



Senate

General Assembly

File No. 390

January Session, 2013

Substitute Senate Bill No. 1072

Senate, April 8, 2013

The Committee on Public Safety and Security reported through SEN. HARTLEY, J. of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE GAMING POLICY BOARD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-1 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) There shall be a Department of Consumer Protection which shall
4 be under the direction and supervision of a Commissioner of
5 Consumer Protection, who shall be appointed by the Governor in
6 accordance with the provisions of sections 4-5 to 4-8, inclusive.

7 (b) The Department of Consumer Protection shall constitute a
8 successor agency, in accordance with the provisions of sections 4-38d
9 and 4-39, to the Department of Public Safety with respect to all
10 functions, powers and duties of the Department of Public Safety under
11 chapter 532. Where any order or regulation of said departments
12 conflict, the Commissioner of Consumer Protection may implement
13 policies and procedures consistent with the provisions of chapter 532

14 while in the process of adopting the policy or procedure in regulation
15 form, provided notice of intention to adopt regulations is printed in
16 the Connecticut Law Journal within twenty days of implementation.
17 The policy or procedure shall be valid until the time final regulations
18 are effective.

19 (c) The Department of Consumer Protection shall constitute a
20 successor agency to the Division of Special Revenue in accordance
21 with the provisions of sections 4-38d and 4-39. Where any order or
22 regulation of said division and department conflict, the Commissioner
23 of Consumer Protection may implement policies and procedures
24 consistent with chapters 98, 226, 438a, 529, 545, 557 and 946, while in
25 the process of adopting the policy or procedure in regulation form,
26 provided notice of intention to adopt regulations is printed in the
27 Connecticut Law Journal within twenty days of implementation. Any
28 such policy or procedure shall be valid until the time final regulations
29 are effective.

30 (d) The Department of Consumer Protection shall constitute a
31 successor agency to the Gaming Policy Board in accordance with the
32 provisions of sections 4-38d and 4-39. Where any order or regulation of
33 said board and department conflict, the Commissioner of Consumer
34 Protection may implement policies and procedures consistent with
35 chapters 98, 226 and 545 while in the process of adopting the policy or
36 procedure in regulation form, provided notice of intention to adopt
37 regulations is printed in the Connecticut Law Journal within twenty
38 days of implementation. Any such policy or procedure shall be valid
39 until the time final regulations are effective.

40 Sec. 2. Subsection (a) of section 1-83 of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective July*
42 *1, 2013*):

43 (a) (1) All state-wide elected officers, members of the General
44 Assembly, department heads and their deputies, [members of the
45 Gaming Policy Board,] members or directors of each quasi-public
46 agency, members of the Investment Advisory Council, state marshals

47 and such members of the Executive Department and such employees
48 of quasi-public agencies as the Governor shall require, shall file, under
49 penalty of false statement, a statement of financial interests for the
50 preceding calendar year with the Office of State Ethics on or before the
51 May first next in any year in which they hold such a position. Any
52 such individual who leaves his or her office or position shall file a
53 statement of financial interests covering that portion of the year during
54 which such individual held his or her office or position. The Office of
55 State Ethics shall notify such individuals of the requirements of this
56 subsection not later than thirty days after their departure from such
57 office or position. Such individuals shall file such statement within
58 sixty days after receipt of the notification.

59 (2) Each state agency, department, board and commission shall
60 develop and implement, in cooperation with the Office of State Ethics,
61 an ethics statement as it relates to the mission of the agency,
62 department, board or commission. The executive head of each such
63 agency, department, board or commission shall be directly responsible
64 for the development and enforcement of such ethics statement and
65 shall file a copy of such ethics statement with the Department of
66 Administrative Services and the Office of State Ethics.

67 Sec. 3. Subsection (d) of section 1-84 of the general statutes is
68 repealed and the following is substituted in lieu thereof (*Effective July*
69 *1, 2013*):

70 (d) No public official or state employee or employee of such public
71 official or state employee shall agree to accept, or be a member or
72 employee of a partnership, association, professional corporation or
73 sole proprietorship which partnership, association, professional
74 corporation or sole proprietorship agrees to accept any employment,
75 fee or other thing of value, or portion thereof, for appearing, agreeing
76 to appear, or taking any other action on behalf of another person
77 before the Department of Banking, the Claims Commissioner, the
78 Office of Health Care Access division within the Department of Public
79 Health, the Insurance Department, the Department of Consumer

80 Protection, the Department of Motor Vehicles, the State Insurance and
81 Risk Management Board, the Department of Energy and
82 Environmental Protection, the Public Utilities Regulatory Authority,
83 the Connecticut Siting Council [, the Gaming Policy Board within the
84 Department of Consumer Protection] or the Connecticut Real Estate
85 Commission; provided this shall not prohibit any such person from
86 making inquiry for information on behalf of another before any of said
87 commissions or commissioners if no fee or reward is given or
88 promised in consequence thereof. For the purpose of this subsection,
89 partnerships, associations, professional corporations or sole
90 proprietorships refer only to such partnerships, associations,
91 professional corporations or sole proprietorships which have been
92 formed to carry on the business or profession directly relating to the
93 employment, appearing, agreeing to appear or taking of action
94 provided for in this subsection. Nothing in this subsection shall
95 prohibit any employment, appearing, agreeing to appear or taking
96 action before any municipal board, commission or council. Nothing in
97 this subsection shall be construed as applying (1) to the actions of any
98 teaching or research professional employee of a public institution of
99 higher education if such actions are not in violation of any other
100 provision of this chapter, (2) to the actions of any other professional
101 employee of a public institution of higher education if such actions are
102 not compensated and are not in violation of any other provision of this
103 chapter, (3) to any member of a board or commission who receives no
104 compensation other than per diem payments or reimbursement for
105 actual or necessary expenses, or both, incurred in the performance of
106 the member's duties, or (4) to any member or director of a quasi-public
107 agency. Notwithstanding the provisions of this subsection to the
108 contrary, a legislator, an officer of the General Assembly or part-time
109 legislative employee may be or become a member or employee of a
110 firm, partnership, association or professional corporation which
111 represents clients for compensation before agencies listed in this
112 subsection, provided the legislator, officer of the General Assembly or
113 part-time legislative employee shall take no part in any matter
114 involving the agency listed in this subsection and shall not receive

115 compensation from any such matter. Receipt of a previously
116 established salary, not based on the current or anticipated business of
117 the firm, partnership, association or professional corporation involving
118 the agencies listed in this subsection, shall be permitted.

119 Sec. 4. Subsections (c) to (e), inclusive, of section 1-84b of the general
120 statutes are repealed and the following is substituted in lieu thereof
121 (*Effective July 1, 2013*):

122 (c) The provisions of this subsection apply to present or former
123 executive branch public officials or state employees who hold or
124 formerly held positions which involve significant decision-making or
125 supervisory responsibility and are designated as such by the Office of
126 State Ethics in consultation with the agency concerned except that such
127 provisions shall not apply to members or former members of the
128 boards or commissions who serve ex officio, who are required by
129 statute to represent the regulated industry or who are permitted by
130 statute to have a past or present affiliation with the regulated industry.
131 Designation of positions subject to the provisions of this subsection
132 shall be by regulations adopted by the Citizen's Ethics Advisory Board
133 in accordance with chapter 54. As used in this subsection, "agency"
134 means the Office of Health Care Access division within the
135 Department of Public Health, the Connecticut Siting Council, the
136 Department of Banking, the Insurance Department, the Department of
137 Emergency Services and Public Protection, the office within the
138 Department of Consumer Protection that carries out the duties and
139 responsibilities of sections 30-2 to 30-68m, inclusive, the Public Utilities
140 Regulatory Authority, including the Office of Consumer Counsel [,
141 and the Department of Consumer Protection [and the Gaming Policy
142 Board] and the term "employment" means professional services or
143 other services rendered as an employee or as an independent
144 contractor.

145 (1) No public official or state employee in an executive branch
146 position designated by the Office of State Ethics shall negotiate for,
147 seek or accept employment with any business subject to regulation by

148 his agency.

149 (2) No former public official or state employee who held such a
150 position in the executive branch shall within one year after leaving an
151 agency, accept employment with a business subject to regulation by
152 that agency.

153 (3) No business shall employ a present or former public official or
154 state employee in violation of this subsection.

155 (d) The provisions of subsection (e) of this section apply to (1)
156 present or former [Gaming Policy Board or] Department of Consumer
157 Protection public officials or state employees who hold or formerly
158 held positions which involve significant decision-making or
159 supervisory responsibility and are designated as such by the Office of
160 State Ethics, in consultation with the agency concerned, and (2) present
161 or former public officials or state employees of other agencies who
162 hold or formerly held positions which involve significant decision-
163 making or supervisory responsibility concerning the regulation or
164 investigation of (A) any business entity (i) engaged in Indian gaming
165 operations in the state, and (ii) in which a federally-recognized Indian
166 tribe in the state owns a controlling interest, or (B) a governmental
167 agency of a federally-recognized Indian tribe engaged in Indian
168 gaming operations in the state, which positions are designated as such
169 by the Office of State Ethics, in consultation with the agency
170 concerned. Designation of positions subject to the provisions of this
171 subsection shall be by regulations adopted by the Citizen's Ethics
172 Advisory Board in accordance with chapter 54. As used in subsection
173 (e) of this section, the term "employment" means professional services
174 or other services rendered as an employee or as an independent
175 contractor.

176 (e) (1) No [Gaming Policy Board or] Department of Consumer
177 Protection public official or state employee or other public official or
178 state employee described in subdivision (2) of subsection (d) of this
179 section, in a position designated by the Office of State Ethics, shall
180 negotiate for, seek or accept employment with (A) a business entity (i)

181 engaged in Indian gaming operations in the state, and (ii) in which a
182 federally-recognized Indian tribe in the state owns a controlling
183 interest, or (B) a governmental agency of a federally-recognized Indian
184 tribe engaged in Indian gaming operations in the state.

185 (2) No former [Gaming Policy Board or] Department of Consumer
186 Protection public official or state employee or other former public
187 official or state employee described in subdivision (2) of subsection (d)
188 of this section, who held such a position shall, within two years after
189 leaving such agency, accept employment with (A) a business entity (i)
190 engaged in Indian gaming operations in the state, and (ii) in which a
191 federally-recognized Indian tribe in the state owns a controlling
192 interest, or (B) a governmental agency of a federally-recognized Indian
193 tribe engaged in Indian gaming operations in the state.

194 Sec. 5. Subsections (b) and (c) of section 4-9a of the general statutes
195 are repealed and the following is substituted in lieu thereof (*Effective*
196 *July 1, 2013*):

197 (b) Public members shall constitute not less than one-third of the
198 members of each board and commission within the Executive
199 Department, except [the Gaming Policy Board and] the Commission on
200 Human Rights and Opportunities. Public member means an elector of
201 the state who has no substantial financial interest in, is not employed
202 in or by, and is not professionally affiliated with, any industry,
203 profession, occupation, trade or institution regulated or licensed by the
204 relevant board or commission, and who has had no professional
205 affiliation with any such industry, profession, occupation, trade or
206 institution for three years preceding his appointment to the board or
207 commission. Except as otherwise specifically provided by the general
208 statutes, this section shall not apply to the Commission on Fire
209 Prevention and Control, boards and commissions the membership of
210 which is entirely composed of state department heads, elected officials
211 or deputies appointed by such department heads or where the
212 membership of such board or commission is determined in accordance
213 with the provisions of any federal law.

214 (c) Notwithstanding any provision of law, the term of each member
215 of each board and commission within the executive branch, except the
216 State Board of Education, the Board of Regents for Higher Education,
217 [the Gaming Policy Board,] the Commission on Human Rights and
218 Opportunities, the State Elections Enforcement Commission, the State
219 Properties Review Board, the Citizen's Ethics Advisory Board, the
220 Commission on Medicolegal Investigations, the Psychiatric Security
221 Review Board, the Commission on Fire Prevention and Control, the E
222 9-1-1 Commission, the Culture and Tourism Advisory Committee, and
223 the board of trustees of each constituent unit of the state system of
224 higher education, commencing on or after July 1, 1979, shall be
225 coterminous with the term of the Governor or until a successor is
226 chosen, whichever is later.

227 Sec. 6. Subsection (c) of section 7-169 of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective July*
229 *1, 2013*):

230 (c) The Commissioner of Consumer Protection [, with the advice
231 and consent of the Gaming Policy Board,] shall adopt, in accordance
232 with the provisions of chapter 54, such regulations as are necessary to
233 effectively carry out the provisions of this section and section 7-169a in
234 order to prevent fraud and protect the public, which regulations shall
235 have the effect of law.

