

**CALIFORNIA GAMBLING CONTROL COMMISSION**  
**SPECIFIC LANGUAGE OF REGULATIONS**  
**UPDATE OF FORMS**  
**CGCC-GCA-2017-01-N**

**CALIFORNIA CODE OF REGULATIONS**  
**TITLE 4. BUSINESS REGULATIONS.**  
**DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.**

**CHAPTER 2. WORK PERMITS.**  
**ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.**

**§ 12101. Forms.**

The following forms shall be used as specified in this chapter:

- (a) “Renewal Work Permit Application Form” means the “Application for Work Permit Renewal” BGC-023 (Rev. 07/17) which is hereby incorporated by reference.
- (b) “Replacement Badge Application” means the “Application for Replacement Work Permit Badge” BGC-026 (Rev. 07/17) which is hereby incorporated by reference.
- (c) “Transfer of Work Permit Application Form” means the “Application for Transfer of Work Permit” BGC-022 (Rev. 07/17) which is hereby incorporated by reference.
- (d) “Work Permit Application Form” means the “Application for Initial Regular Work Permit/Temporary Work Permit” BGC-021 (Rev. 07/17) which is hereby incorporated by reference.

Note: Authority cited: Sections 19811, 19823, 19824, 19840, 19841 and 19912, Business and Professions Code. Reference: Sections 10, 19800, 19811, 19816 and 19912, Business and Professions Code.

**CHAPTER 2.1. THIRD-PARTY PROVIDERS OF PROPOSITION PLAYER SERVICES:  
REGISTRATION; LICENSING.**

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.

**§ 12200. Definitions.**

(a) Except as otherwise provided in Section 12002 and in subsection (b) of this regulation, the definitions in Business and Professions Code section 19805 shall govern the construction of this chapter.

(b) As used in this chapter:

(1) “Additional Badge” means a badge provided pursuant to Section 12200.6, which authorizes an individual registrant or licensee to be simultaneously employed by more than one primary owner.

(2) “Applicant” means an applicant for registration or licensing under this chapter, including in the case of an owner that is a corporation, partnership, or any other business entity, all persons whose registrations or licenses are required to be endorsed upon the primary owner's registration or license certificate.

(3) “Authorized player” means an individual associated with a particular primary owner whose badge authorizes play in a controlled game on behalf of the primary owner, including the primary owner, all other owners, all supervisors, and all players. Only authorized players may perform the functions of a supervisor or player.

(4) “Badge” means a form of identification issued by the Commission identifying a registrant or licensee.

(5) [Reserved]

(6) [Reserved]

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) “Funding source” means any person that provides financing, including but not limited to loans, advances, any other form of credit, chips, or any other representation or thing of value, to an owner-registrant or owner-licensee, other than individual registrants under Subsection (d) of Section 12201 or individual licensees. “Funding source” does not include any federally or state

chartered lending institution or any of the following entities that in the aggregate owns at least one hundred million dollars (\$100,000,000) of securities of issuers that are not affiliated with the entity:

(A) Any federally-regulated or state-regulated bank or savings association or other federally- or state-regulated lending institution.

(B) Any company that is organized as an insurance company, the primary and predominant business activity of which is the writing of insurance or the reinsuring of risks underwritten by insurance companies, and that is subject to supervision by the Insurance Commissioner of California, or a similar official or agency of another state.

(C) Any investment company registered under the federal Investment Company Act of 1940 (15 U.S.C. sec. 80a-1 et seq.).

(D) Any retirement plan established and maintained by the United States, an agency or instrumentality thereof, or by a state, its political subdivisions, or any agency or instrumentality of a state or its political subdivisions, for the benefit of its employees.

(E) Any employee benefit plan within the meaning of Title I of the federal Employee Retirement Income Security Act of 1974 (29 U.S.C. sec. 1001 et seq.).

(F) Any securities dealer registered pursuant to the federal Securities Exchange Act of 1934 (15 U.S.C. sec. 78a et seq.).

(G) Any entity, all of the equity owners of which individually meet the criteria of this paragraph (10).

(11) [Reserved]

(12) "License" means a license issued by the Commission pursuant to Article 3 of this chapter.

(A) There are four license categories entitling the holder to provide third-party proposition player services:

1. Primary owner,
2. Owner,
3. Supervisor, and
4. Player.

(B) All "other employees" (as defined in this section) of the primary owner who are present in the gambling establishment during the provision of proposition player services under the primary owner's proposition player contract shall be licensed as "other employee" and shall be required to

submit an application and be approved or denied based upon the same criteria that apply to a player.

(C) A primary owner and an owner may also perform the functions of a supervisor or player, and the holder of a supervisor's license may also perform the functions of a player.

(D) No licensee, other than an owner, supervisor, or player, may possess, direct, or otherwise control currency, chips, or other wagering instruments used for play in the performance of a proposition player contract.

(13) "Licensee" means a person having a valid license.

(14) "Organization chart" means a chart that identifies the names and titles of all owners, as defined in Section 12200, supervisors, and any persons having significant influence over the operation of the entity or provision of proposition player services; the percentage of ownership, if any, held by each identified individual or entity; the reporting relationship for each identified individual or entity; and the job title and number of persons in each of the job titles that report to each individual or entity identified on the organization chart.

