, if the fantasy contest service provider is a business entity, any criminal record of a person who is a director, officer, or key employee of the applicant or any person who has a five percent (5%) or more ownership interest in the fantasy contest service provider;
 - (g) Documentation identifying the following from the fantasy contest service provider, or any director, officer, key employee, or individual owner of five

percent (5%) or more of the fantasy contest service provider that has:

1. Any ownership interest in a business that is or was a fantasy contest service provider or similar entity in any jurisdiction;
 2. An equity interest of five percent (5%) or more in any business of the fantasy contest service provider. If a business has been identified under this subparagraph, documentation shall be provided showing the state in which the business is incorporated or registered, if applicable;
 3. Ever applied for or been granted any license, registration, or certificate issued by a licensing authority in Kentucky or any other jurisdiction for a gaming activity; and
 4. Filed or been served with a complaint or other notice filed by a public body regarding the delinquency in payment of or dispute over filings concerning the payment of any tax required under federal, state, or local law, including the amount of tax, type of tax, and taxing agency and the time periods involved; and
- (h) Information sufficient to show, as determined by the corporation, that the fantasy contest service provider can meet the requirements of KRS 230.830 to 230.848.
- (6) The corporation may promulgate administrative regulations in accordance with KRS Chapter 13A to establish additional qualifications and requirements to preserve the integrity and security of fantasy contests and to promote and maintain a competitive fantasy contest market.
- (7) On receipt of a completed application and the required fee, the corporation shall conduct the necessary background investigation to determine if the applicant meets the qualifications for licensure. On completion of the investigation, the corporation shall issue a license or deny the application. If the application for licensure is denied, a statement setting forth the grounds for denial shall be forwarded to the applicant together with all other documents relied on by the corporation, to the extent allowed by law.
- (8) (a) A person shall not be issued a license if the person has been convicted of a violation of state or federal law that is:
1. A felony;
 2. Any crime involving illegal gaming or gambling; or
 3. Any crime involving theft or fraud that is or would be a felony or Class A misdemeanor in the Commonwealth of Kentucky.
- (b) The prohibitions in paragraph (a) of this subsection shall apply to the applicant or licensee, or director, officer, key employee, or individual owner of five percent (5%) or more of the fantasy contest service provider.

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