236 Sec. 7. Subsection (k) of section 7-169 of the general statutes is
237 repealed and the following is substituted in lieu thereof (*Effective July*
238 *1, 2013*):

239 (k) (1) Whenever it appears to the commissioner after an
240 investigation that any person is violating or is about to violate any
241 provision of this section or section 7-169a or administrative regulations
242 issued pursuant thereto, the commissioner may in his or her discretion,
243 to protect the public welfare, order that any permit issued pursuant to
244 this section be immediately suspended or revoked and that the person
245 cease and desist from the actions constituting such violation or which
246 would constitute such violation. After such an order is issued, the

247 person named therein may, not later than fourteen days after receipt of
248 the order, file a written request for a hearing. Such hearing shall be
249 held in accordance with the provisions of chapter 54.

250 (2) Whenever the commissioner finds as the result of an
251 investigation that any person has violated any provision of this section
252 or section 7-169a or administrative regulations issued pursuant thereto
253 or made any false statement in any application for a permit or in any
254 report required by this section or section 7-169a or by the
255 commissioner, the commissioner may send a notice to such person by
256 certified mail, return receipt requested. Any such notice shall include
257 (A) a reference to the section or regulation alleged to have been
258 violated or the application or report in which an alleged false
259 statement was made, (B) a short and plain statement of the matter
260 asserted or charged, (C) the fact that any permit issued pursuant to this
261 section may be suspended or revoked for such violation or false
262 statement and the maximum penalty that may be imposed for such
263 violation or false statement, and (D) the time and place for the hearing.
264 Such hearing shall be fixed for a date not earlier than thirty days after
265 the notice is mailed.

266 (3) The commissioner shall hold a hearing upon the charges made
267 unless such person fails to appear at the hearing. Such hearing shall be
268 held in accordance with the provisions of chapter 54. If such person
269 fails to appear at the hearing or if, after the hearing, the commissioner
270 finds that such person committed such a violation or made such a false
271 statement, the commissioner may, in his or her discretion, suspend or
272 revoke such permit and order that a civil penalty of not more than two
273 hundred dollars be imposed upon such person for such violation or
274 false statement. The commissioner shall send a copy of any order
275 issued pursuant to this subdivision by certified mail, return receipt
276 requested, to any person named in such order. Any person aggrieved
277 by a decision of the commissioner under this subdivision shall have a
278 right of appeal [to the Gaming Policy Board for a hearing. Any person
279 aggrieved by a decision of the Gaming Policy Board shall have a right
280 of appeal] pursuant to section 4-183.

281 (4) Whenever the commissioner revokes a permit issued pursuant to
282 this section, he or she shall not issue any permit to such permittee for
283 one year after the date of such revocation.

284 (5) Any person who promotes or operates any bingo game without
285 a permit therefor, or who violates any provision of this section or
286 section 7-169a or administrative regulations issued pursuant thereto,
287 or who makes any false statement in any application for a permit or in
288 any report required by this section or section 7-169a or by the
289 commissioner shall be guilty of a class D misdemeanor.

290 Sec. 8. Subsection (d) of section 7-169c of the general statutes is
291 repealed and the following is substituted in lieu thereof (*Effective July*
292 *1, 2013*):

293 (d) The Commissioner of Consumer Protection [, with the advice
294 and consent of the Gaming Policy Board,] shall adopt [, in accordance
295 with the provisions of chapter 54,] such regulations, in accordance
296 with chapter 54, as are necessary [effectively] to carry out effectively
297 the provisions of this section in order to prevent fraud and protect the
298 public, which regulations shall have the effect of law.

299 Sec. 9. Subsection (d) of section 7-169e of the general statutes is
300 repealed and the following is substituted in lieu thereof (*Effective July*
301 *1, 2013*):

302 (d) The Commissioner of Consumer Protection [, in consultation
303 with the Gaming Policy Board,] shall adopt regulations, in accordance
304 with chapter 54, to implement the provisions of this section in order to
305 prevent fraud and protect the public.

306 Sec. 10. Section 7-169h of the general statutes is repealed and the
307 following is substituted in lieu thereof (*Effective July 1, 2013*):

308 (a) For the purposes of this section and section 7-169i:

309 (1) "Commissioner" means the Commissioner of Consumer
310 Protection;

311 (2) "Department" means the Department of Consumer Protection;

312 (3) "Sealed ticket" means a card with tabs which, when pulled,
313 expose pictures of various objects, symbols or numbers and which
314 entitles the holder of the ticket to receive a prize if the combination of
315 objects, symbols or numbers pictured matches what is determined to
316 be a winning combination;

317 (4) "Distributor" means a person who is a resident of this state and is
318 registered with the department to provide services related to the sale
319 and distribution of sealed tickets to any organization permitted to sell
320 sealed tickets by the department; and

321 (5) "Manufacturer" means a person who is registered with the
322 department and who manufactures or assembles sealed tickets from
323 raw materials, supplies or subparts.

324 (b) No person shall sell, offer for sale or distribute a sealed ticket
325 who has not applied for and received a permit from the department to
326 sell sealed tickets.

327 (c) No organization permitted to sell sealed tickets in this state shall
328 purchase sealed tickets from anyone other than a distributor.

329 (d) A distributor shall not purchase sealed tickets for sale or use in
330 this state from any person except a manufacturer. A distributor shall
331 have a physical office in this state and such office shall be subject to
332 inspection by the commissioner or the commissioner's duly designated
333 agent during normal business hours. No organization or group or any
334 person affiliated with an organization or group permitted to sell sealed
335 tickets under this section shall be permitted to be a distributor.

336 (e) A manufacturer shall not sell sealed tickets to any person in this
337 state except a distributor.

338 (f) All sealed tickets purchased by a distributor for sale or use in this
339 state shall be stored or warehoused in this state prior to their sale to
340 any organization permitted to sell sealed tickets.

341 (g) All sealed tickets sold in this state shall meet the standards on
342 pull-tabs adopted by the North American Gaming Regulators
343 Association.

344 (h) (1) The department may issue a permit to sell sealed tickets to
345 any organization or group specified in subsection (d) of section 7-169
346 which holds a bingo permit issued in accordance with the provisions
347 of section 7-169, as amended by this act. Such permit shall be renewed
348 annually.

349 (2) The department may issue a permit to sell sealed tickets to any
350 organization or group specified in subsection (d) of section 7-169
351 which holds a club permit or nonprofit club permit under the
352 provisions of chapter 545. Such permit shall be renewed annually.

353 (3) The department may issue a permit to sell sealed tickets to any
354 organization or group specified in section 7-172 which holds a permit
355 to operate a bazaar, issued in accordance with the provisions of
356 sections 7-170 to 7-186, inclusive.

357 (4) The department may issue a permit to sell sealed tickets to any
358 charitable, civic, educational, fraternal, veterans' or religious
359 organization, volunteer fire department or grange authorizing such
360 organization to sell sealed tickets in conjunction with any social
361 function or event sponsored or conducted by such organization. Any
362 such organization shall have been organized for not less than two
363 years prior to the date of its application for such permit. Such permit
364 shall be renewed annually.

365 (i) On and after July 1, 2011, the department may sell any sealed
366 tickets it has in its possession as of said date, provided it does not
367 purchase any new sealed tickets after said date. Permittees shall
368 purchase such sealed tickets from the department at a cost which is
369 equal to ten per cent of their resale value, until the department's
370 supply of sealed tickets has been fully depleted. After the department's
371 supply of sealed tickets has been fully depleted, permittees shall
372 purchase such sealed tickets from a distributor at a cost which is equal

373 to ten per cent of their resale value. Each such distributor shall remit
374 thirty per cent of its gross revenue derived from such purchase fees to
375 the State Treasurer on a quarterly basis.

376 (j) Each applicant for registration as a manufacturer or distributor
377 shall apply to the commissioner on such forms as the commissioner
378 prescribes. A distributor's application shall be accompanied by an
379 annual fee of two thousand five hundred dollars, payable to the State
380 Treasurer, and a manufacturer's application shall be accompanied by
381 an annual fee of five thousand dollars, payable to the State Treasurer.
382 Each applicant for an initial manufacturer or distributor registration
383 shall submit to state and national criminal history records checks
384 conducted in accordance with section 29-17a before such registration is
385 issued.

386 (k) Notwithstanding the provisions of subsection (b) of section 53-
387 278b and subsection (d) of section 53-278c, sealed tickets may be sold,
388 offered for sale, displayed or open to public view only (1) during the
389 course of a bingo game conducted in accordance with the provisions of
390 section 7-169, as amended by this act, and only at the location at which
391 such bingo game is conducted, (2) on the premises of any such
392 organization or group specified in subdivision (2) of subsection (h) of
393 this section, (3) during the conduct of a bazaar under the provisions of
394 sections 7-170 to 7-186, inclusive, or (4) in conjunction with any social
395 function or event sponsored or conducted by any such organization
396 specified in subdivision (4) of subsection (h) of this section. Subject to
397 the provisions of section 7-169i, permittees may utilize a mechanical or
398 electronic ticket dispensing machine approved by the department to
399 sell sealed tickets. Sealed tickets shall not be sold to any person less
400 than eighteen years of age. All proceeds from the sale of tickets shall be
401 used for a charitable purpose, as defined in section 21a-190a.

402 (l) The fee for a permit to sell sealed tickets (1) issued to an
403 organization authorized to conduct bingo under a "Class A" or "Class
404 C" permit or to an organization specified in subdivision (4) of
405 subsection (h) of this section in conjunction with any social function or

406 event sponsored or conducted by such organization shall be fifty
407 dollars, (2) issued to an organization which holds a club permit or
408 nonprofit club permit under the provisions of chapter 545 shall be
409 seventy-five dollars, and (3) issued to an organization authorized to
410 conduct bingo under a "Class B" permit or an organization which
411 holds a permit to operate a bazaar shall be five dollars per day.

412 (m) The commissioner [, with the advice and consent of the Gaming
413 Policy Board,] shall adopt regulations in accordance with the
414 provisions of chapter 54 to carry out the purposes of this section
415 including, but not limited to, regulations concerning (1) qualifications
416 of a charitable organization, (2) the price at which the charitable
417 organization shall resell tickets, (3) information required on the ticket,
418 including, but not limited to, the price per ticket, (4) the percentage
419 retained by the organization as profit, which shall be at least ten per
420 cent of the resale value of tickets sold, (5) the percentage of the resale
421 value of tickets to be awarded as prizes, which shall be at least forty-
422 five per cent, (6) apportionment of revenues received by the
423 department from the sale of tickets, and (7) investigations of any
424 charitable organization seeking a permit.

425 (n) (1) Whenever it appears to the commissioner after an
426 investigation that any person is violating or is about to violate any
427 provision of this section or administrative regulations issued pursuant
428 thereto, the commissioner may in his or her discretion, to protect the
429 public welfare, order that any registration or permit issued pursuant to
430 this section be immediately suspended or revoked and that the person
431 cease and desist from the actions constituting such violation or which
432 would constitute such violation. After such an order is issued, the
433 person named therein may, within fourteen days after receipt of the
434 order, file a written request for a hearing. Such hearing shall be held in
435 accordance with the provisions of chapter 54.

436 (2) Whenever the commissioner finds as the result of an
437 investigation that any person has violated any provision of this section
438 or administrative regulations issued pursuant thereto or made any

439 false statement in any application for a registration or permit or in any
440 report required by the commissioner, the commissioner may send a
441 notice to such person by certified mail, return receipt requested. Any
442 such notice shall include (A) a reference to the section or regulation
443 alleged to have been violated or the application or report in which an
444 alleged false statement was made, (B) a short and plain statement of
445 the matter asserted or charged, (C) the fact that any permit issued
446 pursuant to this section may be suspended or revoked for such
447 violation or false statement and the maximum penalty that may be
448 imposed for such violation or false statement, and (D) the time and
449 place for the hearing. Such hearing shall be fixed for a date not earlier
450 than fourteen days after the notice is mailed.

451 (3) The commissioner shall hold a hearing upon the charges made
452 unless such person fails to appear at the hearing. Such hearing shall be
453 held in accordance with the provisions of chapter 54. If such person
454 fails to appear at the hearing or if, after the hearing, the commissioner
455 finds that such person committed such a violation or made such a false
456 statement, the commissioner may, in his or her discretion, suspend or
457 revoke such registration or permit and order that a civil penalty of not
458 more than five hundred dollars be imposed upon such person for such
459 violation or false statement. The commissioner shall send a copy of any
460 order issued pursuant to this subdivision by certified mail, return
461 receipt requested, to any person named in such order. Any person
462 aggrieved by a decision of the commissioner under this subdivision
463 shall have a right of appeal [to the Gaming Policy Board for a hearing.
464 Any person aggrieved by a decision of the Gaming Policy Board shall
465 have a right of appeal] pursuant to section 4-183.