(15) "Other employee" means an individual employed by a primary owner who is not authorized to provide proposition player services. "Other employee" does not include any owner, any supervisor, or any officer or director of a primary owner that is a corporation. An individual registered or licensed as an "other employee" may not function as a player unless and until that individual applies for and obtains registration or licensure as a player.

(16) "Owner" includes all of the following:

(A) A sole proprietor, corporation, partnership, or other business entity that provides or proposes to provide third party proposition player services as an independent contractor in a gambling establishment,

(B) Any individual specified in Business and Professions Code section 19852, subdivisions (a) through (h), and

(C) Any funding source.

(17) "Playing Book" means a record documenting each session of play by a third-party proposition player.

(18) "Primary Owner" means the owner specified in subparagraph (A) of paragraph (16) of this subsection.

(19) "Proposition player" or "player" means an individual other than an owner or a supervisor who provides third-party proposition player services in a controlled game.

(20) “Proposition player contract” or “contract” means a written contract, the terms of which have been reviewed and approved by the Bureau, between the holder of a state gambling license and a primary owner acting as an independent contractor for the provision of third-party proposition player services in the gambling establishment.

(21) “Rebate” means a partial return by an authorized proposition player of chips or money to a patron who has lost the chips or money to the authorized player through play in a controlled game at a gambling establishment.

(22) “Registrant” means a person having a valid registration.

(23) “Registration” means a registration issued by the Commission pursuant to this chapter.

(A) There are four registration categories entitling the holder to provide third-party proposition player services: primary owner, owner, supervisor, and player.

(B) All other employees of the primary owner who are present in the gambling establishment during the provision of proposition player services under the primary owner's proposition player contract shall be registered as “other employee” and shall be required to submit an application, which application shall be approved or denied based upon the same criteria that apply to a player.

(C) A primary owner and an owner may also perform the functions of a supervisor or player, and the holder of a supervisor's registration may also perform the functions of a player. No registrant, other than an owner, supervisor, or player, may possess, direct, or otherwise control currency, chips, or other wagering instruments used for play in the performance of a proposition player contract.

(24) “Reinstatement Badge” means a badge provided to a player, a supervisor, or an “other employee” pursuant to Section 12200.6 which authorizes an individual registrant or licensee who has ceased to be employed by a primary owner to return to work for that primary owner.

(25) “Session of play” as used in Section 12200.13 (“Playing Book”) means a continuous workshift of third-party proposition player services provided by an individual proposition player.

(26) “Supervisor” means an individual who, in addition to any supervisory responsibilities, has authority, on behalf of the primary owner, to provide or direct the distribution of currency, chips, or other wagering instruments to players engaged in the provision of third-party proposition player services in a gambling establishment.

(27) “Supplemental information package” means all of the documentation and deposits required by each of the following forms, which are hereby incorporated by reference, to be submitted to the Bureau in response to a summons issued by the Bureau pursuant to Section 12205.1:

(A) Owners, as defined in Section 12200, that are a natural person shall complete the form Level III Supplemental Information-Individual (BGC-APP-034A (Rev. 07/17)) for a level III investigation.

(B) Owners, as defined in Section 12200, that are not a natural person shall complete the form Level III Supplemental Information-Business (BGC-APP-034B (Rev. 07/17)) for a level III investigation.

(C) Supervisors, as defined in Section 12200, shall complete the form Level II Supplemental Information (BGC-APP-033 (Rev. 07/17)) for a level II investigation.

(D) Other employees and players, as defined in Section 12200, shall complete the form Level I Supplemental Information (BGC-APP-032 (Rev. 07/17)) for a level I investigation.

(28) “Third-party proposition player services” or “proposition player services” means services provided in and to the house under any written, oral, or implied agreement with the house, which services include play as a participant in any controlled game that has a rotating player-dealer position as permitted by Penal Code section 330.11. “Proposition player services” also includes the services of any supervisors, as specified in paragraph (26) of this subsection.

(29) “TPP” means “third party proposition.” This abbreviation is used in Section 12200.3 and in prescribing titles to be used on registrant and licensee badges, for example, “TPP Player Registrant.”

(30) “Transfer Badge” means a badge provided pursuant Section 12200.6 which authorizes an individual registrant or licensee to work for a subsequent primary owner after having ceased to work for an initial primary owner.

Note: Authority cited: Sections 19840, 19841 and 19984, Business and Professions Code.  
Reference: Sections 19805 and 19984, Business and Professions Code.

**§ 12200.6. Transfer or Reinstatement of Player Registration or License; Issuance of Additional Badge.**

(a) Upon submission of a request, the Bureau shall provide a player transfer badge, reinstatement badge, or additional badge if all of the following conditions are met:

(1) The requester has a currently valid registration or license.

(2) The request is complete and has been submitted on the Bureau's form Request for an Additional/Transfer/Reinstatement Third Party Proposition Player Services Registration/License (BGC-439 (Rev. 07/17)), which is hereby incorporated by reference.

(3) The requester has supplied all of the following to the Bureau:

(A) A nonrefundable one hundred and twenty-five dollar (\$125) fee payable to the Bureau.

(B) The names as applicable of the current and future primary owner (or previous owner or additional owner), mailing address, voice telephone number, facsimile number (if any), and email address (if any).

(b) A badge provided pursuant to this section shall be valid during the unexpired term of the previously issued registration or license.

