

**State of California
Office of Administrative Law**

In re:
California Gambling Control Commission

Regulatory Action:

Title 04, California Code of Regulations

Amend section: 12112

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,
Section 100**

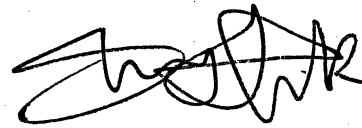
OAL Matter Number: 2023-0831-03

OAL Matter Type: Nonsubstantive (N)

As changes without regulatory effect, the California Gambling Control Commission ("CGCC") is amending the form titled Spousal Information, CGCC-CH2-12. Specifically, CGCC is making grammar and punctuation changes in addition to the primary amendment of changing several instances of the word "license" to "licensee".

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: October 2, 2023



Steven J. Escobar
Senior Attorney

Original: Stacey Luna Baxter, Executive
Director

Copy: Josh Rosenstein

For: Kenneth J. Pogue
Director

NOTICE PUBLICATION REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

NONSUBSTANTIVE

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

OCT 02 2023

received at 1:53pm

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2023-0831-03N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Gambling Control Commission			AGENCY FILE NUMBER (If any) CGCC-GCA-2023-02-N

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER
FAX NUMBER (Optional)		NOTICE REGISTER NUMBER		PUBLICATION DATE
OAL USE ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Spousal Form Update #2		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
TITLE(S)		AMEND	
4		12112	
		REPEAL	
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> File & Print <input type="checkbox"/> Print Only			
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) October 1, 2023			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal			
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Josh Rosenstein		TELEPHONE NUMBER 9162745823	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) jroenstein@cgcc.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by: SIGNATURE OF AGENCY HEAD OR DESIGNEE Stacey Luna Baxter	DATE 8/31/2023
TYPED NAME AND TITLE OF SIGNATORY Stacey Luna Baxter, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

OCT 02 2023

Office of Administrative Law

**CALIFORNIA GAMBLING CONTROL COMMISSION
SPECIFIC LANGUAGE OF REGULATIONS
SPOUSAL FORM UPDATE #2
CGCC-GCA-2023-02-N**

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

CHAPTER 2. LICENSES AND WORK PERMITS

ARTICLE 2. INITIAL AND RENEWAL LICENSES AND WORK PERMITS

§ 12112. Initial License Applications; Required Forms.

A person applying for Commission approval must submit the following to the Bureau:

...

(f) If the application is an Application for Owner Category License, CGCC-CH2-05, and the applicant is a natural person, then a completed copy of the Spousal Information, CGCC-CH2-12 (Rev. 1007/232), which is attached in Appendix A to this chapter.

NOTE: Authority cited: Sections 19811, 19824, 19840, 19841, 19850, 19912 and 19984, Business and Professions Code. Reference: Sections 19801, 19811, 19824, 19826, 19841, 19850, 19851, 19852, 19855, 19864, 19865, 19866, 19867, 19868, 19878, 19880(d), 19883, 19890(e), 19893, 19912, 19951, 19982 and 19984, Business and Professions Code.

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Chapter 2: Appendix A (Amended Forms)

Spousal Information

CGCC-CH2-12 (Rev. 1007/232)

Page 1 of 3

BUREAU USE ONLY

BGC ID#



MAIL COMPLETED FORM TO:
BUREAU OF GAMBLING CONTROL
P.O. Box 168024
Sacramento, CA 95816-8024
(916) 830-1700

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY BEFORE YOU COMPLETE THIS FORM

This form is used to provide information for spouses of individuals required to apply as an owner of an owner category licensee as defined by the Gambling Control Act (Act) and/or implementing administrative regulations, as applicable.

All responses must be truthful and complete. All responses are subject to verification and will be used to determine suitability under gambling laws and regulations. Any misrepresentation or failure to disclose required information or documentation may constitute cause for denial of the application or discipline of the licensee.

An applicant may be subject to administrative action for failing to provide all information, documentation, and assurances as required by the Act or requested by the California Gambling Control Commission (Commission) or the Bureau of Gambling Control (Bureau), or failing to reveal any material facts, or providing misleading or untrue information as to a material fact.