466 (4) Whenever the commissioner revokes a registration or permit
467 issued pursuant to this section, he or she shall not issue any
468 registration or permit to such registrant or permittee for one year after
469 the date of such revocation.

470 Sec. 11. Subsection (c) of section 7-181 of the general statutes is
471 repealed and the following is substituted in lieu thereof (*Effective July*

472 1, 2013):

473 (c) The commissioner shall hold a hearing upon the charges made
474 unless such person fails to appear at the hearing. Such hearing shall be
475 held in accordance with the provisions of chapter 54. If such person
476 fails to appear at the hearing or if, after the hearing, the commissioner
477 finds that such person committed such a violation or made such a false
478 statement, the commissioner may, in his discretion, suspend or revoke
479 such registration or permit and order that a civil penalty of not more
480 than two hundred dollars be imposed upon such person for such
481 violation or false statement. The commissioner shall send a copy of any
482 order issued pursuant to this subsection by certified mail, return
483 receipt requested, to any person named in such order. Any person
484 aggrieved by a decision of the commissioner under this subsection
485 shall have a right of appeal [to the Gaming Policy Board for a hearing.
486 Any person aggrieved by a decision of the Gaming Policy Board shall
487 have a right of appeal] pursuant to section 4-183.

488 Sec. 12. Section 7-185 of the general statutes is repealed and the
489 following is substituted in lieu thereof (*Effective July 1, 2013*):

490 The Commissioner of Consumer Protection [, with the advice and
491 consent of the Gaming Policy Board,] shall adopt, in accordance with
492 the provisions of chapter 54, such regulations as are necessary to
493 effectuate the provisions of sections 7-170 to 7-186, inclusive, in order
494 to prevent fraud and protect the public, which regulations shall have
495 the effect of law.

496 Sec. 13. Subsections (f) to (h), inclusive, of section 7-185a of the
497 general statutes are repealed and the following is substituted in lieu
498 thereof (*Effective July 1, 2013*):

499 (f) (1) Any sponsoring organization qualified to conduct a bazaar or
500 raffle under the provisions of section 7-172 may operate a duck-race
501 raffle once each calendar year. Such raffles shall conform to the
502 provisions of sections 7-170 to 7-186, inclusive, and shall be subject to
503 regulation by the Commissioner of Consumer Protection. For the

504 purpose of this subsection, "duck-race raffle" means a raffle in which
505 artificial ducks, numbered consecutively to correspond with the
506 number of tickets sold for such raffle, are placed in a naturally moving
507 stream of water at a designated starting point and in which the ticket
508 corresponding to the number of the first duck to pass a designated
509 finishing point is the winning ticket. (2) The Commissioner of
510 Consumer Protection [, with the advice and consent of the Gaming
511 Policy Board,] shall adopt regulations, in accordance with chapter 54,
512 that establish procedures for the operation of duck-race raffles.

513 (g) (1) Any sponsoring organization qualified to conduct a bazaar or
514 raffle under the provisions of section 7-172 may operate a frog-race
515 raffle once each calendar year. Such raffles shall conform to the
516 provisions of sections 7-170 to 7-186, inclusive, and shall be subject to
517 regulation by the Commissioner of Consumer Protection. For the
518 purpose of this subsection, "frog-race raffle" means a raffle in which
519 artificial frogs conforming to specifications approved by the
520 commissioner and numbered consecutively to correspond with the
521 number of tickets sold for such raffle, are placed in a naturally moving
522 stream of water at a designated starting point and in which the ticket
523 corresponding to the number of the first frog to pass a designated
524 finishing point is the winning ticket. (2) The commissioner [, with the
525 advice and consent of the Gaming Policy Board,] shall adopt
526 regulations, in accordance with chapter 54, that establish procedures
527 for the operation of frog-race raffles.

528 (h) (1) Any sponsoring organization qualified to conduct a bazaar or
529 raffle under the provisions of section 7-172 may operate a golf ball-
530 drop raffle once each calendar year. Any such raffle shall conform to
531 the provisions of sections 7-170 to 7-186, inclusive, and shall be subject
532 to regulation by the Commissioner of Consumer Protection. For the
533 purpose of this subsection, "golf ball-drop raffle" means a raffle in
534 which golf balls, numbered consecutively to correspond with the
535 number of tickets sold for such raffle, are dropped from a helicopter,
536 hot air balloon or other aircraft hovering above a designated target,
537 and in which the ticket corresponding to the number of the first golf

538 ball to be closest to the center of the designated target is the winning
539 ticket. (2) The Commissioner of Consumer Protection [, with the advice
540 and consent of the Gaming Policy Board,] shall adopt regulations, in
541 accordance with chapter 54, establishing procedures for the operation
542 of golf ball-drop raffles.

543 Sec. 14. Section 12-557b of the general statutes is repealed and the
544 following is substituted in lieu thereof (*Effective July 1, 2013*):

545 As used in this chapter, sections 12-579, as amended by this act, and
546 12-580 and chapter 226b, unless the context otherwise requires:

547 [(1) "Board" means the Gaming Policy Board established under
548 section 12-557d;]

549 [(2)] (1) "Commissioner" means the Commissioner of Consumer
550 Protection;

551 [(3)] (2) "Department" means the Department of Consumer
552 Protection;

553 [(4)] (3) "Business organization" means a partnership, incorporated
554 or unincorporated association, firm, corporation, trust or other form of
555 business or legal entity, other than a financial institution regulated by a
556 state or federal agency which is not exercising control over an
557 association licensee; and

558 [(5)] (4) "Control" means the power to exercise authority over or
559 direct the management and policies of a person or business
560 organization.

561 Sec. 15. Section 12-561 of the general statutes is repealed and the
562 following is substituted in lieu thereof (*Effective July 1, 2013*):

563 No commissioner or unit head or employee of the department [or
564 member of the Gaming Policy Board] shall directly or indirectly,
565 individually or as a member of a partnership or as a shareholder of a
566 corporation, have any interest whatsoever in dealing in any lottery,

567 racing, fronton or betting enterprise or in the ownership or leasing of
568 any property or premises used by or for any lottery, racing, fronton or
569 betting enterprise. No commissioner [] or unit head [or member of the
570 Gaming Policy Board] shall, directly or indirectly, wager at any off-
571 track betting facility, race track or fronton authorized under this
572 chapter or purchase lottery tickets issued under this chapter. The
573 commissioner may [, by regulation adopted in consultation with the
574 board,] adopt regulations, in accordance with the provisions of chapter
575 54, to prohibit any employee of the department from engaging,
576 directly or indirectly, in any form of legalized gambling activity in
577 which such employee is involved because of his employment with the
578 department. For purposes of this section, "unit head" means a
579 managerial employee with direct oversight of a legalized gambling
580 activity.

581 Sec. 16. Subsection (a) of section 12-562 of the general statutes is
582 repealed and the following is substituted in lieu thereof (*Effective July*
583 *1, 2013*):

584 (a) Except as provided in subsection (b) of this section, the
585 commissioner shall have power to enforce the provisions of this
586 chapter and chapter 226b, and [with the advice and consent of the
587 board,] shall adopt all necessary regulations for that purpose and for
588 carrying out, enforcing and preventing violation of any of the
589 provisions of this chapter, for the inspection of licensed premises or
590 enterprises, for insuring proper, safe and orderly conduct of licensed
591 premises or enterprises and for protecting the public against fraud or
592 overcharge. The commissioner shall have power generally to do
593 whatever is reasonably necessary for the carrying out of the intent of
594 this chapter; and may call upon other administrative departments of
595 the state government and of municipal governments for such
596 information and assistance as he or she deems necessary to the
597 performance of his or her duties.

598 Sec. 17. Subsection (b) of section 12-564 of the general statutes is
599 repealed and the following is substituted in lieu thereof (*Effective July*

600 1, 2013):

601 (b) The commissioner shall [, with the advice and consent of the
602 board,] conduct studies concerning the effect of legalized gambling on
603 the citizens of this state including, but not limited to, studies to
604 determine the types of gambling activity engaged in by the public and
605 the desirability of expanding, maintaining or reducing the amount of
606 legalized gambling permitted in this state. Such studies shall be
607 conducted as often as the commissioner deems necessary, except that
608 no studies shall be conducted before the fiscal year ending June 30,
609 2009, and thereafter studies shall be conducted at least once every ten
610 years. The joint standing committees of the General Assembly having
611 cognizance of matters relating to legalized gambling shall each receive
612 a report concerning each study carried out, stating the findings of the
613 study and the costs of conducting the study.

614 Sec. 18. Section 12-565 of the general statutes is repealed and the
615 following is substituted in lieu thereof (*Effective July 1, 2013*):

616 The commissioner [or the board] may conduct any inquiry,
617 investigation or hearing necessary to carry out the provisions of this
618 chapter. The commissioner [or any board member] shall have power to
619 administer oaths and take testimony under oath concerning the matter
620 of inquiry or investigation. At any hearing ordered, the commissioner
621 [, the board] or an agent authorized by law to issue such process may
622 subpoena witnesses and require the production of records, papers and
623 documents pertinent to such inquiry. No witness under subpoena
624 issued under the provisions of this section shall be excused from
625 testifying or from producing records, papers or documents on the
626 ground that such testimony or the production of such records or other
627 documentary evidence would tend to incriminate him, but such
628 evidence or the records or papers so produced shall not be used in any
629 criminal proceeding against him. If any person disobeys such process
630 or, having appeared in obedience thereto, refuses to answer any
631 pertinent question put to him or to produce any records and papers
632 pursuant thereto, the commissioner [or board] may apply to the

633 superior court for the judicial district of Hartford or for the judicial
634 district wherein the person resides or wherein the business has been
635 conducted, or to any judge of said court if the same is not in session,
636 setting forth such disobedience to process or refusal to answer. Said
637 court or such judge shall cite such person to appear before said court
638 or such judge to answer such question or to produce such records and
639 papers and, upon his refusal to do so, shall commit such person to a
640 community correctional center until he testifies, but not for a longer
641 period than sixty days. Notwithstanding the serving of the term of
642 such commitment by any person, the commissioner [or board] may
643 proceed with such inquiry and examination as if the witness had not
644 previously been called upon to testify. Officers who serve subpoenas
645 issued by the commissioner [or the board] or under his [or its]
646 authority and witnesses attending hearings conducted [hereunder]
647 under this section shall receive the same fees and compensation as
648 officers and witnesses in the courts of this state to be paid on vouchers
649 of the department on order of the Comptroller. The commissioner may
650 delegate the powers granted to him under this section.

651 Sec. 19. Section 12-566 of the general statutes is repealed and the
652 following is substituted in lieu thereof (*Effective July 1, 2013*):

653 The commissioner [and the board] shall provide books in which
654 shall be kept a true, faithful and correct record of all of [their] the
655 department's proceedings, which books shall be open to the public as
656 provided in section 1-210.

657 Sec. 20. Subsection (b) of section 12-569 of the general statutes is
658 repealed and the following is substituted in lieu thereof (*Effective July*
659 *1, 2013*):

660 (b) The commissioner [, with the advice and consent of the board,]
661 shall adopt regulations in accordance with chapter 54 to carry out the
662 purposes of this section.

663 Sec. 21. Subsection (b) of section 12-571 of the general statutes is
664 repealed and the following is substituted in lieu thereof (*Effective July*

665 1, 2013):

666 (b) Until the effective date of transfer of ownership of the off-track
667 betting system, the commissioner [, with the advice and consent of the
668 board,] shall adopt rules and regulations, consistent with this chapter,
669 establishing and governing the permitted method or methods of
670 operation of the system of off-track betting.

671 Sec. 22. Section 12-571a of the general statutes is repealed and the
672 following is substituted in lieu thereof (*Effective July 1, 2013*):

673 (a) The Department of Consumer Protection [and the Gaming Policy
674 Board] shall not operate or authorize the operation of more than
675 eighteen off-track betting branch facilities, except that the department
676 [and the board] may operate or authorize the operation of any off-track
677 betting branch facility approved prior to December 31, 1986, by the
678 legislative body of a municipality in accordance with subsection (a) of
679 section 12-572, as amended by this act. Any facility approved prior to
680 December 31, 1986, shall be included within the eighteen facilities
681 authorized by this subsection.