(c) Upon the providing of the transfer badge, the previous badge for that third-party proposition services provider shall become void and shall not be used.

(d) Transfer, additional, and reinstatement badges shall be provided by the Bureau within seven (7) days of receipt of a complete request.

Note: Authority cited: Sections 19826, 19827, 19840, 19841 and 19984, Business and Professions Code. Reference: Sections 19826, 19864 and 19984, Business and Professions Code.

#### **§ 12200.9. Review and Approval of Proposition Player Contracts.**

(a)(1) Proposition player services shall not be provided except pursuant to a written proposition player contract approved in advance by the Bureau. Provision of proposition player services by any person subject to registration or licensing under this chapter, or engagement of proposition player services by the holder of a state gambling license, without a contract as required by this section is a violation of this section. The Bureau shall approve a proposition player contract only if all the following requirements have been satisfied:

(A) The contract is consistent with this regulation and the Act.

(B) The contract does not provide for controlled gambling that will be conducted in a manner that is inimical to the public health, safety, or welfare.

(C) The contract will not create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, or activities in the conduct of controlled gambling or in the carrying on of the business and related financial arrangements.

(D) The contract will not undermine public trust that the controlled gambling operations covered by the contract will be conducted honestly, by reason of the existence or perception of any collusive arrangement between any party to the contract and the holder of a state gambling license, or otherwise.

(2) Prior to December 7, 2003, each primary owner providing proposition player services at a gambling establishment on the date that these regulations originally became effective (November 6, 2003) shall submit an Application for Contract Approval Provider of Proposition Player Services (BGC-APP-030 (Rev. 07/17)), which is hereby incorporated by reference.

(3) A complete application for contract approval shall include all of the following:

(A) A completed Application for Contract Approval to Provide Proposition Player Services (BGC-APP-030), referenced in paragraph (2).

(B) A completed Appointment of Designated Agent for Owners and Proposition Players (BGC-APP-031 (Rev. 07/17)), which is hereby incorporated by reference.

(C) An executed copy of the contract that specifically addresses all of the requirements of Section 12200.7.

(D) A playing book form that specifically addresses all of the requirements of Section 12200.13.

(E) A \$1000 nonrefundable application fee.

(F) The deposit as required by Title 11, California Code of Regulations, Section 2037. The Bureau may require an additional sum to be deposited to pay the final costs of the review and approval or disapproval of the contract. Any money received as a deposit in excess of the costs incurred in the review and approval or disapproval of the contract will be refunded and an itemized accounting will be provided to the primary owner, or primary owner's designee.

(4) The Bureau shall notify the applicant, in writing, within ten working days of receiving the application that the application or resubmitted application is complete or incomplete. If an application is incomplete, the Bureau shall request, in writing, any information, fees, or documentation needed to complete the application. Unless extended by the Bureau for further investigation up to 90 days or with the consent of the applicant, review and approval or disapproval of a proposition player contract shall be completed within 90 days of receiving a completed application and notice thereof shall be sent via United States mail to the applicant or the applicant's designee within ten (10) days of the Bureau's decision. Notice of disapproval of the contract or amendments shall specify the cause.

(b) An executed copy of the currently effective contract, and all amendment(s) thereto, and a copy of all Bureau notices that approved the contract and any amendment shall be maintained at the gambling establishment and shall be provided for review or copying upon request by any representative of the Commission or Bureau.

(c) The term of any proposition player contract shall not exceed two years and shall not be extended or renewed without the prior approval of the Bureau. No amendment changing any of the contract terms referred to in Section 12200.7, other than paragraphs (3), (4), and (6) of



subsection (b) thereof, may become effective during the term of a proposition player contract without the prior written approval of the Bureau. If any amendment is made to a proposition player contract term specified in paragraphs (3), (4), or (6) of subsection (b) of Section 12200.7, both parties to the contract shall notify the Commission and Bureau in writing of the amendment within 10 days of the execution thereof by the parties to the contract.

Note: Authority cited: Sections 19840, 19841 and 19984, Business and Professions Code.  
Reference: Sections 19951 and 19984, Business and Professions Code.

### **§ 12200.13. Playing Book.**

(a) The primary owner shall be responsible for assuring that its players maintain accurate, complete, and up-to-date playing books for all sessions of play worked in conformity with regulations of the Commission. The information in the playing-book record shall be transferred to the primary owner, or a supervisor designated by the primary owner at the end of each session of play. The primary owner shall maintain this information in English at a single location in the State of California, and shall maintain the original playing book records in the State of California, for at least five (5) years. The location or locations where the records of this information and the original playing book records are maintained, and any change therein, shall be disclosed to the Commission and Bureau by written notice mailed or delivered within five (5) business days after establishing or changing such a location.

(b) The playing book shall be prepared and maintained as follows:

(1) The playing book form shall be reviewed and approved or disapproved during the review of the contract by the Bureau.

(2) Each form in the playing book shall be recorded in ink and include, but not be limited to, the following information:

(A) Sequential numbers. Any unused form shall be voided and maintained in the playing book.

(B) The name of the gambling establishment where play occurred.

(C) The date and approximate time when play occurred.

(D) Beginning and ending balances.

(E) Individual identification of all fills and credits affecting the balance.

