

§1206. Facility sports wagering license

1. Issuance of license. The director shall issue a facility sports wagering license upon finding that the applicant meets all requirements of this section, sections 1204 and 1205 and rules adopted under this chapter. The director may issue no more than 10 facility sports wagering licenses under this section. [PL 2021, c. 681, Pt. J, §6 (NEW).]

2. Eligibility; transfer prohibited. To be eligible to receive a facility sports wagering license, an applicant must be:

- A. A commercial track as defined in section 275-A, subsection 1 not located in Bangor; [PL 2021, c. 681, Pt. J, §6 (NEW).]
- B. A casino licensed under section 1011; or [PL 2021, c. 681, Pt. J, §6 (NEW).]
- C. An off-track betting facility licensed under section 275-D or Public Law 2019, chapter 626, section 16. [PL 2021, c. 681, Pt. J, §6 (NEW).]

Each off-track betting facility may receive only one facility sports wagering license under this section. A facility sports wagering license may not be transferred or assigned. [PL 2021, c. 681, Pt. J, §6 (NEW).]

3. Authority to conduct sports wagering; management services permitted. A facility sports wagering license granted by the director pursuant to this section grants a licensee lawful authority to conduct sports wagering in which wagers are placed within a physical location controlled by the licensee in the State within the terms and conditions of the license and any rules adopted under this chapter. A facility sports wagering licensee may contract with a management services licensee under section 1209. [PL 2021, c. 681, Pt. J, §6 (NEW).]

4. Fees. The fee for an initial or renewed facility sports wagering license issued prior to September 1, 2024 is \$4,000 and for an initial or renewed facility sports wagering license issued on or after September 1, 2024 is \$1,000. The fee must be retained by the director for the costs of administering this chapter. In addition to the license fee, the director may charge a processing fee for an initial or renewed license in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant or licensee. [PL 2023, c. 577, §1 (AMD).]

5. Term of license. Except as provided in subsection 6, a license granted or renewed under this section prior to September 1, 2024 is valid for 4 years and a license granted or renewed under this section on or after September 1, 2024 is valid for one year unless sooner revoked by the director or the commissioner under section 1205. The failure of a facility sports wagering licensee to maintain its underlying off-track betting license voids the facility sports wagering license. [PL 2023, c. 577, §2 (AMD).]

6. Temporary license. An applicant for a facility sports wagering license may submit with the application a request for a temporary license. A request for a temporary license must include the initial license fee under subsection 4. If the director determines that the applicant is qualified under subsection 2, meets the requirements established by rule for a temporary license and has paid the initial license fee and the director is not aware of any reason the applicant is ineligible for a license under this section, the director may issue a temporary facility sports wagering license. A temporary license issued under this subsection is valid for the length of the term of the license under subsection 5 or until a final determination on the facility sports wagering license application is made, whichever is sooner. If after investigation the director determines that the applicant is eligible for a facility sports wagering license

under this chapter, the director shall issue the initial facility sports wagering license, at which time the temporary license terminates. The initial facility sports wagering license is valid for 4 years from the date that the temporary license was issued by the director for an applicant that applied for an initial license prior to September 1, 2024 and for one year from the date that the temporary license was issued by the director for an applicant that applied for an initial license on or after September 1, 2024. Sports wagering conducted under authority of a temporary license must comply with the facility operator's house rules adopted under section 1211.

[PL 2023, c. 577, §3 (AMD).]

7. Occupational license required. A facility sports wagering licensee, including a temporary licensee under subsection 6, may conduct sports wagering only through persons holding a valid occupational license under section 1210.

[PL 2021, c. 681, Pt. J, §6 (NEW).]

8. Municipal control. Nothing in this chapter may be construed to restrict the authority of municipalities under municipal home rule provisions of the Constitution of Maine, including zoning and public safety authority.

[PL 2021, c. 681, Pt. J, §6 (NEW).]

SECTION HISTORY

PL 2021, c. 681, Pt. J, §6 (NEW). PL 2023, c. 577, §§1-3 (AMD).

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