682 (b) The eighteen off-track betting branch facilities authorized by
683 subsection (a) of this section may include facilities which have screens
684 for the simulcasting of off-track betting race programs or jai alai games
685 and other amenities including, but not limited to, restaurants and
686 concessions, and, on and after October 1, 2012, shall be located in the
687 town and city of New Haven, the town of Windsor Locks, the town of
688 East Haven, the town and city of Norwalk, the town and city of
689 Hartford, the town and city of New Britain, the town and city of
690 Bristol, the town and city of Torrington, the town and city of
691 Waterbury, the town and city of Milford, the town and city of New
692 London, the town of Manchester, the town of Windham, the town of
693 Putnam, the town and city of Bridgeport and three additional
694 locations. The location of each such facility and the addition of
695 simulcasting capability to any existing off-track betting branch facility
696 that did not previously have such capability (1) shall be approved by
697 the commissioner, [with the consent of the Gaming Policy Board,] and

698 (2) shall be subject to the prior approval of the legislative body of the
699 town in which such facility is located or is proposed to be located. The
700 department shall report annually to the joint standing committee of the
701 General Assembly having cognizance of matters relating to legalized
702 gambling on the status of the establishment or improvement of the off-
703 track betting branch facility pursuant to this subsection.

704 Sec. 23. Section 12-572 of the general statutes is repealed and the
705 following is substituted in lieu thereof (*Effective July 1, 2013*):

706 (a) The commissioner [, with the advice and consent of the board,]
707 may establish or authorize the establishment of such off-track betting
708 facilities throughout the state for the purpose of receiving moneys
709 wagered on the results of races or jai alai games as he shall deem will
710 serve the convenience of the public and provide maximum economy
711 and efficiency of operation, provided the establishment of such a
712 facility in any municipality for the purpose of receiving moneys on the
713 results of races or jai alai games shall be subject to the approval of the
714 legislative body of such municipality which shall be given only after a
715 public hearing on the same. Until the effective date of transfer of
716 ownership of the off-track betting system, moneys received at such
717 facilities shall be deposited in a betting fund from which daily
718 payments, in such amount as the commissioner deems suitable, shall
719 be made. If an operator of an off-track betting facility intends to
720 conduct wagering on dog racing events or jai alai games, such operator
721 (1) shall conduct wagering on dog racing events or jai alai games
722 conducted by any association licensee which offers such racing events
723 or games for off-track betting, provided such operator obtains the
724 written consent of such licensee, and (2) may conduct wagering on out-
725 of-state dog racing events or jai alai games when no such association
726 licensee is conducting such racing events or games, provided such
727 operator has complied with the provisions of subdivision (1) of this
728 subsection. No operator of an off-track betting facility shall conduct
729 wagering on any dog racing event or jai alai game if such racing event
730 or game is conducted within forty miles of such facility unless such
731 operator has obtained the written consent of the licensee conducting

732 such racing event or game.

733 (b) The commissioner [, with the approval of the board, is
734 authorized to] may contract with any person or business organization
735 to provide such facilities, components, goods or services as may be
736 necessary for the effective operation of an off-track betting system.
737 Compensation for such facilities, components, goods or services shall
738 be deducted from the moneys retained pursuant to subsections (c) and
739 (d) of this section in such amount as the commissioner shall determine.

740 (c) The department or any person or business organization
741 operating an off-track betting system shall distribute all sums
742 deposited in a pari-mutuel pool, to the holders of winning tickets
743 therein, less seventeen per cent of the total deposits of such pool plus
744 the breakage to the dime of the amount so retained, except as provided
745 in subsection (d) of this section.

746 (d) (1) If the multiple forms of wagering known as daily double,
747 exacta and quinella are permitted by the [board, the] department or
748 any person or business organization operating the off-track betting
749 system shall distribute all sums deposited in the pari-mutuel pool for
750 any such event to the holders of winning tickets therein, less nineteen
751 per cent of the total deposits in such pool plus the breakage to the
752 dime.

753 (2) If multiple forms of wagering on three or more animals are
754 permitted by the [board, the] department or such person or business
755 organization operating an off-track betting system, shall retain twenty-
756 four and one-half per cent of the total sums deposited in the pool for
757 such event, plus the breakage to the dime.

758 (e) The department or any person or business organization
759 operating an off-track betting system and conducting wagering on
760 racing events or jai alai games held in this state and licensed under the
761 provisions of this chapter shall distribute all sums deposited in a pari-
762 mutuel pool to the holders of winning tickets therein, less the same
763 percentage of the total deposits of such pool applicable to such racing

764 events or jai alai games plus the breakage to the dime of the amount
765 retained by each licensee conducting the racing events or jai alai
766 games.

767 (f) Any person or business organization which has entered into a
768 contract with the state, acting through the commissioner under the
769 provisions of subsection (b) of this section, except a contract with an
770 individual for personal services, may, in the event of any disputed
771 claims under such contract, bring an action against the state to the
772 superior court for the judicial district of Hartford for the purpose of
773 having such claims determined, provided notice of the general nature
774 of such claims shall have been given in writing to the department not
775 later than one year after the termination of such contract. No action
776 shall be brought under this section later than three years from the date
777 of termination of the contract. Such action shall be tried to the court
778 without a jury. Damages recoverable in such action shall not include
779 any amount attributable to anticipated profits but shall be limited to
780 the recovery of actual damages sustained arising out of such contract.
781 All legal defenses except governmental immunity shall be reserved to
782 the state.

783 (g) The department or any person or business organization
784 operating an off-track betting system [, with the approval of the
785 board,] may combine wagers placed within such off-track betting
786 system with similar wagering pools at the facility where a racing
787 program is being conducted, regardless of whether such facility is
788 located within or without the state. Such pari-mutuel wagers shall be
789 combined in such form and manner as the commissioner may
790 determine to be in the best interests of the off-track betting system
791 established pursuant to the provisions of section 12-571.
792 Notwithstanding the provisions of subsection (c) or (d) of this section,
793 [to the contrary,] the department or any person or business
794 organization operating an off-track betting system and conducting
795 wagering on racing events held without this state, [with the approval
796 of the board,] may distribute to the holders of winning tickets who
797 have placed wagers in said combined pools such sums as may be

798 deposited in said combined pari-mutuel pools, less the same
799 percentage of the total deposits of such combined pools as is
800 established at the facility where such racing program is conducted plus
801 the breakage to the dime, as shall be determined by the commissioner,
802 [with the approval of the board.]

803 Sec. 24. Section 12-573a of the general statutes is repealed and the
804 following is substituted in lieu thereof (*Effective July 1, 2013*):

805 The [board] department may authorize the operation of frontons in
806 the state for exhibition of the Spanish ball game called jai alai or pelota.
807 The operation of all frontons shall be under the supervision of the
808 department.

809 Sec. 25. Section 12-574 of the general statutes is repealed and the
810 following is substituted in lieu thereof (*Effective July 1, 2013*):

811 (a) No person or business organization may conduct a meeting at
812 which racing or the exhibition of jai alai is permitted for any stake,
813 purse or reward or operate the off-track betting system unless such
814 person or business organization is licensed as an association licensee
815 by the [board] commissioner. Any such licensee authorized to conduct
816 a meeting or operate the off-track betting system shall indemnify and
817 save harmless the state of Connecticut against any and all actions,
818 claims, and demands of whatever kind or nature which the state may
819 sustain or incur by reason or in consequence of issuing such license.

820 [(b) No business organization, other than a shareholder in a publicly
821 traded corporation, may exercise control in or over an association
822 licensee unless such business organization is licensed as an affiliate
823 licensee by the board as provided in subdivision (1) of subsection (h) of
824 this section.]

825 [(c)] (b) No person or business organization may operate any
826 concession at any meeting at which racing or the exhibition of jai alai is
827 permitted or any concession which is allied to an off-track betting
828 facility unless such person or business organization is licensed as a

829 concessionaire licensee by the commissioner.

830 [(d)] (c) No person or business organization awarded the primary
831 contract by an association licensee to provide facilities, components,
832 goods or services which are necessary for the operation of the activities
833 authorized by the provisions of section 12-572, as amended by this act,
834 may do so unless such person or business organization is licensed as a
835 vendor licensee by the commissioner.

836 [(e)] (d) No person or business organization may provide totalizator
837 equipment and services to any association licensee for the operation of
838 a pari-mutuel system unless such person or business organization is
839 licensed as a totalizator licensee by the commissioner.

840 [(f)] (e) No business organization, other than a shareholder in a
841 publicly traded corporation, may exercise control in or over an
842 association, a concessionaire, a vendor or a totalizator licensee unless
843 such business organization is licensed as an affiliate licensee by the
844 commissioner. The commissioner shall issue affiliate licenses to
845 qualified business organizations.

846 [(g)] (f) No person may participate in this state in any activity
847 permitted under this chapter as an employee of an association,
848 concessionaire, vendor, totalizator or affiliate licensee unless such
849 person is licensed as an occupational licensee by the commissioner.
850 Whether located in or out of this state, no officer, director, partner,
851 trustee or owner of a business organization which obtains a license in
852 accordance with this section may continue in such capacity unless such
853 officer, director, partner, trustee or owner is licensed as an
854 occupational licensee by the commissioner. An occupational license
855 shall also be obtained by any shareholder, key executive, agent or
856 other person connected with any association, concessionaire, vendor,
857 totalizator or affiliate licensee, who in the judgment of the
858 commissioner will exercise control in or over any such licensee. Such
859 person shall apply for a license not later than thirty days after the
860 commissioner requests him, in writing, to do so. The commissioner
861 shall complete his investigation of an applicant for an occupational

862 license and notify such applicant of his decision to approve or deny the
863 application within one year after its receipt, or, if the commissioner
864 determines good cause exists for extending such period of
865 investigation and gives the applicant a reasonable opportunity for a
866 hearing, by the date prescribed by the commissioner. [Such period
867 may be extended by the board upon a showing of good cause by the
868 commissioner, after giving the applicant a reasonable opportunity for a
869 hearing before the board.]

870 [(h) (1) The board shall issue affiliate of association licenses to
871 qualified business organizations. (2) The commissioner shall issue
872 affiliate of concessionaire licenses to qualified business organizations.]

873 [(i)] (g) In determining whether to grant a license, [the board or] the
874 commissioner may require the applicant to submit information as to:
875 Financial standing and credit; moral character; criminal record, if any;
876 previous employment; corporate, partnership or association
877 affiliations; ownership of personal assets; and such other information
878 as it or he deems pertinent to the issuance of such license. [The
879 commissioner may reject for good cause an application for a license,
880 and he, the deputy commissioner, the executive assistant, any unit
881 head or any assistant unit head authorized by the commissioner may
882 suspend or revoke for good cause any license issued by him after a
883 hearing held in accordance with chapter 54. In addition, if any affiliate
884 licensee licensed by the commissioner fails to comply with the
885 provisions of this chapter, the commissioner, after a hearing held in
886 accordance with chapter 54, may revoke or suspend the license of any
887 one or more of the following related licensees: Concessionaire, vendor
888 or totalizator, and may fine any one or more of such licensees in an
889 amount not to exceed two thousand five hundred dollars. Any licensee
890 whose license is suspended or revoked, or any applicant aggrieved by
891 the action of the commissioner concerning an application for a license
892 may appeal not later than fifteen days after such decision to the board
893 in accordance with subsection (j) of this section.]

894 (h) The commissioner may reject for good cause an application for a

895 license. Any license granted under the provisions of this chapter is a
896 revocable privilege and no licensee shall be deemed to have acquired
897 any vested rights based on the issuance of such license. The
898 commissioner, the deputy commissioner, the executive assistant, any
899 unit head or any assistant unit head authorized by the commissioner
900 may suspend or revoke for good cause any license issued by the
901 commissioner after a hearing held in accordance with chapter 54. If
902 any affiliate licensee fails to comply with the provisions of this chapter,
903 the commissioner, after a hearing held in accordance with chapter 54,
904 may revoke or suspend the license of any one or more of the following
905 related licensees: Concessionaire, vendor or totalizator, and may fine
906 any one or more of such licensees in an amount not to exceed two
907 thousand five hundred dollars. In addition, if any affiliate licensee fails
908 to comply with the provisions of this chapter, the commissioner, after a
909 hearing held in accordance with chapter 54, may revoke or suspend
910 the license of the related association licensee or may fine the related
911 association licensee in an amount not to exceed seventy-five thousand
912 dollars or both. If any license is suspended or revoked, the
913 commissioner shall state the reasons for such suspension or revocation
914 and cause an entry of such reasons to be made on the record books of
915 the department. Any licensee whose license is suspended or revoked,
916 or any applicant aggrieved by the action of the commissioner
917 concerning an application for a license, may appeal pursuant to section
918 4-183.