(F) The printed full name and badge number of the proposition player, which includes owners, supervisors, and/or players.

(G) The table number assigned by the gambling establishment.

(H) The specific name of the Bureau-approved gaming activity.

(I) The name of the primary owner.

(3) The form for each session of play shall be time-stamped, dated, and signed under penalty of perjury by the person who prepared it and shall include a declaration in the following form: "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct."

(c)(1) To amend a playing book form during a contract period, a Request for Approval of Playing Book form (BGC-App 036 (Rev. 07/17)), which is hereby incorporated by reference, must be completed and submitted to the Bureau for prior approval along with the following to constitute a complete request:

(A) Processing fee of \$75.

(B) Sample playing book form that complies with this section.

(2) Review and approval or disapproval of an amended playing book form shall be completed within 30 days of receiving a completed request. Written notices shall be sent to the applicant or the applicant's designee.

Note: Authority cited: Sections 19840, 19841 and 19984, Business and Professions Code.  
Reference: Section 19984, Business and Professions Code.

## ARTICLE 2. REGISTRATION.

### **§ 12202. Application for Registration.**

(a) The application for registration shall designate whether the registration is requested as a primary owner, owner, supervisor, player, or other employee. The application shall be signed by both the individual applicant and the designated agent, or, if the applicant is a business entity, by the chief executive officer or other designated officer of the business entity.

(b) An application for registration shall include all of the following:

(1) Payment of a nonrefundable application fee in the amount specified in paragraph (1) of section (d) of Section 12008.

(2) A completed Bureau Application for Third Party Proposition Player Services Registration (BGC-435 (Rev. 04/13)), which is hereby incorporated by reference.

(3) A properly completed Request for Live Scan Service (California Department of Justice Form BCII 8016, rev. 4/01) for an applicant that is an individual, confirming that the applicant's fingerprints have been submitted to the BCII for an automated background check and response.

(4) Two 2x2 inch color passport-style photographs of an applicant that is an individual taken no more than one (1) year before submission of the application to the Bureau.

(c) An applicant that is an individual shall complete and submit the Bureau form Third Party Proposition Player Services Registration Supplemental Information (BGC-436 (Rev. 07/17)), which is hereby incorporated by reference.

(d) An applicant for registration or for any approval required by this chapter shall make full and true disclosure of all information to the Bureau as required for the application and as requested by the Commission or Bureau to carry out the policies of this state relating to controlled gambling.

Note: Authority cited: Sections 19840, 19841, 19951(a) and 19984, Business and Professions Code. Reference: Sections 19951(a) and 19984, Business and Professions Code.

## **CHAPTER 2.2. GAMBLING BUSINESSES: REGISTRATION; LICENSING.**

### **ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.**

#### **§ 12220.6. Transfer or Reinstatement of Player Registration or License; Issuance of Additional Badge.**

(a) Upon submission of a request, the Bureau shall provide a player transfer badge, reinstatement badge, or additional badge if all of the following conditions are met:

(1) The requester has a currently valid registration or license.

(2) The request is complete and has been submitted on the form Request for an Additional/Transfer/Reinstatement of Gambling Business Registration/License (BGC-539, (Rev. 07/17)), which is hereby incorporated by reference.

(3) The requester has supplied all of the following to the Bureau:

(A) A nonrefundable one hundred and twenty-five dollar (\$125) fee payable to the Bureau.

(B) The names as applicable of the current and future primary owner, or previous owner or additional owner, mailing address, voice telephone number, facsimile number (if any), and email address (if any).

(b) A badge provided pursuant to this section shall be valid during the unexpired term of the previously issued registration or license.

(c) Upon the providing of the transfer badge, the previous badge shall become void and shall not be used.

(d) Transfer, additional, and reinstatement badges shall be provided by the Bureau within seven (7) days of receipt of a complete request.

Note: Authority cited: Sections 19811, 19840, 19841 and 19853(a)(3), Business and Professions Code. Reference: Sections 19805, 19826 and 19853(a)(3), Business and Professions Code.

## ARTICLE 2. REGISTRATION.

### **§ 12222. Application for Registration.**

(a) The application for registration shall designate whether registration is requested as a primary owner, other owner, or employee or independent contractor of the primary owner. The application shall be signed by both the individual applicant and the designated agent, or, if the applicant is a business entity, by the chief executive officer or other designated officer of the business entity.

(b) An application for registration shall include all of the following:

(1) Payment of a nonrefundable application fee in the amount specified in paragraph (1) of subsection (e) of Section 12008.

(2) A completed Application for Gambling Business Registration (BGC-535 (Rev. 04/13)), which is hereby incorporated by reference.

(3) A properly completed Request for Live Scan Service (California Department of Justice Form BCII 8016, rev. 4/01) of an applicant that is an individual, confirming that the applicant's fingerprints have been submitted to the BCII for an automated background check and response.

(4) Two 2x2 inch color passport-style photographs of an applicant that is an individual taken no more than one (1) year before submission of the application to the Bureau.

(c) An applicant that is an individual shall complete and submit the form Gambling Business Registration Supplemental Information (BGC-536 (Rev. 07/17)), which is hereby incorporated by reference.

(d) An applicant for registration shall make full and true disclosure of all information to the Bureau as required for the application and as requested by the Commission or Bureau to carry out the policies of this state relating to controlled gambling.

