

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2026

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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**

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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 dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

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.