919 [(j)] (i) The commissioner [, with the advice and consent of the
920 board,] shall adopt regulations governing the operation of the off-track
921 betting system and facilities, tracks, stables, kennels and frontons,
922 including the regulation of betting in connection therewith, to insure
923 the integrity and security of the conduct of meetings and the broadcast
924 of racing events held pursuant to this chapter. Such regulations shall
925 include provision for the imposition of fines and suspension of licenses
926 for violations thereof. Prior to the adoption of any regulations
927 concerning the treatment of animals at any dog race track, the
928 commissioner shall notify the National Greyhound Association of the
929 contents of such regulations and of its right to request a hearing

930 pursuant to chapter 54. The [board] commissioner shall have the
931 authority to impose a fine of up to (1) seventy-five thousand dollars for
932 any violation of such regulations by a licensee authorized to conduct a
933 meeting or operate the off-track betting system under this section; [and
934 a fine of up to] (2) five thousand dollars for any violation of such
935 regulations by [any other licensee. The commissioner shall have the
936 authority to impose a fine of up to] a business organization licensed as
937 an affiliate licensee authorized to exercise control over an association;
938 and (3) two thousand five hundred dollars for any such violation by
939 any other licensee licensed by [him and] the commissioner. The
940 stewards or judges of a meeting acting in accordance with such
941 regulations shall have the authority to impose a fine of up to five
942 hundred dollars for any such violation by such licensee, and the
943 players' manager of a jai alai exhibition acting in accordance with such
944 regulations shall have the authority to recommend to the judges that a
945 fine should be considered for a player who may have violated such
946 regulations. The [board] commissioner may delegate to the stewards
947 and judges of a meeting the power to suspend the license of any
948 occupational licensee employed in this state by an association licensee
949 for a period not to exceed sixty days for any violation of such
950 regulations. If any license is suspended, such stewards and judges of a
951 meeting shall state the reasons therefor in writing. All fines imposed
952 pursuant to this section shall be paid over to the General Fund upon
953 receipt by the department. Any person or business organization fined
954 or suspended [by an authority other than the board or any licensee or
955 applicant for a license aggrieved by a decision of the commissioner
956 under subsection (i) of] pursuant to this section shall have a right of
957 appeal to the [board] commissioner for a hearing [. All hearings, other
958 than appellate hearings before the board,] that shall be conducted
959 pursuant to chapter 54. Any person or business organization aggrieved
960 by a decision of the [board] commissioner following such a hearing
961 shall have a right of appeal pursuant to section 4-183.

962 [(k)] (j) The commissioner shall have the power to require that the
963 books and records of any licensee, other than an occupational licensee,
964 shall be maintained in any manner which he may deem best, and that

965 any financial or other statements based on such books and records
966 shall be prepared in accordance with generally accepted accounting
967 principles in such form as he shall prescribe. The commissioner or his
968 designee shall also be authorized to visit, to investigate and to place
969 expert accountants and such other persons as he may deem necessary,
970 in the offices, tracks, frontons, off-track betting facilities or places of
971 business of any such licensee, for the purpose of satisfying himself or
972 herself that the department's regulations are strictly complied with.

973 [(l)] (k) The commissioner may at any time for good cause require
974 the removal of any employee or official employed by any licensee
975 hereunder.

976 [(m) The board shall have the right to reject any application for a
977 license for good cause and the action of the board as to the license and
978 the meeting dates assigned shall be final, provided any person or
979 business organization aggrieved by the action of the board concerning
980 an application for a license may appeal such decision in accordance
981 with section 4-183. The board shall, as far as practicable, avoid conflicts
982 in the dates assigned for racing or the exhibition of the game of jai alai
983 in the state. Any license granted under the provisions of this chapter is
984 a revocable privilege and no licensee shall be deemed to have acquired
985 any vested rights based on the issuance of such license. Any such
986 license shall be subject to the regulations set forth by the commissioner
987 with the advice and consent of the board. Any license issued by the
988 board shall be subject to suspension or revocation for good cause, after
989 giving the licensee a reasonable opportunity for a hearing before the
990 board, at which he shall have the right to be represented by counsel. In
991 addition, if any affiliate licensee licensed by the board fails to comply
992 with the provisions of this chapter the board, after a hearing held in
993 accordance with chapter 54, may revoke or suspend the license of the
994 related association licensee and may fine the related association
995 licensee in an amount not to exceed seventy-five thousand dollars or
996 both. If any license is suspended or revoked, the board shall state the
997 reasons for such suspension or revocation and cause an entry of such
998 reasons to be made on the record books of the board. Any licensee

999 aggrieved by the action of the board may appeal therefrom in
1000 accordance with section 4-183.]

1001 [(n)] (l) The [appropriate licensing authority] commissioner may, on
1002 [its] his or her own motion or upon application, exempt any person or
1003 business organization from the licensing requirements of this chapter
1004 or some or all of the disclosure requirements of chapter 226b, provided
1005 the applicant does not exercise control in or over an integral part of
1006 any activity which is authorized under this chapter. The burden of
1007 proving that an exemption should be granted rests solely with the
1008 applicant. The [licensing authority making the determination]
1009 commissioner may limit or condition the terms of an exemption and
1010 such determination shall be final.

1011 [(o)] (m) Any person aiding or abetting in the operation of an off-
1012 track betting system or the conduct of any meeting within this state at
1013 which racing or the exhibition of the game of jai alai shall be permitted
1014 for any stake, purse or reward, except in accordance with a license
1015 duly issued and unsuspended or unrevoked by [the board or] the
1016 commissioner, shall be guilty of a class A misdemeanor.

1017 [(p)] (n) The majority of the membership of the board of directors of
1018 any corporation licensed to operate the off-track betting system or to
1019 hold or conduct any meeting within the state of Connecticut at which
1020 racing or the exhibition of the game of jai alai shall be permitted for
1021 any stake, purse or reward, shall be residents of the state of
1022 Connecticut.

1023 [(q)] (o) Any license granted under this section, other than [a license
1024 issued by the board] an association license authorizing the licensee to
1025 conduct a meeting or operate the off-track betting system, as described
1026 in subsection (a) of this section, or an affiliate license authorizing the
1027 licensee to exercise control in or over an association licensee, as
1028 described in subsection (e) of this section, shall be effective for not
1029 more than one year from the date of issuance. Initial application for
1030 and renewal of any license shall be in such form and manner as the
1031 commissioner shall [, by regulation adopted with the advice and

1032 consent of the board,] prescribe by regulation.

1033 [(r)] (p) Any person or business organization issued a license to
1034 conduct dog racing shall establish a pet adoption program for the
1035 proper housing and care of retired greyhounds and shall provide
1036 financial support for such program and any facility operated to
1037 implement such program.

1038 [(s)] (q) Any person or business organization issued a license to
1039 conduct dog racing pursuant to subsection (c) of section 12-574c, as
1040 amended by this act, shall employ persons who, at the time of
1041 employment, are recipients of assistance under the state-administered
1042 general assistance program, state supplement program, medical
1043 assistance program, temporary family assistance program or
1044 supplemental nutrition assistance program to fill not less than twenty
1045 per cent of the positions created by the conversion of a jai alai fronton
1046 to a dog race track if such persons have been trained for such
1047 employment by public or publicly funded agencies in coordination
1048 with such licensee.

1049 [(t)] (r) Any person or business organization issued a license to
1050 conduct dog racing pursuant to subsection (c) of section 12-574c, as
1051 amended by this act, shall provide an on-site day care facility for use
1052 by employees of the dog race track. Such licensee shall employ persons
1053 who, at the time of employment, are recipients of aid under chapter
1054 302 or 308 to fill not less than fifty per cent of the positions at such day
1055 care facility if such persons have been trained for such employment by
1056 public or publicly funded agencies in coordination with such licensee.

1057 [(u)] (s) Notwithstanding any other provisions of this chapter to the
1058 contrary, any person or business organization issued a license to
1059 conduct dog racing may operate on a year-round basis and may
1060 conduct such number of performances as it may elect, provided the
1061 total number of such performances does not exceed five hundred
1062 eighty performances in any calendar year.

1063 Sec. 26. Section 12-574a of the general statutes is repealed and the

1064 following is substituted in lieu thereof (*Effective July 1, 2013*):

1065 (a) Whenever a person or business organization files an application
1066 with the [board] department for a license to conduct an activity
1067 regulated by section 12-574, as amended by this act, exclusive of
1068 renewal license applications, the [board] department shall forward
1069 within five days to the town clerk of the town within which such
1070 activity is proposed to be carried on a statement specifying the
1071 prospective applicant, the proposed activity, the site on which such
1072 activity is proposed to be conducted and the fact that an application
1073 has been filed with the [board. Within] department. Not later than ten
1074 days after such statement has been filed, such town clerk shall cause
1075 notice of such filing to be published in a newspaper having a
1076 circulation in the town wherein the activity is to be conducted. The
1077 question of the approval of the conducting of such activity shall be
1078 submitted to the electors of such town at a special election called for
1079 the purpose to be held not less than thirty nor more than sixty days
1080 after such publication, in conformity with the provisions of section 9-
1081 369, or at a regular town election if such election is to be held more
1082 than sixty but not more than one hundred twenty days after such
1083 publication, such question shall be so submitted and the vote shall be
1084 taken in the manner prescribed by said section 9-369. The town clerk
1085 shall notify the [board] department of the results of such election. The
1086 disapproval of the conducting of such activity by a majority of those
1087 voting on the question shall be a bar to the granting of a license to
1088 [that] such applicant to conduct such activity at such location. All costs
1089 incurred by a municipality in connection with such referendum shall
1090 be paid to said municipality by the person or business organization
1091 filing such application for such license. The provisions of this
1092 subsection shall not apply to any licensee authorized to operate the off-
1093 track betting system with respect to any off-track betting facility
1094 approved prior to June 25, 1993.

1095 (b) No licensee may conduct any racing or jai alai event on any
1096 Sunday without the prior approval of the legislative body of the town
1097 in which the event is scheduled to take place.

1098 (c) No licensee authorized to operate the off-track betting system
1099 may conduct any off-track pari-mutuel wagering on any racing
1100 program on any Sunday without the prior approval of the legislative
1101 body of the town in which such off-track betting facility is located.

1102 (d) Notwithstanding the provisions of subsection (a) of this section,
1103 the prior approval of the legislative body only of the town shall be
1104 required in the event the department [or the board] issues a license
1105 pursuant to subsection (c) of section 12-574c, as amended by this act.

1106 Sec. 27. Section 12-574c of the general statutes is repealed and the
1107 following is substituted in lieu thereof (*Effective July 1, 2013*):

1108 (a) The Department of Consumer Protection [or the Gaming Policy
1109 Board] shall not issue a license authorizing any person, firm,
1110 corporation or association to conduct horse racing, dog racing or jai
1111 alai events.

1112 (b) Notwithstanding the provisions of subsection (a) of this section,
1113 the department [or the board] may renew any license issued prior to
1114 May 23, 1979, or issue such a license to a currently operating facility.

1115 (c) [(1)] Notwithstanding the provisions of subsection (a) of this
1116 section, the department [or the board] may, on or after July 5, 1991,
1117 issue one additional license authorizing a person or business
1118 organization to conduct dog racing to a person or business
1119 organization holding a license to conduct jai alai events or to the
1120 successor of such business organization upon the surrender of the
1121 license to conduct jai alai events. [(2) No license issued pursuant to this
1122 subsection shall provide for the operation of any dog race track prior
1123 to October 1, 1992, unless the licensee agrees to fully reimburse the
1124 state for all costs associated with the licensing and operation of such
1125 track prior to June 30, 1992.]

1126 (d) No licensee shall move any horse race track, dog race track or jai
1127 alai fronton to any municipality other than the municipality in which
1128 such facility was located on July 5, 1991.

1129 Sec. 28. Subsection (a) of section 12-575 of the general statutes is
 1130 repealed and the following is substituted in lieu thereof (*Effective July*
 1131 *1, 2013*):

1132 (a) The [board] department may permit at racing events, exhibitions
 1133 of the game of jai alai licensed under the provisions of this chapter or
 1134 at off-track betting facilities, betting under a pari-mutuel system, so
 1135 called, including standard pari-mutuel, daily double, exacta, quinella,
 1136 trifecta, superfecta, twin trifecta, pick four and pick six betting, and
 1137 such other forms of multiple betting as the [board] department may
 1138 determine.