Note: Authority cited: Sections 19840, 19841, 19853(a)(3) and 19951(a), Business and Professions Code. Reference: Sections 19853(a)(3) and 19951(a), Business and Professions Code.

#### **CHAPTER 4. GAMBLING EQUIPMENT MANUFACTURERS OR DISTRIBUTORS.**

##### **§ 12309. Forms.**

(a) Applications for registration under Section 12301(b) shall be submitted on the Application for Registration of Manufacturers or Distributors of Gambling Equipment, BGC-025 (Rev. 07/17), which is hereby incorporated by reference.

(b) Quarterly Report, BGC-040 (Rev. 04/13), which is hereby incorporated by reference, may but need not be used for submission of reports required by Section 12303.

Note: Authority cited: Sections 19823, 19824, 19840, 19841(r) and 19864, Business and Professions Code. Reference: Sections 19841(r) and 19951(a), Business and Professions Code; Section 2015.5, Code of Civil Procedure; Section 330.8, Penal Code; Chapter 24 (commencing with Section 1171) of Title 15 of the United States Code.

#### **CHAPTER 6. GAMBLING LICENSES AND APPROVALS FOR GAMBLING ESTABLISHMENTS AND OWNERS; PORTABLE PERSONAL KEY EMPLOYEE LICENSES.**

##### **ARTICLE 2. GAMBLING LICENSES.**

##### **§ 12342. Initial Gambling License Applications; Required Forms; Processing Times.**

(a) Any person applying for a gambling license shall, as appropriate, complete the following forms, which are hereby incorporated by reference:

(1) Application for State Gambling License, BGC-030 (Rev. 04/13).

(2) Gambling Establishment Owner Applicant-Individual Supplemental Background Investigation Information, BGC-APP-015A (Rev. 07/17).

(3) Gambling Establishment Owner Entity Supplemental Information for State Gambling License, BGC-APP-015B (Rev. 07/17).

(4) Gambling Establishment Supplemental Information for State Gambling License, BGC-APP-015C (Rev. 07/17).

- (5) Cardroom Applicant's Spouse Supplemental Background Information for State Gambling License, BGC-APP-009A (Rev. 07/17).
- (6) Trust Supplemental Background Investigation Information, BGC-APP-143 (Rev. 07/17).
- (7) Declaration of Full Disclosure, BGC-APP-005 (Rev. 11/07).
- (8) Authorization to Release Information, BGC-APP-006 (Rev. 07/17).
- (9) Applicant's Declaration, Acknowledgment and Agreement (Community Property Interest), BGC-APP-011 (Rev. 11/07).
- (10) Applicant's Declaration, Acknowledgment and Agreement (Sole and Separate Property), BGC-APP-012 (Rev. 11/07).
- (11) Spouse's Declaration, Acknowledgment and Agreement (Community Property Interest), BGC-APP-013 (Rev. 11/07).
- (12) Spouse's Declaration, Acknowledgment and Agreement (Sole and Separate Property), BGC-APP-014 (Rev. 11/07).
- (13) Appointment of Designated Agent, BGC-APP-008 (Rev. 07/17).
- (14) Key Employee Report, BGC-LIC-101 (Rev. 07/17).
- (15) Instructions to Applicant's Spouse, BGC-APP-010 (Rev. 07/17).
- (16) Notice to Applicants, BGC-APP-001 (Rev. 11/07).
- (17) Request for Live Scan Service (California Department of Justice Form BCII 8016, (Rev. 03/07)).
- (18) Request for Copy of Personal Income Tax or Fiduciary Return, FTB-3516C1 (Rev. 06/03 side 1-PIT).
- (19) Request for Copy of Corporation, Exempt Organization, Partnership, or Limited Liability Company Return FTB-3516C1 (Rev. 06/03 side 2-CORP).
- (20) Request for Transcript of Tax Return IRS 4506-T, (Rev. 01/08).

(b) Except as provided in subsection (c), initial gambling license applications submitted pursuant to this chapter shall be processed within the following timeframes:

- (1) The maximum time within which the Bureau shall notify the applicant in writing that an application or a resubmitted application is complete and accepted for initial processing, or that an application or a resubmitted application is deficient and identifying what specific additional information is required, is 20 days after receipt of the application. For the purposes of this

section, “application” means the Application for State Gambling License, BGC-030, as referred to in paragraph (1) of subsection (a) of this section. An application is not complete unless accompanied by the fee specified in subsection (a) of Section 12008 for a gambling license. In addition, an applicant shall submit with the application, any supplemental information required in paragraph (a) of this section for review by the Bureau pursuant to paragraph (2) of this subsection.

(2) The Bureau shall review the supplemental information submitted for completeness and notify the applicant of any deficiencies in the supplemental information, or that the supplemental information is complete, within 30 days of the date that the application and supplemental information are received by the Bureau. Notwithstanding this subsection, subsequent to acceptance of the supplemental information as complete, the Bureau may pursuant to Business and Professions Code section 19866, require the applicant to submit additional information.

(3) Pursuant to Business and Professions Code section 19868, the Bureau shall, to the extent practicable, submit its recommendation to the Commission within 180 days after the date the Bureau is in receipt of both the completed application and the completed supplemental information pursuant to paragraph (1) of this subsection. If the Bureau has not concluded its investigation within 180 days, then it shall inform the applicant and the Commission in writing of the status of the investigation and shall also provide the applicant and the Commission with an estimated date on which the investigation may reasonably be expected to be concluded.

