



132nd MAINE LEGISLATURE

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Legislative Document

No. 2048

S.P. 841

In Senate, December 11, 2025

An Act to Amend the Laws Regarding Fantasy Contest Licensing

Submitted by the Department of Public Safety pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 9, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "DAREK M. GRANT".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIMBERLAKE of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 8 MRSA §1103, sub-§3, ¶C**, as enacted by PL 2017, c. 303, §2, is amended
3 to read:

4 C. Consent to permit the director to conduct a criminal ~~background check~~ history
5 record check;

6 **Sec. 2. 8 MRSA §1103, sub-§3, ¶H**, as enacted by PL 2017, c. 303, §2, is amended
7 to read:

8 H. The methods by which the fantasy contest operator will protect a fantasy
9 contestant's personal and private information; ~~and~~

10 **Sec. 3. 8 MRSA §1103, sub-§3, ¶H-1** is enacted to read:

11 H-1. Disclosure of each person that has control over the applicant as described in
12 subsection 3-A; and

13 **Sec. 4. 8 MRSA §1103, sub-§3-A** is enacted to read:

14 **3-A. Control over applicant or licensee.** The following are considered to have
15 control over an applicant or a licensee:

16 A. In the case of an applicant or a licensee that is a corporation, each corporate holding
17 company, parent company or subsidiary company of the applicant or licensee and each
18 person that owns 10% or more of the applicant or licensee and that has the ability to
19 control the activities of the applicant or licensee or elect a majority of the board of
20 directors of the applicant or licensee, except for a bank or other licensed lending
21 institution that holds a mortgage or other lien acquired in the ordinary course of
22 business;

23 B. In the case of an applicant or licensee that is not a corporation, each person
24 associated with the applicant or licensee that directly or indirectly holds a beneficial or
25 proprietary interest in the applicant's or licensee's business operation or that the director
26 otherwise determines has the ability to control the noncorporate applicant or licensee;
27 and

28 C. Key personnel of the applicant or licensee, including any executive, employee or
29 agent, having the power to exercise significant influence over decisions concerning any
30 part of the applicant's or licensee's relevant business operation.

31 **Sec. 5. 8 MRSA §1103, sub-§4-A** is enacted to read:

32 **4-A. Criminal history record check.** The director shall request a criminal history
33 record check in accordance with this subsection for each applicant for an initial license and
34 for each person required to be disclosed by an applicant for an initial license under
35 subsection 3, paragraph H-1. The director may require a criminal history record check in
36 accordance with this subsection for a licensee seeking to renew a license and from any
37 person having control over the licensee as part of the license renewal application and from
38 any person identified by the licensee under subsection 3-A. A criminal history record check
39 conducted pursuant to this subsection must include criminal history record information
40 obtained from the Maine Criminal Justice Information System established in Title 16,
41 section 631 and the Federal Bureau of Investigation.

1 A. Criminal history record information obtained from the Maine Criminal Justice
2 Information System pursuant to this subsection must include a record of public criminal
3 history record information as defined in Title 16, section 703, subsection 8.

4 B. Criminal history record information obtained from the Federal Bureau of
5 Investigation pursuant to this subsection must include other state and national criminal
6 history record information.

7 C. An individual required to submit to a criminal history record check under this
8 subsection shall submit to having the individual's fingerprints taken. The State Police,
9 upon payment by the individual of the fee required under paragraph E, shall take or
10 cause to be taken the individual's fingerprints and shall immediately forward the
11 fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau
12 of Identification. Any person who fails to transmit criminal fingerprint records to the
13 State Bureau of Identification pursuant to this paragraph is subject to the provisions of
14 Title 25, section 1550.

15 D. The Department of Public Safety, Bureau of State Police, State Bureau of
16 Identification shall conduct the state and national criminal history record checks
17 required under this subsection. Except for the portion of a payment, if any, that
18 constitutes the processing fee for a criminal history record check charged by the Federal
19 Bureau of Investigation, all money received by the State Police under this subsection
20 must be paid to the Treasurer of State, who shall apply the money to the expenses
21 incurred by the Department of Public Safety in the administration of this subsection.

22 E. The director shall by rule set the amount of the fee to be paid for each criminal
23 history record check required to be performed under this subsection.

24 F. The subject of a Federal Bureau of Investigation criminal history record check may
25 obtain a copy of the criminal history record check by following the procedures outlined
26 in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state
27 criminal history record check may inspect and review the criminal history record
28 information pursuant to Title 16, section 709.

29 G. State and national criminal history record information obtained by the director
30 under this subsection may be used only for the purpose of screening an applicant for a
31 license or a license renewal under this chapter.

32 H. All criminal history record information obtained by the director pursuant to this
33 subsection is confidential, is for the official use of the director only and may not be
34 disseminated by the director or disclosed to any other person or entity except as
35 provided in paragraph F.

36 I. The director, after consultation with the Department of Public Safety, Bureau of
37 State Police, State Bureau of Identification, shall adopt rules to implement this
38 subsection.

39 Sec. 6. 8 MRSA §1103, sub-§5, as enacted by PL 2017, c. 303, §2, is amended to
40 read:

41 5. **Application Processing** fee. The director may establish by rule and charge a one-
42 time application processing fee limited to the projected cost of processing the application
43 and performing any background investigations. If the application fee exceeds the actual
44 for the cost of processing the an application and performing background investigations, the

excess amount must be applied to the license fee, if the applicant is issued a license, or reimbursed to an applicant not subject to a license fee in accordance with subsection 6 or to an applicant that was not issued a license. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost.

Sec. 7. 8 MRSA §1103, sub-§6, as enacted by PL 2017, c. 303, §2, is amended to read:

6. License Application fee; term. The nonrefundable application fee for an initial license and a license renewal fee for a license for a fantasy contest operator that had gross fantasy contest revenues during the 12 months preceding application equal to or greater than \$100,000 is \$2,500. A fantasy contest operator that had gross fantasy contest revenues during the 12 months preceding application of less than \$100,000 is not required to pay a license fee. Licenses must be renewed annually.

Sec. 8. 8 MRSA §1103, sub-§6-A is enacted to read:

6-A. Occupational license fee; term; renewal. The fee for an occupational license for a fantasy contest operator is \$250 for an initial license and \$250 to renew a license for a one-year term. Licenses must be renewed annually. The fee may be paid on behalf of the occupational licensee by the operator. In addition to a renewal fee, an occupational licensee must annually submit a renewal application on a form or in a format approved by the director. Fees paid under this subsection must be retained by the director for the cost of administering this chapter.

SUMMARY

This bill requires the Director of the Gambling Control Unit within the Department of Public Safety to request a criminal history record check for each applicant for a license to conduct fantasy contests and requires the application to include a disclosure of persons that have control over an applicant. The bill also clarifies the application and license fees for an occupational license for a fantasy contest operator.