1139 Sec. 29. Subsection (d) of section 12-575 of the general statutes is
 1140 repealed and the following is substituted in lieu thereof (*Effective July*
 1141 *1, 2013*):

1142 (d) Each licensee conducting horse racing events under the pari-
 1143 mutuel system shall pay to the state, and there is hereby imposed: (1)
 1144 A tax on the total money wagered in the pari-mutuel pool on each and
 1145 every day the licensee conducts racing events, pursuant to the
 1146 following schedule:

T1	Total Wagered	Tax
T2	0 to \$100,001	3.25% on the entire pool
T3	\$100,001 to \$200,001	3.75% on the entire pool
T4	\$200,001 to \$300,001	4.25% on the entire pool
T5	\$300,001 to \$400,001	4.75% on the entire pool
T6	\$400,001 to \$500,001	5.25% on the entire pool
T7	\$500,001 to \$600,001	5.75% on the entire pool
T8	\$600,001 to \$700,001	6.25% on the entire pool
T9	\$700,001 to \$800,001	6.75% on the entire pool
T10	\$800,001 to \$900,001	7.25% on the entire pool
T11	\$900,001 to \$1,000,001	7.75% on the entire pool
T12	\$1,000,001 and over	8.75% on the entire pool

1147 and (2) a tax equal to one-half of the breakage to the dime resulting
1148 from such wagering. The commissioner [, with the advice and consent
1149 of the board,] shall by regulation adopted in accordance with the
1150 provisions of chapter 54 designate the percentage of the difference
1151 between the seventeen per cent specified in subsection (c) of this
1152 section and the tax specified in this subsection, which shall be allocated
1153 as prize or purse money for the horses racing at each facility.

1154 Sec. 30. Subsections (h) and (i) of section 12-575 of the general
1155 statutes are repealed and the following is substituted in lieu thereof
1156 (*Effective July 1, 2013*):

1157 (h) The commissioner shall assess and collect the taxes imposed by
1158 this chapter under such regulations as [, with the advice and consent of
1159 the board,] he or she may prescribe, in accordance with the provisions
1160 of chapter 54. All taxes hereby imposed shall be due and payable by
1161 the close of the next banking day after each day's racing or jai alai
1162 exhibition. If any such tax is not paid when due, the commissioner
1163 shall impose a delinquency assessment upon the licensee in the
1164 amount of ten per cent of such tax or ten dollars, whichever amount is
1165 greater, plus interest at the rate of one and one-half per cent of the
1166 unpaid principal of such tax for each month or fraction of a month
1167 from the date such tax is due to the date of payment. Subject to the
1168 provisions of section 12-3a, the commissioner may waive all or part of
1169 the penalties provided under this subsection when it is proven to his
1170 satisfaction that the failure to pay such tax within the time required
1171 was due to reasonable cause and was not intentional or due to neglect.
1172 Failure to pay any such delinquent tax upon demand may be
1173 considered by the commissioner as cause for revocation of license.

1174 (i) The commissioner shall devise a system of accounting and shall
1175 supervise betting at such track, fronton or off-track betting facility in
1176 such manner that the rights of the state are protected and shall collect
1177 all fees and licenses under such regulations as [, with the advice and
1178 consent of the board,] he or she shall prescribe, in accordance with the
1179 provisions of chapter 54.

1180 Sec. 31. Section 12-575c of the general statutes is repealed and the
1181 following is substituted in lieu thereof (*Effective July 1, 2013*):

1182 (a) The commissioner [, as defined in subdivision (2) of section 12-
1183 557b, with the approval of the board, as defined in subdivision (1) of
1184 said section,] may require all pari-mutuel betting conducted at any
1185 facility conducting betting under a pari-mutuel system within the state
1186 which is based on the results of any event which occurs at any place
1187 other than the facility conducting such betting, whether such place is
1188 within or without the state, to be combined into a single, state-wide
1189 pool for each such event, or for any of them, as the commissioner may
1190 determine.

1191 (b) The commissioner [, as defined in subdivision (2) of section 12-
1192 557b, with the approval of the board, as defined in subdivision (1) of
1193 said section,] may permit all pari-mutuel betting conducted at any
1194 facility conducting betting under a pari-mutuel system within the state
1195 which is based on the results of any event which occurs at such facility,
1196 to be combined with the betting on such event at another facility where
1197 pari-mutuel betting is conducted, whether such facility is within or
1198 without the state, as a single pool for each event.

1199 Sec. 32. Section 12-577 of the general statutes is repealed and the
1200 following is substituted in lieu thereof (*Effective July 1, 2013*):

1201 The commissioner shall annually cause to be made by some
1202 competent person or persons in the department a thorough audit of
1203 the books and records of each association licensee under this chapter
1204 and the commissioner may, from time to time, cause to be made by
1205 some competent person in the department a thorough audit of the
1206 books and records of any other person or business organization
1207 licensed under this chapter. All such audit records shall be kept on file
1208 in the commissioner's office at all times. [and copies shall be forwarded
1209 to the board immediately upon completion thereof.] Each licensee shall
1210 permit access to its books and records for the purpose of having such
1211 audit made, and shall produce, upon written order of the
1212 commissioner, any documents and information required for such

1213 purpose.

1214 Sec. 33. Subsection (a) of section 12-578 of the general statutes is
1215 repealed and the following is substituted in lieu thereof (*Effective July*
1216 *1, 2013*):

1217 (a) The commissioner [, with the advice and consent of the board,]
1218 shall adopt regulations, in accordance with the provisions of chapter
1219 54, governing registration and the issuance and annual renewal of
1220 licenses and payment of annual nonrefundable application fees for the
1221 same in accordance with the following schedule:

1222 (1) Registration: (A) Stable name, one hundred dollars; (B)
1223 partnership name, one hundred dollars; (C) colors, twenty dollars; (D)
1224 kennel name, one hundred dollars.

1225 (2) Licenses: (A) Owner, one hundred dollars; (B) trainer, one
1226 hundred dollars; (C) assistant trainer, one hundred dollars; (D) jockey,
1227 forty dollars; (E) jockey agent, for each jockey, one hundred dollars; (F)
1228 stable employees, including exercise boy, groom, stable foreman, hot
1229 walker, outrider, twenty dollars; (G) veterinarian, one hundred dollars;
1230 (H) jockey apprentice, forty dollars; (I) driver, one hundred dollars; (J)
1231 valet, twenty dollars; (K) blacksmith, twenty dollars; (L) plater, twenty
1232 dollars; (M) concessionaire, for each concession, two hundred fifty
1233 dollars; (N) concessionaire affiliate, for each concession of the
1234 concessionaire, two hundred fifty dollars; (O) concession employees,
1235 twenty dollars; (P) jai alai players, one hundred dollars; (Q) officials
1236 and supervisors, one hundred dollars; (R) pari-mutuel employees,
1237 forty dollars; (S) other personnel engaged in activities regulated under
1238 this chapter, twenty dollars; (T) vendor, for each contract, two hundred
1239 fifty dollars; (U) totalizator, for each contract, two hundred fifty
1240 dollars; (V) vendor and totalizator affiliates, for each contract of the
1241 vendor or totalizator, two hundred fifty dollars. For the purposes of
1242 this subdivision, "concessionaire affiliate" means a business
1243 organization, other than a shareholder in a publicly traded
1244 corporation, that may exercise control in or over a concessionaire; and
1245 "concessionaire" means any individual or business organization

1246 granted the right to operate an activity at a dog race track or off-track
1247 betting facility for the purpose of making a profit that receives or, in
1248 the exercise of reasonable business judgment, can be expected to
1249 receive more than twenty-five thousand dollars or twenty-five per cent
1250 of its gross annual receipts from such activity at such track or facility.

1251 Sec. 34. Section 12-579 of the general statutes is repealed and the
1252 following is substituted in lieu thereof (*Effective July 1, 2013*):

1253 Any municipality may, by ordinance, impose a tax of ten per cent of
1254 the admission charge, as defined in subsection (3) of section 12-540, to
1255 any place licensed by the [Gaming Policy Board] Department of
1256 Consumer Protection and containing a pari-mutuel system therein or
1257 to any off-track betting facility. The tax shall be imposed upon the
1258 person making such charge and reimbursement for the tax shall be
1259 collected by such person from the purchaser. Such reimbursement,
1260 termed "tax", shall be paid by the purchaser to the person making the
1261 admission charge. Such tax, when added to the admission charge, shall
1262 be a debt from the purchaser to the person making such charge and
1263 shall be recoverable at law.

1264 Sec. 35. Section 12-584 of the general statutes is repealed and the
1265 following is substituted in lieu thereof (*Effective July 1, 2013*):

1266 (a) Each licensee of the department, [or board,] other than an
1267 occupational licensee, shall file, on or before April fifteenth of each
1268 year, with the department: (1) Certified financial statements for the
1269 prior calendar year or fiscal year, prepared in accordance with
1270 generally accepted accounting principles; (2) the names and addresses
1271 of every shareholder, person or business organization having a
1272 financial, property, leasehold, ownership or beneficial interest in such
1273 licensee; (3) (A) the names and addresses of every person or business
1274 organization which provides contractual services, equipment or
1275 property related to any of the activities authorized under chapter 226
1276 and (B) the nature of such services rendered and equipment or
1277 property provided; and (4) copies of all state and federal tax returns
1278 filed by such licensee for the next preceding calendar year or taxable

1279 year, except that if any state or federal tax return has not been filed
1280 with the state or federal government on or before said date, such
1281 licensee may file such return with the department at the same time he
1282 or it files such return with the state or federal government.

1283 (b) The commissioner [, with the advice and consent of the board,]
1284 may require any person, business organization or shareholder
1285 disclosed under the provisions of subdivision (2) of subsection (a) of
1286 this section to file on or before April fifteenth of each year, with the
1287 department: (1) A statement of financial position to be submitted
1288 under oath on forms provided by the department; (2) a statement of
1289 interest in any other gambling activity, within or without the state of
1290 Connecticut; and (3) copies of state and federal tax returns filed by
1291 such person, business organization or shareholder for the next
1292 preceding calendar year or taxable year, except that if any state or
1293 federal tax return has not been filed with the state or federal
1294 government on or before said date, such person, business organization
1295 or shareholder may file such return with the department at the same
1296 time he or it files such return with the state or federal government. The
1297 commissioner shall not require such filing more than once a year,
1298 except that the commissioner may require additional filings or
1299 additional information to ensure the integrity of legalized gambling. [,
1300 pursuant to a vote of at least four members of the board in favor of
1301 such requirement.] All information gathered by the department under
1302 this chapter and section 12-562, as amended by this act, may be
1303 transmitted by the department to any agency or department of the
1304 state and shall be made available for public dissemination or
1305 inspection, except that any state or federal tax returns gathered by the
1306 department pursuant to this section shall only be open to inspection by
1307 the department, its staff and such other state agencies or departments
1308 which require return information to perform their official duties.

1309 (c) Failure by any licensee to comply with the requirements of this
1310 section shall constitute grounds for the [licensing authority]
1311 commissioner: (1) To suspend or revoke such license; (2) [if the
1312 commissioner,] to impose a fine of not more than two thousand five

1313 hundred dollars or, if the [board] licensee is licensed to conduct a
1314 meeting or operate an off-track betting system under subsection (a) of
1315 section 12-575, as amended by this act, to impose a fine of not more
1316 than seventy-five thousand dollars; (3) to rescind the applicable
1317 contract; or (4) to impose any combination of such penalties.

1318 (d) Failure by any person, business organization or shareholder
1319 identified in subsection (b) of this section to comply with the
1320 requirements of this section shall constitute grounds for the [authority
1321 which issued the license to the related licensee] commissioner: (1) To
1322 suspend or revoke such license; (2) [if the commissioner,] to impose a
1323 fine of not more than two thousand five hundred dollars on such
1324 licensee or, if [the board, to impose] the licensee is licensed to conduct
1325 a meeting or operate an off-track betting system under subsection (a)
1326 of section 12-575, as amended by this act, a fine of not more than
1327 seventy-five thousand dollars on such licensee; or (3) to impose any
1328 combination of such penalties. In the case of a shareholder who fails to
1329 comply with the requirements of this section, the department shall
1330 notify the shareholder and the licensee which issued the shares of such
1331 failure. Upon receipt of such notice the shareholder shall immediately
1332 offer such shares to the licensee for purchase. The licensee shall
1333 purchase the shares not later than sixty days after they are so offered.
1334 Each licensee shall adopt appropriate amendments or additions to any
1335 existing corporate bylaws to permit compliance with this section.

1336 (e) Any licensee aggrieved by an action of the commissioner under
1337 this section shall have a right of appeal [to the board in accordance
1338 with subsection (j) of section 12-574. Any licensee aggrieved by a
1339 decision of the board under this section shall have a right of appeal]
1340 pursuant to section 4-183.