(4) The Commission shall grant or deny the application within 120 days after receipt of the final written recommendation of the Bureau concerning the application, except that the Commission may notify the applicant in writing that additional time, not to exceed 30 days, is needed.

(c) The processing times specified in subsection (b) may be exceeded in any of the following instances:

(1) The applicant has agreed to extension of the time.

(2) The number of licenses to be processed exceeds by 15 percent the number processed in the same calendar quarter the preceding year.

(3) The Commission or the Bureau must rely on another public or private entity for all or part of the processing and the delay is caused by that other entity.

Note: Authority cited: Sections 19811, 19824, 19840 and 19841, Business and Professions Code. Reference: Sections 19841, 19850, 19851, 19852, 19855, 19856, 19857, 19864, 19865, 19866, 19867, 19868, 19880, 19881, 19883, 19890, 19893, 19951 and 19982, Business and Professions Code.

ARTICLE 3. PORTABLE PERSONAL KEY EMPLOYEE LICENSE.

**§ 12354. Interim Key Employee Licenses; Processing Times.**

(a) An individual, if holding a valid work permit for any gambling enterprise, may immediately begin to work as an interim key employee provided that the individual submit the following to the Bureau within 10 days of hiring:

(1) An Application for Interim Key Employee License, BGC-035 (Rev. 07/17), which is attached in Appendix A to this chapter.

(2) A nonrefundable application fee pursuant to subsection (b) of Section 12008.

(3) A copy of the employee's valid work permit issued pursuant to section 19912 of the Business and Professions Code for any gambling enterprise.

(4) A two inch by two inch color passport-style photograph taken no more than 30 days before submission to the Bureau of the interim key employee application, which shall be in addition to the photograph submitted for the initial portable personal key employee license.

(b) Applications for issuance of an interim key employee license shall be processed within the following timeframes:

(1) The maximum time within which the Bureau shall notify the applicant in writing that an application or a resubmitted application is complete and accepted for filing, or that an application or a resubmitted application is deficient and identifying what specific additional information is required, is five working days after receipt of the application.

(2) An interim key employee license shall be either granted or denied within 15 working days after the filing of a complete application.

(c) Interim key employee license approvals are subject to the following conditions:

(1) An application package for an initial portable personal key employee license as required in subsection (c) of Section 12350 must be submitted to the Bureau within 30 days of assuming a key employee position.

(2) An interim license shall be valid for a period of two years from the date it is issued.

(3) Issuance of an interim license does not obligate the Commission to issue a regular key employee license.

(4) Issuance of an interim license has no bearing on the question of whether the holder will qualify for issuance of any Commission permit, registration, or license.



(5) The interim key employee shall cease working in a key employee position if, during the term of the interim license, any of the following occurs:

(A) The application for key employee license is abandoned or denied.

(B) The interim key employee's work permit expires, is revoked, or is cancelled before the key employee license is approved.

(C) The Executive Director notifies the applicant and gambling enterprise that the interim status is cancelled pursuant to subsection (e) of this section.

(d) Upon issuance or denial of a regular key employee license by the Commission, the interim license previously issued shall become invalid and shall not be used thereafter.

(e) With ten day's advance written notice to the interim key employee and to the gambling enterprise, the Executive Director shall cancel the interim key employee license based upon the following:

(1) Evidence showing that the applicant has sustained any disqualifying criminal convictions;

(2) Evidence showing that the applicant is statutorily ineligible for a key employee license under the Act;

(3) Evidence which discloses that having the applicant serve as an interim key employee pending determination of their application may in the judgment of the Executive Director present a danger to the public or to the reputation of controlled gambling in this state;

(4) A determination by the Executive Director that the applicant has failed to reveal any fact that is material to, or supplied materially untrue or misleading information on, the applicant's key employee license application;

(5) A Bureau recommendation of denial of the applicant's key employee application;

(6) Referral by the Commission of the applicant to an evidentiary hearing with direction to the Executive Director to cancel the interim key employee status; or

(7) A determination by the Executive Director that the gambling enterprise using the interim key employee procedure has shown a pattern or practice of hiring or promoting persons to key employee positions in violation of subsection (a) above or that the gambling enterprise has acted in bad faith, with actual knowledge that the persons hired or promoted would be ineligible for licensure.

(f) Within ten days of the date of notice of a cancellation of interim status pursuant to this section, the gambling enterprise shall notify the Bureau in writing of the effective date of the

position change for or suspension of the employee, and shall describe the employee's revised job duties, if any.

(g) Judicial review of a cancellation of interim status shall be by petition pursuant to section 1085 of the Code of Civil Procedure.

(h) This section shall apply to any individual employed in the capacity of a key employee, whether employed in a gambling establishment owned by a non-corporate licensee or by a corporate licensee, as provided in Business and Professions Code section 19883.

Note: Authority cited: Sections 19823, 19824, 19840, 19841 and 19883, Business and Professions Code. Reference: Sections 19805(w), 19805(x), 19850, 19855, 19856, 19857, 19859, 19866, 19870 and 19883, Business and Professions Code.