By filing an application, an applicant understands that pursuant to Business and Professions Code section 19828, the Bureau or Commission may make public any communication or publication from, or concerning an applicant's application or corresponding background investigation. By submitting this application, an applicant accepts any risks of adverse action, financial loss, or public notice which may result from any Commission or Bureau action taken with respect to the application, as the action is absolutely privileged and so shall not form a basis for imposing liability for defamation or constitute a ground for recovery in any civil action consistent with Business and Professions Code section 19828.

It is the responsibility of each applicant to obtain copies of, and be familiar with, the laws and regulations governing the applicant's license. As an applicant, it is your responsibility to ensure that you thoroughly understand the questions in this application. If you do not understand the questions, it is your responsibility to obtain appropriate, competent assistance in order to fully and accurately complete the application.

All information must be typed or printed legibly in blue or black ink. Any questions that do not apply should be indicated with "N/A" (Not Applicable). If the space available is insufficient, attach a separate sheet of paper and precede each answer with the applicable section and question number. Any corrections, changes, or other alterations must be initialed and dated by the applicant.

Name of Applicant

Associated Owner Category Licensee

Check one of the following:

- ☐ The applicant is married or has a registered domestic partner, complete the remaining sections of the form as directed.
- ☐ The applicant is not married and does not have a registered domestic partner, proceed to and complete section 5.
- ☐ If the applicant's spouse or registered domestic partner is licensed or has applied for licensure with this associated owner category licensee, proceed to and complete section 5.

Name of Applicant's Spouse

SECTION 1: PERSONAL INFORMATION

SPOUSE'S FULL NAME: LAST		FIRST	MIDDLE
CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)			
MAILING ADDRESS IF DIFFERENT THAN CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)			
PRIMARY TELEPHONE NUMBER		EMAIL ADDRESS	
APPLICANT'S FULL NAME: LAST		FIRST	MIDDLE

SECTION 2: RELATIONSHIP OF SPOUSE TO BUSINESS

Check all boxes that appropriately describe the spouse's relationship to the owner category licensee.

<input type="checkbox"/>	1) THE OWNER CATEGORY LICENSEE OR OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE IS COMMUNITY PROPERTY OF THE APPLICANT AND SPOUSE.
<input type="checkbox"/>	2) THE SPOUSE IS INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.
<input type="checkbox"/>	3) THE SPOUSE HAS DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.
<input type="checkbox"/>	4) THE SPOUSE IS ENGAGED IN ANY CONDUCT AS PART OF THE CARDROOM BUSINESS LICENSEE OR TPPPS BUSINESS LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984.
NOTE: IF ANY OF ITEMS 1) THROUGH 4) ARE SELECTED, THE SPOUSE IS REQUIRED TO SUBMIT A COMPLETE APPLICATION AS A CARDROOM ENDORSED OWNER OR TPPPS ENDORSED OWNER.	
<input type="checkbox"/>	5) THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT.
NOTE: IF ITEM 5) IS SELECTED BUT ITEMS 2) THROUGH 4) ARE NOT SELECTED, COMPLETE SECTION 3.	
<input type="checkbox"/>	6) THE APPLICANT IS NOT AN OWNERSHIP INTEREST HOLDER.

SECTION 3: SOLE AND SEPARATE PROPERTY

To be completed only if Section 2 item 5) is selected and items 2) through 4) are not selected. Both the applicant and the spouse are required to read, understand, and initial agreement to the following items:

Spouse	Applicant	I ACCEPT THAT THE APPLICANT BEARS THE BURDEN OF ESTABLISHING THE INTEREST IN THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT AND THAT EACH AND EVERY STATEMENT IN THIS SECTION IS TRUE. THAT INCLUDED, AS PART OF THIS DECLARATION, IS DOCUMENTATION OF A LEGAL NATURE SUFFICIENT TO SUBSTANTIATE THE DECLARATION.
Spouse	Applicant	THAT INCLUDED, AS PART OF THIS DECLARATION, IS DOCUMENTATION SUFFICIENT TO SUBSTANTIATE THIS DECLARATION UNDER SECTION 4. I HAVE READ THIS DOCUMENTATION AND DETERMINED THIS INFORMATION IS ACCURATE EITHER BASED ON THE ADVICE OF LEGAL COUNSEL, OR MY OWN ACCORD AFTER HAVING BEEN AFFORDED THE OPPORTUNITY TO SEEK THE ADVICE OF COUNSEL BUT WAIVED THAT OPPORTUNITY.
Spouse	Applicant	THE SPOUSE WILL NOT BE INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.
Spouse	Applicant	THE SPOUSE WILL HAVE NO DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.
Spouse	Applicant	THE SPOUSE WILL NOT BE ENGAGED IN ANY CONDUCT AS PART OF THE OWNER CATEGORY LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984 OR COMMISSION REGULATIONS.
Spouse	Applicant	IN THE EVENT OF THE SPOUSE INHERITING, RECEIVING A GIFT, OR OTHERWISE OBTAINING ANY OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE, THE SPOUSE WILL BE REQUIRED TO UNDERGO LICENSURE PRIOR TO RECEIVING ANY OWNERSHIP INTEREST OR REVENUES FROM THE BUSINESS.
Spouse	Applicant	ANY INVOLVEMENT BY THE SPOUSE IN ANY ACTIVITY OR CONDUCT FOR WHICH A FINDING OF SUITABILITY, A PERMIT, OR A LICENSE IS, OR MAY BE, REQUIRED PURSUANT TO THE ACT WITHOUT FIRST OBTAINING ANY REQUIRED FINDING OF SUITABILITY, PERMIT, OR LICENSE MAY BE MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.
Spouse	Applicant	THAT IF ANY STATEMENT IN THIS DECLARATION OF SOLE AND SEPARATE PROPERTY IS FALSE, THAT FACT MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.

SECTION 4: ADDITIONAL REQUIRED ITEMS

THE FOLLOWING ITEMS MUST BE SUBMITTED, AS APPLICABLE, WITH THIS COMPLETED FORM. PROVIDE COPIES OF DOCUMENTS UNLESS OTHERWISE STATED. ONLY DOCUMENTS THAT ARE DATED AND SIGNED BY THE APPLICANT AND/OR SPOUSE, AS APPLICABLE, WILL BE ACCEPTED. FAILURE TO PROVIDE REQUIRED ITEMS MAY RESULT IN DENIAL OF THE APPLICATION. PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19868, SUBDIVISION (A), THE APPLICATION PACKAGE WILL NOT BE DEEMED COMPLETE UNTIL ALL REQUIRED FORMS, DOCUMENTATION, AND FEES HAVE BEEN COMPLETED AND RECEIVED BY THE STATE. IF THE APPLICANT HAS SELECTED SECTION 2 ITEM 6), NO ADDITIONAL DOCUMENTS ARE NECESSARY UNLESS REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

MARK THE BOX NEXT TO EACH ATTACHED ITEM.

THE SPOUSE MUST SUBMIT ONE OF THE FOLLOWING:

- ☐ IF A RESIDENT OF THE STATE OF CALIFORNIA, A REQUEST FOR LIVE SCAN SERVICE (BCIA 8016), INCLUDING THE ATI NUMBER; OR,
- ☐ IF NOT; A RESIDENT OF THE STATE OF CALIFORNIA, TWO APPLICANT FINGERPRINT CARDS, FD-258
- ☐ ANY PRENUPTIAL, POST NUPTIAL, OR DOMESTIC PARTNERSHIP AGREEMENT WHICH CONFIRMS THE CHARACTERIZATION OF THE APPLICANT'S INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY AND COMPLIES WITH FAMILY CODE SECTION 1615
- ☐ ANY DOCUMENTATION THAT REFLECTS THE APPLICANT'S ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY THROUGH GIFT OR INHERITANCE
- ☐ ANY DOCUMENTATION THAT DEMONSTRABLY SHOWS THE ACQUISITION OF THE OWNER CATEGORY LICENSEE INTEREST TRACED TO SOLE AND SEPARATE PROPERTY OR FUNDS OF APPLICANT
- ☐ ANY COURT ORDERS CONCERNING THE OWNERSHIP CHARACTERIZATION OF THE OWNER CATEGORY LICENSEE INTEREST AS SOLE AND SEPARATE PROPERTY

ADDITIONAL DOCUMENTATION MAY BE REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

SECTION 5: DECLARATION

I declare under penalty of perjury under the laws of the State of California that the information in this form is true, accurate, and complete, and that this declaration is executed by me at _____

City and State

APPLICANT'S NAME

APPLICANT'S SIGNATURE

DATE (MM/DD/YYYY)

SPOUSE'S NAME

SPOUSE'S SIGNATURE

DATE (MM/DD/YYYY)