1341 Sec. 36. Subsection (b) of section 12-585 of the general statutes is
1342 repealed and the following is substituted in lieu thereof (*Effective July*
1343 *1, 2013*):

1344 (b) Each such person or business organization shall be billed for
1345 such expenses on a quarterly basis or at the conclusion of the

1346 investigation, as determined by the commissioner. Failure on the part
1347 of the person or business organization to remit payment within fifteen
1348 days after receipt of an invoice from the department shall constitute
1349 grounds to refuse to grant approval of the request of the person or
1350 business organization for which such investigation was undertaken, or
1351 in the case of a licensee, failure to remit payment within fifteen days
1352 shall, in addition, constitute grounds for the [licensing authority]
1353 commissioner: (1) To suspend or revoke such license; (2) [if the
1354 commissioner,] to impose a fine of not more than two thousand five
1355 hundred dollars, or if [the board, to impose] the licensee is licensed to
1356 conduct a meeting or operate an off-track betting system under
1357 subsection (a) of section 12-575, as amended by this act, a fine of not
1358 more than seventy-five thousand dollars; (3) to rescind the applicable
1359 contract; or (4) to impose any combination of such penalties.

1360 Sec. 37. Subsection (h) of section 12-815a of the general statutes is
1361 repealed and the following is substituted in lieu thereof (*Effective July*
1362 *1, 2013*):

1363 (h) (1) The commissioner may suspend or revoke for good cause a
1364 vendor, affiliate or occupational license after a hearing held before the
1365 commissioner in accordance with chapter 54. The commissioner may
1366 order summary suspension of any such license in accordance with
1367 subsection (c) of section 4-182.

1368 (2) Any such applicant aggrieved by the action of the commissioner
1369 concerning an application for a license, or any person or business
1370 organization whose license is suspended or revoked, may appeal [to
1371 the Gaming Policy Board not later than fifteen days after such decision.
1372 Any person or business organization aggrieved by a decision of the
1373 board may appeal] pursuant to section 4-183.

1374 (3) The commissioner may impose a civil penalty on any licensee for
1375 a violation of any provision of this chapter or any regulation adopted
1376 under section 12-568a in an amount not to exceed two thousand five
1377 hundred dollars after a hearing held in accordance with chapter 54.

1378 Sec. 38. Subsection (h) of section 30-33b of the general statutes is
1379 repealed and the following is substituted in lieu thereof (*Effective July*
1380 *1, 2013*):

1381 (h) "Special sporting facility" means all of the land and buildings in
1382 which the principal business conducted is racing or jai alai exhibitions
1383 with pari-mutuel betting licensed by the [gaming policy board]
1384 Department of Consumer Protection.

1385 Sec. 39. Subsection (b) of section 30-39 of the general statutes is
1386 repealed and the following is substituted in lieu thereof (*Effective July*
1387 *1, 2013*):

1388 (b) (1) Any person desiring a liquor permit or a renewal of such a
1389 permit shall make a sworn application therefor to the Department of
1390 Consumer Protection upon forms to be furnished by the department,
1391 showing the name and address of the applicant and of the applicant's
1392 backer, if any, the location of the club or place of business which is to
1393 be operated under such permit and a financial statement setting forth
1394 all elements and details of any business transactions connected with
1395 the application. Such application shall include a detailed description of
1396 the type of live entertainment that is to be provided. A club or place of
1397 business shall be exempt from providing such detailed description if
1398 the club or place of business (A) was issued a liquor permit prior to
1399 October 1, 1993, and (B) has not altered the type of entertainment
1400 provided. The application shall also indicate any crimes of which the
1401 applicant or the applicant's backer may have been convicted.
1402 Applicants shall submit documents sufficient to establish that state and
1403 local building, fire and zoning requirements and local ordinances
1404 concerning hours and days of sale will be met, except that local
1405 building and zoning requirements and local ordinances concerning
1406 hours and days of sale shall not apply to any class of airport permit.
1407 The State Fire Marshal or the marshal's certified designee shall be
1408 responsible for approving compliance with the State Fire Code at
1409 Bradley International Airport. Any person [desiring] issued a license
1410 under chapter 226 who desires a permit provided for in section 30-33b

1411 shall file a copy of such [person's] license with such application. [if
1412 such license was issued by the Gaming Policy Board.] The department
1413 may, at its discretion, conduct an investigation to determine whether a
1414 permit shall be issued to an applicant.

1415 (2) The applicant shall pay to the department a nonrefundable
1416 application fee, which fee shall be in addition to the fees prescribed in
1417 this chapter for the permit sought. An application fee shall not be
1418 charged for an application to renew a permit. The application fee shall
1419 be in the amount of ten dollars for the filing of each application for a
1420 permit by a charitable organization, including a nonprofit public
1421 television corporation, a nonprofit golf tournament permit, a
1422 temporary permit or a special club permit; and for all other permits in
1423 the amount of one hundred dollars for the filing of an initial
1424 application. Any permit issued shall be valid only for the purposes and
1425 activities described in the application.

1426 (3) The applicant, immediately after filing an application, shall give
1427 notice thereof, with the name and residence of the permittee, the type
1428 of permit applied for and the location of the place of business for
1429 which such permit is to be issued and the type of live entertainment to
1430 be provided, all in a form prescribed by the department, by publishing
1431 the same in a newspaper having a circulation in the town in which the
1432 place of business to be operated under such permit is to be located, at
1433 least once a week for two successive weeks, the first publication to be
1434 not more than seven days after the filing date of the application and
1435 the last publication not more than fourteen days after the filing date of
1436 the application. The applicant shall affix, and maintain in a legible
1437 condition upon the outer door of the building wherein such place of
1438 business is to be located and clearly visible from the public highway,
1439 the placard provided by the department, not later than the day
1440 following the receipt of the placard by the applicant. If such outer door
1441 of such premises is so far from the public highway that such placard is
1442 not clearly visible as provided, the department shall direct a suitable
1443 method to notify the public of such application. When an application is
1444 filed for any type of permit for a building that has not been

1445 constructed, such applicant shall erect and maintain in a legible
1446 condition a sign not less than six feet by four feet upon the site where
1447 such place of business is to be located, instead of such placard upon
1448 the outer door of the building. The sign shall set forth the type of
1449 permit applied for and the name of the proposed permittee, shall be
1450 clearly visible from the public highway and shall be so erected not
1451 later than the day following the receipt of the placard. Such applicant
1452 shall make a return to the department, under oath, of compliance with
1453 the foregoing requirements, in such form as the department may
1454 determine, but the department may require any additional proof of
1455 such compliance. Upon receipt of evidence of such compliance, the
1456 department may hold a hearing as to the suitability of the proposed
1457 location. The provisions of this subdivision shall not apply to
1458 applications for airline permits, charitable organization permits,
1459 temporary permits, special club permits, concession permits, military
1460 permits, railroad permits, boat permits, warehouse permits, brokers'
1461 permits, out-of-state shippers' permits for alcoholic liquor and out-of-
1462 state shippers' permits for beer, coliseum permits, coliseum concession
1463 permits, special sporting facility restaurant permits, special sporting
1464 facility employee recreational permits, special sporting facility guest
1465 permits, special sporting facility concession permits, special sporting
1466 facility bar permits, nonprofit golf tournament permits, nonprofit
1467 public television permits and renewals. The provisions of this
1468 subdivision regarding publication and placard display shall also be
1469 required of any applicant who seeks to amend the type of
1470 entertainment upon filing of a renewal application.

1471 (4) In any case in which a permit has been issued to a partnership, if
1472 one or more of the partners dies or retires, the remaining partner or
1473 partners need not file a new application for the unexpired portion of
1474 the current permit, and no additional fee for such unexpired portion
1475 shall be required. Notice of any such change shall be given to the
1476 department and the permit shall be endorsed to show correct
1477 ownership. When any partnership changes by reason of the addition of
1478 one or more persons, a new application with new fees shall be
1479 required.

1480 Sec. 40. Subsection (a) of section 30-48 of the general statutes is
1481 repealed and the following is substituted in lieu thereof (*Effective July*
1482 *1, 2013*):

1483 (a) No backer or permittee of one permit class shall be a backer or
1484 permittee of any other permit class except in the case of any class of
1485 airport, railroad, airline and boat permits, and except that: (1) A backer
1486 of a hotel or restaurant permit may be a backer of both such classes; (2)
1487 a holder or backer of a manufacturer permit for a brew pub, a
1488 restaurant permit or a cafe permit may be a holder or backer of any
1489 other or all of such classes; (3) a holder or backer of a restaurant permit
1490 may be a holder or backer of a bowling establishment permit; (4) a
1491 backer of a restaurant permit may be a backer of a coliseum permit or a
1492 coliseum concession permit, or both, when such restaurant is within a
1493 coliseum; (5) a backer of a hotel permit may be a backer of a coliseum
1494 permit or a coliseum concession permit, or both; (6) a backer of a
1495 coliseum permit may be a backer of a coliseum concession permit; (7) a
1496 backer of a coliseum concession permit may be a backer of a coliseum
1497 permit; (8) a backer of a grocery store beer permit may be a backer of a
1498 package store permit if such was the case on or before May 1, 1996; (9)
1499 a backer of a university permit may be a backer of a nonprofit theater
1500 permit; (10) subject to the discretion of the department, a backer of a
1501 permit provided for in section 30-33b, may be a backer of any other
1502 retail on-premise consumption permit, including those permits
1503 provided for in section 30-33b; (11) a backer of a nonprofit theater
1504 permit may be a holder or backer of a hotel permit; (12) a holder or
1505 backer of a restaurant permit may be a holder or backer of a special
1506 outing facility permit; (13) a backer of a concession permit may be a
1507 backer of a coliseum permit or a coliseum concession permit, or both;
1508 (14) a holder of an out-of-state winery shipper's permit for wine may
1509 be a holder of an in-state transporter's permit or an out-of-state entity
1510 wine festival permit issued pursuant to section 30-37m, or of both such
1511 permits; (15) a holder of an out-of-state shipper's permit for alcoholic
1512 liquor other than beer may be a holder of an in-state transporter's
1513 permit; and (16) a holder of a manufacturer's permit for a farm winery
1514 may be a holder of an in-state transporter's permit, a wine festival

1515 permit issued pursuant to section 30-37l, a farmers' market wine sales
1516 permit issued pursuant to subsection (a) of section 30-37o or of any
1517 combination of such permits. Any person may be a permittee of more
1518 than one permit. A person may be a permittee under a permit
1519 provided for in section 30-33b, as amended by this act, and a backer of
1520 any other retail on-premise consumption permit, including those
1521 permits provided for in section 30-33b, as amended by this act. The
1522 operator of a racing or jai alai exhibition with pari-mutuel betting
1523 licensed by the [Gaming Policy Board] Department of Consumer
1524 Protection may be a backer of any permit provided for in section 30-
1525 33b, as amended by this act. No holder of a manufacturer permit for a
1526 brew pub and no spouse or child of such holder may be a holder or
1527 backer of more than three restaurant permits or cafe permits.

1528 Sec. 41. Section 30-59a of the general statutes is repealed and the
1529 following is substituted in lieu thereof (*Effective July 1, 2013*):

1530 The Department of Consumer Protection may suspend any permit
1531 issued under this chapter if the permittee has had a license suspended
1532 or revoked by [the Gaming Policy Board or] the department until such
1533 license has been restored to such person.

1534 Sec. 42. Subsection (a) of section 12-802 of the general statutes is
1535 repealed and the following is substituted in lieu thereof (*Effective July*
1536 *1, 2013*):

1537 (a) There is created a body politic and corporate, constituting a
1538 public instrumentality and political subdivision of the state created for
1539 the performance of an essential governmental revenue-raising
1540 function, which shall be named the Connecticut Lottery Corporation,
1541 and which may exercise the functions, powers and duties set forth in
1542 sections 12-563a and 12-800 to 12-818, inclusive, to implement the
1543 purposes set forth in said sections, which are public purposes for
1544 which public funds may be expended. The Connecticut Lottery
1545 Corporation shall not be construed to be a department, institution or
1546 agency of the state with respect to budgeting, procurement or
1547 personnel requirements, except as provided in sections 1-120, 1-121, 1-

1548 125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566,
1549 as amended by this act, 12-568a and 12-569, as amended by this act,
1550 subsection [(d)] (c) of section 12-574, as amended by this act, and
1551 sections 12-800 to 12-818, inclusive.

1552 Sec. 43. Subsection (h) of section 12-802 of the general statutes is
1553 repealed and the following is substituted in lieu thereof (*Effective July*
1554 *1, 2013*):

1555 (h) In any interest arbitration regarding employees of the
1556 corporation, the arbitrator shall take into account as a factor, in
1557 addition to those factors specified in section 5-276a, the purposes of
1558 sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as
1559 amended by this act, 12-566, as amended by this act, 12-568a and 12-
1560 569, as amended by this act, subsection [(d)] (c) of section 12-574, as
1561 amended by this act, and sections 12-800 to 12-818, inclusive, the
1562 entrepreneurial mission of the corporation and the necessity to provide
1563 flexibility and innovation to facilitate the success of the Connecticut
1564 Lottery Corporation in the marketplace. In any arbitration regarding
1565 any classification of entrepreneurial sales employees, the arbitrator
1566 shall include a term awarding incentive compensation for such
1567 employees for the purpose of motivating employees to maximize
1568 lottery sales.