#### ARTICLE 4. ANNUAL FEE; REQUESTS FOR ADDITIONAL TABLES.

##### **§ 12359. Request for Additional Permanent Tables.**

(a) The owner licensee of a gambling establishment may apply to operate additional tables on a permanent basis by submitting the following to the Bureau:

(1) A completed and signed application form entitled Application for Additional Authorized Permanent Tables, BGC-027 (Rev. 07/17), which is attached in Appendix A to this chapter.

(2) A non-refundable application fee of \$500 plus a Bureau review deposit pursuant to Title 11, Cal Code Regs., Section 2037, made payable to the Bureau of Gambling Control.

(b) The Commission shall not grant the application if any of the following are disclosed by the application or the results of the investigation of the applicant by the Bureau:

(1) The requested increase in the number of tables would exceed the number of tables allowed to be operated by the local jurisdiction for either the particular cardroom or the jurisdiction in which the gambling establishment is located.

(2) The requested increase in the number of tables has been denied by the local jurisdiction in which the gambling establishment is located.

(3) The gambling establishment's state gambling license is suspended or is subject to conditions precluding the approval of an increase in the number of tables.

(4) The gambling establishment has outstanding fees, deposits, fines, or penalties owing to the Commission or to the Bureau.

(c) A request by an applicant to withdraw the application shall result in the application being considered abandoned and unused deposit amounts returned, with no further action to be taken by the Commission or Bureau.

(d) The Bureau shall complete its review of the application and submit its findings to the Commission within 25 days of receipt of the application. Commission staff shall then set the request on the Commission agenda within 90 days of receiving the Bureau's findings and advise the applicant of the agenda date and any required annual fees due. If the request for additional permanent tables is approved, the applicant must pay the required annual fees due before placing the additional tables in operation.

Note: Authority cited: Sections 19811, 19823, 19824, 19840, 19841, 19864, 19950(b) and 19951, Business and Professions Code. Reference: Section 19951, Business and Professions Code.

## **CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.**

### **ARTICLE 6. PROGRAM FOR RESPONSIBLE GAMBLING.**

#### **§ 12464. Self-Exclusion Program.**

(a) Licensees shall implement a program that allows patrons to exclude themselves from gambling establishments using a form entitled Self-Exclusion Request, form CGCC-037 (Rev. 07/17), attached in Appendix A to this chapter. That program shall contain, at a minimum, the following:

(1) Policies and procedures for providing Self-Exclusion Request forms and for sending any completed Self-Exclusion Request forms to the Bureau;

(2) Policies and procedures for maintaining and updating a list of self-excluded persons, wherein the confidentiality of the list is protected pursuant to Section 12466 and only agents or employees have access, unless needed by law enforcement personnel pursuant to an investigation or in assisting in a Problem Gambling program;

(3) Policies and procedures designed to thwart self-excluded patrons, as noticed by the Bureau, from entering the gambling area during the term of exclusion, with the exception of access for the sole purpose of carrying out the duties of employment, including removal procedures for patrons who attempt entry after requesting to be excluded and notification to the Bureau of any incidents of removal where law enforcement is called to remove a person from the premises;

(4) Policies and procedures for verifying a patron's identity and checking the list of self-excluded persons before cashing a check, awarding a jackpot or prize, extending credit and selling or

redeeming chips, tokens or any other item of a monetary value if the patron's identity would otherwise be verified;

(5) Policies and procedures for the forfeiture of any unredeemed jackpots or prizes won by an excluded person and the remittance of the combined value for deposit into the Gambling Addiction Program Fund for problem gambling prevention and treatment services through the State Department of Public Health, Office of Problem Gambling;

(6) Policies and procedures for removal of a patron from customer lists maintained by the licensee for direct mail marketing, telephone marketing, and other direct marketing or marketing opportunities regarding gaming opportunities or promotions at the gambling establishment;

(7) Policies and procedures for removal of a patron from check-cashing, or credit services offered by the licensee; and,

(8) Policies and procedures for mailing any patron-submitted Self-Exclusion Request form to the Bureau within 10 business days.

(b) This section does not mandate that a licensee provide the services of a notary public for persons who wish to complete the Self-Exclusion Request form.

Note: Authority cited: Sections 19811, 19840, 19841(o) and 19920, Business and Professions Code. Reference: Sections 19801, 19920 and 19954, Business and Professions Code; and Section 4369.4, Welfare and Institutions Code.

#### **§ 12465. Removal from the List of Self-Excluded Persons.**

(a) For any lifetime self-exclusion term, a request for removal from the list of self-excluded persons may be submitted to the Bureau at any time after one year from the effective date of the original self-exclusion request. A request for removal shall be submitted using the form Self-Exclusion Removal Request, CGCC-038 (Rev. 07/17), attached in Appendix A to this chapter. The Bureau shall remove the excluded person from the list of self-excluded persons on the first business day of the second whole month after the request was postmarked.

(b) For any self-exclusion term, other than lifetime, the excluded person shall be automatically removed from the list of self-excluded persons upon the conclusion of the requested term.

(c) Upon removal, the Bureau shall send a notice to the person as confirmation of the removal from the self-exclusion list.

Note: Authority cited: Sections 19811, 19840, 19841(o) and 19920, Business and Professions Code. Reference: Sections 19801, 19920 and 19954, Business and Professions Code; and Section 4369.4, Welfare and Institutions Code.

