

205 CMR 211.00: CATEGORY 1, CATEGORY 2, AND CATEGORY 3 SPORTS WAGERING LICENSE APPLICATIONS

Section

211.01: Applications

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(1) An Applicant for a Category 1 Sports Wagering License, Category 2 Sports Wagering License, or Category 3 Sports Wagering License must submit a fully executed original application to the Commission using the appropriate application forms issued by the Commission by the deadlines established by the Commission. Each application form shall be submitted in accordance with the instructions included in the application form. The Commission shall have no obligation to accept or review an incomplete application or an application submitted after the established deadline. Applicants shall, at a minimum, submit the following completed forms as part of their application for a Category 1, Category 2, or Category 3 Sports Wagering License:

- (a) Operator and Vendor Scope of Licensing - Initial Survey;
- (b) Application for Category 1, 2, & 3 Sports Wagering Operator License;
- (c) For designated entity qualifiers, Business Entity Disclosure Form as described in 205 CMR 111.02: *Business Entity Disclosure Form - Category 1 and Category 2 Entity Applicants and Holding/Intermediary Companies*, as modified by the Commission with respect to Sports Wagering;
- (d) For designated individual qualifiers, Multi-jurisdictional Personal History Form as described in 205 CMR 111.03: *Multi-jurisdictional Personal History Form*, as modified by the Commission with respect to Sports Wagering;
- (e) For designated individual qualifiers, Massachusetts Supplemental Form as described in 205 CMR 111.04: *Massachusetts Supplemental Form*, as modified by the Commission with respect to Sports Wagering; and
- (f) Any attestation forms required by the Bureau.

(2) An Applicant's fully executed Operator and Vendor Scope of Licensing - Initial Survey must be submitted pursuant to 205 CMR 211.01(1)(a) as a prerequisite to the submission of the application forms described in 205 CMR 211.01(b) through (e). Failure to submit such Survey by the deadline established by the Commission shall result in the Commission deeming the Applicant's application incomplete and administratively closed unless authorization is given pursuant to 205 CMR 211.01(10).

(3) An Application for Category 1, 2, & 3 Sports Wagering Operator License submitted pursuant to 205 CMR 211.01(1)(b) shall include, but not be limited to, the following information:

- (a) Background information related to the Applicant;
- (b) The Applicant's experience and expertise related to Sports Wagering;
- (c) The economic impact to the Commonwealth if the Applicant is awarded a License;
- (d) A description of the Applicant's willingness to foster racial, ethnic, and gender diversity, equity, and inclusion within their workforce;
- (e) The Applicant's proposed measures related to responsible gaming;
- (f) The technology that the Applicant intends to use in its operation;
- (g) The suitability of the Applicant and its qualifiers; and
- (h) Attestation forms verifying the authenticity of the information submitted in the application.

(4) The Commission may request supplemental information from an Applicant at any time prior to its issuance of a decision on an application.

(5) The application forms shall include language permitting Applicants for Category 1 Sports Wagering Licenses, Category 2 Sports Wagering Licenses, and Tethered Category 3 License applicants to refer the Bureau and Commission to prior application forms submitted to the Commission by the Applicant or previous information otherwise obtained by the Bureau or Commission regarding the Applicant.

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(6) Fees. All application fees required pursuant to M.G.L. c. 23N shall be submitted to the Commission in a format prescribed on the application form issued by the Commission.

(7) An Applicant shall have an affirmative obligation to abide by every statement made in its application to the Commission, including all evaluation criteria and eligibility requirements. A misrepresentation or omission made with respect to an application may be grounds for denial of the application or revocation of any license granted by the Commission.

(8) An Applicant shall have a continuing duty to disclose any changes in the information submitted to the Commission.

(9) Public Records. The Application for Category 1, 2, & 3 Sports Wagering Operator License form issued by the Commission may include information regarding how certain materials submitted in the course of the application may be withheld from public disclosure pursuant to M.G.L. c. 66, § 10.

(10) Extension of Time for Filing. The Commission may, in its discretion, extend the time for filing a complete application to enable an Applicant to cure a deficiency in its application, provided that the application forms were submitted and the applicable fee was paid before the established deadlines, or to provide reasonable additional time for filing in cases where extraordinary circumstances prevented a timely filing.

REGULATORY AUTHORITY

205 CMR 240.00: M.G.L. c. 23N, § 14.