1569 Sec. 44. Subdivision (2) of subsection (b) of section 12-806 of the
1570 general statutes is repealed and the following is substituted in lieu
1571 thereof (*Effective July 1, 2013*):

1572 (2) To operate and manage the lottery consistent with the provisions
1573 of sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as
1574 amended by this act, 12-566, as amended by this act, 12-568a and 12-
1575 569, as amended by this act, subsection [(d)] (c) of section 12-574, as
1576 amended by this act, and sections 12-800 to 12-818, inclusive, and as
1577 specifically provided in section 12-812;

1578 Sec. 45. Section 12-806a of the general statutes is repealed and the
1579 following is substituted in lieu thereof (*Effective July 1, 2013*):

1580 As used in this section, "procedure" [shall have] has the same
1581 meaning as "procedure", as defined in subdivision (2) of section 1-120.
1582 The Department of Consumer Protection shall, for the purposes of
1583 [sections 12-557e and] section 12-568a, subsection [(d)] (c) of section 12-
1584 574, as amended by this act, sections 12-802a and 12-815a and this
1585 section, regulate the activities of the Connecticut Lottery Corporation
1586 to assure the integrity of the state lottery. In addition to the
1587 requirements of the provisions of chapter 12 and notwithstanding the
1588 provisions of section 12-806, as amended by this act, the Connecticut
1589 Lottery Corporation shall, prior to implementing any procedure
1590 designed to assure the integrity of the state lottery, obtain the written
1591 approval of the Commissioner of Consumer Protection in accordance
1592 with regulations adopted under section 12-568a.

1593 Sec. 46. Section 12-816 of the general statutes is repealed and the
1594 following is substituted in lieu thereof (*Effective July 1, 2013*):

1595 The exercise of the powers granted by sections 1-120, 1-121, 1-125,
1596 [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as
1597 amended by this act, 12-568a and 12-569, as amended by this act,
1598 subsection [(d)] (c) of section 12-574, as amended by this act, and
1599 sections 12-800 to 12-818, inclusive, constitute the performance of an
1600 essential governmental function and all operations of the corporation
1601 shall be free from any form of federal or state taxation. In addition,
1602 except pursuant to any federal requirements, the corporation shall not
1603 be required to pay any taxes or assessments upon or in respect to sales
1604 of lottery tickets, or any property or moneys of the corporation, levied
1605 by the state or any political subdivision or municipal taxing authority.
1606 The corporation and its assets, property and revenues shall at all times
1607 be free from taxation of every kind by the state and by the
1608 municipalities and all other political subdivisions or special districts
1609 having taxing powers in the state.

1610 Sec. 47. Subsection (c) of section 15-120mm of the general statutes is
1611 repealed and the following is substituted in lieu thereof (*Effective July*
1612 *1, 2013*):

1613 (c) No employee covered by a collective bargaining agreement as an
1614 employee of the Department of Transportation shall be laid off as a
1615 result of the creation of the authority. Each bargaining unit employee
1616 of the Department of Transportation who does not transfer to the
1617 authority and who, by virtue of sections 15-101l to 15-101n, inclusive,
1618 is no longer employed by the Department of Transportation shall be
1619 retained by said department or assigned with his or her position to
1620 another state agency in accordance with the provisions of the State
1621 Employees Bargaining Agent Coalition agreement. Such opportunities
1622 shall be offered in the order of seniority. Seniority shall be defined in
1623 the same way as cases of transfer under the appropriate collective
1624 bargaining agreements. Such assignments shall be made only with the
1625 approval of the Office of Policy and Management and shall be reported
1626 at the end of the fiscal year to the Finance Advisory Committee.
1627 Employees may choose to be laid off in lieu of accepting any such
1628 assignment. In such case, they shall be entitled to all collective
1629 bargaining rights under their respective collective bargaining
1630 agreements including the State Employees Bargaining Agent Coalition.
1631 Sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as
1632 amended by this act, 12-566, as amended by this act, 12-567, 12-568a
1633 and 12-569, as amended by this act, subsection [(d)] (c) of section 12-
1634 574, as amended by this act, and sections 12-800 to 12-818, inclusive,
1635 shall in no way affect the collective bargaining rights of employees of
1636 the Department of Transportation.

1637 Sec. 48. Subsection (f) of section 15-120mm of the general statutes is
1638 repealed and the following is substituted in lieu thereof (*Effective July*
1639 *1, 2013*):

1640 (f) In any interest arbitration regarding employees of the authority,
1641 the arbitrator shall take into account as a factor, in addition to those
1642 factors specified in section 5-276a, the purposes of sections 1-120, 1-121,
1643 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566,
1644 as amended by this act, 12-567, 12-568a and 12-569, as amended by this
1645 act, subsection [(d)] (c) of section 12-574, as amended by this act, and
1646 sections 12-800 to 12-818, inclusive, the entrepreneurial mission of the

1647 authority and the necessity to provide flexibility and innovation to
1648 facilitate the success of the authority in the marketplace.

1649 Sec. 49. (NEW) (*Effective July 1, 2013*) The Commissioner of
1650 Consumer Protection shall set racing and jai alai meeting dates, except
1651 that the commissioner may delegate to designated staff the authority
1652 for setting make-up performance dates. The commissioner shall, as far
1653 as practicable, avoid conflicts in the dates assigned for racing or the
1654 exhibition of the game of jai alai in the state.

1655 Sec. 50. Sections 12-557c, 12-557d, 12-557e and 12-558 of the general
1656 statutes are repealed. (*Effective July 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	21a-1
Sec. 2	<i>July 1, 2013</i>	1-83(a)
Sec. 3	<i>July 1, 2013</i>	1-84(d)
Sec. 4	<i>July 1, 2013</i>	1-84b(c) to (e)
Sec. 5	<i>July 1, 2013</i>	4-9a(b) and (c)
Sec. 6	<i>July 1, 2013</i>	7-169(c)
Sec. 7	<i>July 1, 2013</i>	7-169(k)
Sec. 8	<i>July 1, 2013</i>	7-169c(d)
Sec. 9	<i>July 1, 2013</i>	7-169e(d)
Sec. 10	<i>July 1, 2013</i>	7-169h
Sec. 11	<i>July 1, 2013</i>	7-181(c)
Sec. 12	<i>July 1, 2013</i>	7-185
Sec. 13	<i>July 1, 2013</i>	7-185a(f) to (h)
Sec. 14	<i>July 1, 2013</i>	12-557b
Sec. 15	<i>July 1, 2013</i>	12-561
Sec. 16	<i>July 1, 2013</i>	12-562(a)
Sec. 17	<i>July 1, 2013</i>	12-564(b)
Sec. 18	<i>July 1, 2013</i>	12-565
Sec. 19	<i>July 1, 2013</i>	12-566
Sec. 20	<i>July 1, 2013</i>	12-569(b)
Sec. 21	<i>July 1, 2013</i>	12-571(b)
Sec. 22	<i>July 1, 2013</i>	12-571a
Sec. 23	<i>July 1, 2013</i>	12-572
Sec. 24	<i>July 1, 2013</i>	12-573a

Sec. 25	July 1, 2013	12-574
Sec. 26	July 1, 2013	12-574a
Sec. 27	July 1, 2013	12-574c
Sec. 28	July 1, 2013	12-575(a)
Sec. 29	July 1, 2013	12-575(d)
Sec. 30	July 1, 2013	12-575(h) and (i)
Sec. 31	July 1, 2013	12-575c
Sec. 32	July 1, 2013	12-577
Sec. 33	July 1, 2013	12-578(a)
Sec. 34	July 1, 2013	12-579
Sec. 35	July 1, 2013	12-584
Sec. 36	July 1, 2013	12-585(b)
Sec. 37	July 1, 2013	12-815a(h)
Sec. 38	July 1, 2013	30-33b(h)
Sec. 39	July 1, 2013	30-39(b)
Sec. 40	July 1, 2013	30-48(a)
Sec. 41	July 1, 2013	30-59a
Sec. 42	July 1, 2013	12-802(a)
Sec. 43	July 1, 2013	12-802(h)
Sec. 44	July 1, 2013	12-806(b)(2)
Sec. 45	July 1, 2013	12-806a
Sec. 46	July 1, 2013	12-816
Sec. 47	July 1, 2013	15-120mm(c)
Sec. 48	July 1, 2013	15-120mm(f)
Sec. 49	July 1, 2013	New section
Sec. 50	July 1, 2013	Repealer section

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Consumer Protection, Dept.	GF - Savings	2,758	2,758

Municipal Impact: None

Explanation

The bill results in a savings of \$2,758 to the Department of Consumer Protection (DCP) by eliminating the Gaming Policy Board and transferring its functions and responsibilities to the DCP. The savings is associated with the elimination of expenditures such as mileage reimbursement and other sundry expenses.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 1072*****AN ACT CONCERNING THE GAMING POLICY BOARD.*****SUMMARY:**

This bill eliminates the Gaming Policy Board and transfers its functions and responsibilities to the Department of Consumer Protection (DCP). By law, DCP's gaming division licenses and permits all individuals and entities involved in legalized gaming and monitors and ensures compliance with the gaming laws and tribal-state agreements.

Under the bill, if any of DCP's and the board's orders or regulations conflict, the DCP commissioner can implement policies or procedures to resolve the conflict while adopting regulations, provided notice of intent to adopt regulations is printed in the *Connecticut Law Journal* within 20 days of implementation.

The bill also makes numerous conforming changes to effectuate the transfer. Under current law, DCP performs several gaming-related duties with the advice and consent of the board. Under the bill, only DCP would perform these duties (e.g., adopting certain regulations).

Under the bill, gaming-related appeals (e.g., license revocation or suspension) would go directly to Superior Court. Current law requires aggrieved individuals to first appeal to the Gaming Policy Board.

The bill also (1) applies current ticket seller permit requirements and penalties to sealed ticket manufacturers and distributors and (2) allows former board members to be immediately employed by certain businesses.

It also makes other minor, technical, and conforming changes.

EFFECTIVE DATE: July 1, 2013

SEALED TICKETS

The bill applies certain current sealed ticket seller permit requirements and penalties to registered manufacturers and distributors. "Sealed tickets" are cards with tabs which, when pulled, expose pictures of various objects, symbols, or numbers and which entitle the ticketholder to receive a prize if the combination of objects, symbols, or numbers pictured matches what is determined to be a winning combination. By law, sealed ticket sellers are permitted, while distributors and manufacturers are registered.

The bill allows the DCP commissioner, after investigating a violation, to suspend or revoke a registration immediately and order a cease and desist order to protect the public welfare. The registrant must file a request for a hearing within 14 days of receiving the order.

Under the bill, if the commissioner finds a violation or false statement in an investigation, he may send a notice to such person by certified mail, return receipt requested. The notice must include (1) a reference to the section or regulation that was allegedly violated or the document on which an alleged false statement was made, (2) a short and plain statement of the charge, (3) the fact that any registration may be suspended or revoked for such violation or false statement and the maximum penalties for such violation, and (4) the time and place of the hearing. The hearing date must not be earlier than 14 days after the notice is mailed.

The bill requires the commissioner to hold a hearing, according to the Uniform Administrative Procedure Act, unless the person fails to appear. After a hearing, the commissioner may suspend or revoke the registration and impose up to a \$500 civil penalty. If the commissioner revokes a registration, he must not issue another one for one year after the revocation date. He must also send a copy of any order issued by certified mail, return receipt requested, to any person named in the

order. An aggrieved person may appeal to Superior Court.

FORMER BOARD MEMBERS

The bill allows former Gaming Policy Board members to be immediately employed by certain businesses. Under current law, they are prohibited from being employed within two years of leaving by (1) businesses that the board regulates and (2) businesses or government agencies associated with Indian gaming operations within the state.

BACKGROUND

Gaming Policy Board

The Gaming Policy Board works in cooperation with DCP to implement and administer the gaming statutes. The board has five voting members; the DCP commissioner serves as an ex officio non-voting member. The governor appoints the board members, with the legislature's consent, for four-year terms. By law, board members (1) must post a \$25,000 performance bond with the state and (2) are prohibited from certain gaming-related and political actions.

Under current law, the board, among other things, approves, suspends, or revokes certain gaming licenses; approves certain contracts; sets racing and jai alai meeting dates; imposes certain fines; advises and approves certain gaming-related activities; and hears appeals for certain gaming permit suspensions and revocations.

Related Bill

sHB 6363, favorably reported by the Government Administration and Elections Committee, also eliminates the Gaming Policy Board and transfers its functions and responsibilities to DCP.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/21/2013)