**CHAPTER 8. BINGO.**

ARTICLE 2. MANUFACTURERS, DISTRIBUTORS, AND VENDORS OF BINGO EQUIPMENT, DEVICES,  
SUPPLIES, AND SERVICES.

**§ 12492. Interim Licenses; Initial and Renewal; Conditions.**

- (a) An interim approval process is established to further the legislative intent of avoiding disruption of fundraising efforts by nonprofit organizations as expressed in Business and Professions Code section 19850.6.
- (b) No person may manufacture, distribute, or provide remote caller bingo equipment, supplies, or services or card-minding devices in this state unless they have a valid interim license issued by the Commission pursuant to this article.
- (c) Any manufacturer or distributor of card-minding devices or any vendor providing remote caller bingo equipment, supplies, or services in this state on or after April 24, 2009, shall apply for an interim license, pursuant to this article, within 30 days of the effective date of this section.
- (d) Any person applying for an initial interim license as the owner-licensee, as defined in subsection (b) of section 12480, of the manufacturer, distributor, or vendor business shall submit the following to the Bureau:
- (1) Application for Interim License for Manufacturers, Distributors, and Vendors of Bingo Equipment, Devices, Supplies, and Services, BGC-610 (Rev. 07/17), which is attached in Appendix B.
  - (2) A non-refundable application fee of \$500.00.
  - (3) If the applicant is an individual residing in the state of California, a completed Request for Live Scan Service, California Department of Justice Form BCII 8016, confirming that the applicant has submitted his or her fingerprints to the BCII for an automated criminal history check and response.
  - (4) If the applicant is an individual residing outside the state of California, two FBI Fingerprint cards.
- (e) Any person applying for an initial interim license as an owner, as defined in subsection (b) of section 12480, of a manufacturing, distributing, or vending business shall submit the following to the Bureau:
- (1) Application for Interim License for Manufacturers, Distributors, and Vendors of Bingo Equipment, Devices, Supplies, and Services, BGC-610, referred to in paragraph (1) of subsection (d).
  - (2) A non-refundable application fee of \$500.00.

(3) If the applicant is an individual residing in the state of California, a completed Request for Live Scan Service, California Department of Justice Form BCII 8016, confirming that the applicant has submitted his or her fingerprints to the BCII for an automated criminal history check and response.

(4) If the applicant is an individual residing outside the state of California, two FBI Fingerprint cards.

(f) Interim license approvals pursuant to this article, are subject to the following conditions:

(1) An interim license shall be valid for one year from the date it is issued by the Commission and may be renewed if regulations specifying the criteria for a regular license have not been adopted.

(2) Upon adoption of regulations specifying the criteria for a regular license, the Commission will notify the holder of the interim license of the requirement to submit a regular application package within 30 days of the effective date of the regulations. If a response has not been received within 30 days, the interim license will not be eligible for renewal.

(3) An interim license does not obligate the Commission to issue a regular license nor does it create a vested right in the holder to either a renewal of the interim license or to the granting of a subsequent regular license.

(4) Issuance of an interim license has no bearing on the question of whether the holder will qualify for issuance of any Commission permit, registration, or license. The interim license will be cancelled in the event that the Commission subsequently determines the applicant does not qualify for a regular license.

(5) If, during the term of an interim license, it is determined that the holder is disqualified pursuant to Section 12493, the Executive Director shall prepare an order to show cause why that interim license should not be cancelled. The holder of the interim license shall be given at least 30 days, but not more than 90 days, to respond in writing. After receipt of the holder's response, or if the holder fails to respond in the time specified, the matter shall be set for consideration at a noticed Commission meeting. The holder may address the Commission by way of an oral statement at the Commission meeting, and may request an evidentiary hearing, either in writing not less than ten days prior to the meeting or at the meeting itself. Any evidentiary hearing shall be conducted in accordance with applicable provisions of subsection (b) of Section 12050 of this division.

(g) Any person applying for a renewal interim license as the owner-licensee of the manufacturing, distributing, or vending business shall submit the following to the Bureau no later than 90 days prior to the expiration of that license:

(1) Application for Interim License for Manufacturers, Distributors, and Vendors of Bingo Equipment, Devices, Supplies, and Services, BGC-610, referred to in paragraph (1) of subsection (d).

(2) A non-refundable application fee of \$500.00.

(h) Any person applying for a renewal interim license as an owner of the manufacturing, distributing, or vending business shall submit the following to the Bureau no later than 90 days prior to the expiration of that license:

(1) Application for Interim License for Manufacturers, Distributors, and Vendors of Bingo Equipment, Devices, Supplies, and Services, BGC-610, referred to in paragraph (1) of subsection (d).

(2) A non-refundable application fee of \$500.00.

(i) Each application for an initial or renewal interim license shall be reviewed and, if found to be complete and correct, shall be set for consideration at a noticed Commission meeting. If the application does not satisfy the requirements of this article, the applicant shall be provided a written list of the deficiencies.

(j) A renewal interim license shall be valid for one year from the date of approval of the renewal application or from the expiration of the prior interim license, whichever is later.

Note: Authority cited: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and 326.5, Penal Code. Reference: Sections 19850.5 and 19850.6, Business and Professions Code; and Sections 326.3 and 326.5, Penal Code.