



ADMINISTRATIVE RULES OF MONTANA



23.16.110 ASSOCIATED GAMBLING BUSINESS LICENSE

- (1) Except where licensure is required by Title 23, chapter 5, MCA, or under these rules, an associated gambling business license is a license the department may issue to a person or entity whose business provides products or services to a licensed gambling business and:
 - (a) possesses or maintains control over gambling equipment or devices;
 - (b) has access to gambling related trade secrets, or proprietary, confidential, or tax information; or
 - (c) is a party to a gambling transaction.
- (2) An applicant for an associated gambling business license must submit to the department:
 - (a) an application using Form 17, with special instructions, and Form FD-258, which are available at any Gambling Control Division office location, or on the department's web site www.dojmt.gov/gaming;
 - (b) Form 10 for all applicants as described in ARM 23.16.102;
 - (c) a complete set of fingerprints, on Form FD-258 provided by the department, obtained and certified by a local law enforcement agency, the department, or a private security company approved by the department, for each person required to complete a personal history statement;
 - (d) financial statements for the applicant's business as described in ARM 23.16.502; and
 - (e) a check or money order for \$1,100 made payable to the State Treasurer, which includes payment for the:
 - (i) \$100 annual license fee; and
 - (ii) \$1,000 processing fee to cover the actual cost of processing the license.
- (3) Based on the actual cost incurred by the department in determining whether the applicant qualifies for licensure, the department will refund any overpayment of the processing fee or collect an amount sufficient to reimburse the department for any underpayment of actual costs. If an applicant withdraws the application after the department has begun processing the application, the department will refund any amount not expended as of the date of withdrawal.
- (4) The department may waive the application and processing fee if the applicant is licensed as an operator, distributor, manufacturer of legal or illegal devices, or a route operator, and if the applicant is substantially the same and has not added strangers to the license.

- (5) The provisions of this rule do not apply to professionals such as attorneys or accountants when they are retained in their professional capacity by licensees and may have access to gambling related trade secrets, or proprietary, confidential, or tax information. Where a gambling related business is given access to gambling related trade secrets or proprietary or confidential information in order to produce a product or service to be made available for sale to licensees in this state, and the department requires that business possess an associated gambling business license, those requirements are provided for under separate rule.

Authorizing statute(s): 23-5-112, 23-5-115, 23-5-178, MCA

Implementing statute(s): 23-5-115, 23-5-178, MCA

History: NEW, 2009 MAR p. 1260, Eff. 7/31/09; AMD, 2013 MAR p. 1606, Eff. 9/6/13; AMD, 2022 MAR p. 1836, Eff. 9/24/22.