



ADMINISTRATIVE RULES OF MONTANA



8.22.3808 ESTABLISHMENT OF AN ADVANCE DEPOSIT ACCOUNT

- (1) An established account is necessary to place advance deposit wagers. An account may only be established with a licensed hub operator.
 - (a) To establish an account, an account application form must be signed or otherwise authorized in a manner acceptable to the board and include:
 - (i) the account applicant's full legal name;
 - (ii) principal residence address;
 - (iii) telephone number;
 - (iv) proper identification or certification demonstrating that the account applicant is at least eighteen years of age;
 - (v) completed W-9; and
 - (vi) any additional information required by the board.
 - (b) Each account application submitted shall be verified by the licensed hub operator with respect to name, principal residence address, and date of birth by either an independent hub operator or another means which meets or exceeds the reliability, security, accuracy, privacy, and timeliness provided by an independent hub operator. If there is a discrepancy between the application submitted and the information provided by the verification described above, or if no information on the account applicant is available from such verification process, another individual reference service may be accessed or another technology meeting the requirements described above may be used to verify the information provided. If the account applicant's information cannot be verified by the licensed hub operator, the licensed hub operator shall not establish an account.
- (2) Each account shall have a unique identifying account number. The identifying account number may be changed at any time by the licensed hub operator provided the account holder is given notice in writing prior to the change.
- (3) The account applicant shall supply a secure personal identification code when the account holder is placing an advance deposit wager. The account holder has the right to change this code at any time.
- (4) The licensed hub operator must provide the following to the account holder at the time the account is approved:
 - (a) unique account identification number;

- (b) copy of the advance deposit wagering rules and such other information and material that is pertinent to the operation of the account;
 - (c) notice that the account holder must be at least eighteen years of age, and that individuals under the age of eighteen shall not have access to the account;
 - (d) such other information as the licensed hub operator or the board may deem appropriate.
- (5) Accounts shall only be accepted in the name of a natural person, which shall not include a corporation, partnership, limited liability company, trust, estate, or any other entity.
 - (6) The account is nontransferable between natural persons.
 - (7) The licensed hub operator may close or refuse to open an account for good and sufficient reason, and shall order an account closed if it is determined information that was used to open an account was false, or the account has been used in violation of these rules.
 - (8) Any disputes between an account holder and a licensed hub operator shall follow the dispute resolution procedures contained in the hub operator's plan of operations as approved by the board. If the hub operator fails to resolve the dispute, the board may take appropriate action including claims against the bond or other form of financial security.
 - (9) The licensed hub operator shall state in all advertising in the state of Montana that residents under the age of eighteen are not permitted to open, own, or have access to an advance deposit wagering account.
 - (10) If the licensed hub operator is located in Montana, no account shall be established for any natural person under the age of eighteen.

Authorizing statute(s): 23-4-202, MCA

Implementing statute(s): 23-4-101, 23-4-301, 23-4-302, MCA

History: NEW, 2008 MAR p. 494, Eff. 3/14/08; TRANS, from 32.28.2008, 2015 MAR p. 2252, Eff. 12/25/15.