



INITIAL APPLICATION FOR FANTASY SPORTS OPERATORS



Initial Application for Fantasy Sports Operators

Instructions: Please type or print this form. Attach additional documents as necessary. Once application documents are ready, email SWAC.Licensing@tn.gov to receive instructions for uploading.

Application Fee: A non-refundable application fee of \$300.00, in the form of a check made payable to the Tennessee Sports Wagering Council, must accompany this application. Mail check to Tennessee Sports Wagering Council, 312 Rosa L. Parks Ave., 8th Floor, Nashville, TN 37243.

I. Applicant Information

Name of Applicant: _____
FULL LEGAL NAME OF BUSINESS ENTITY (name as it appears on the Certificate of Incorporation, charter, bylaws, partnership agreement, formation documents, or other official origination document)

Doing Business As/Trade Name: _____
(if applicable; and if so, is it registered with the Tennessee Secretary of State?)

Principal Physical Address: _____
Street City State Zip

Business Telephone Number: _____

Business Website (URL): _____

II. Primary Licensing Contact

The responsible party will be the point of contact for the Tennessee Sports Wagering Council's office on all matters pertaining to this application.

Salutation, Full Name, and Title

Primary Phone Number Primary E-Mail Address

Mailing Address: _____
(If different than principal physical address) Street City State Zip

III. Ownership of Applicant and Others

1. Provide a list of the name(s), address(es), and contact information of each individual who has ownership of the Applicant as defined by Rule 1350-05-.03(1)(d).



2. List any additional interest in other fantasy sports operators as defined by Rule 1350-05-.03(1)(f).

☐ Yes, add attachment. ☐ N/A

IV. Criminal History

3. Has any partner, member, director, or officer of a non-publicly held corporation, director or officer of a publicly held corporation, or any stockholder of five percent (5%) or more of a corporation, who is involved in the day-to-day management of fantasy sports contests and operations been convicted of a crime (other than a minor traffic offense)? If yes, provide a detailed explanation (including the nature of the crime, the date, place of conviction, and the legal disposition of the case). Convictions that have been expunged do not need to be disclosed for individuals who have not previously submitted an Identity History Summary. If yes, include Identity History Summary for each individual in accordance with Rule 1350-05-.04(1)(e).

☐ Yes, add attachment. ☐ No

V. Miscellaneous

4. Provide the address(es) and description(s) of any physical facility operated by the Applicant, including the number of employees and the nature of the facility's business.

☐ Yes, add attachment. ☐ N/A

5. Provide a description of all fantasy contests Applicant plans to offer in Tennessee.

VI. Financial

6. Provide Information and documentation regarding the reserve, segregated account, or escrow fund account established pursuant to Rule 1350-05-.08(2).
7. Provide a certificate of tax clearance issued by the Commissioner of the Tennessee Department of Revenue which states that the Applicant is current on all taxes, fees, and penalties to the satisfaction of the commissioner; or a statement that the Applicant has no current obligation to the commissioner because it is a newly registered entity in Tennessee.



8. Provide a statement that the Applicant is registered with the Secretary of State's Division of Business and Charitable Organizations, and the Applicant's control number issued by the Division of Business and Charitable Organizations.
9. Provide the following revenue information:
 - a. The total amount of adjusted revenue earned by the Applicant for the prior fiscal year;
 - b. A calculation of the resident percentage for the prior fiscal year; and
 - c. The total amount of all winnings earned by fantasy sports players (including non-Tennessee consumers) for the prior fiscal year.
10. Provide audited financial statements prepared in accordance with the attestation standards established by the American Institute of Certified Public Accountants for the most recent completed fiscal year and audited or unaudited financial statements for the most recent completed fiscal quarter.

VII. Policies and Procedures

11. Player Deposits
 - a. Provide policies and procedures for limiting individual player deposits to no more than \$2,500 per month.
 - b. Provide policies and procedures for temporarily or permanently increasing a player's deposit limit, at the request of the player, to an amount above \$2,500 per month.
 - c. Provide policies and procedures related to protection of player deposits, including prevention of unauthorized withdrawals from player accounts by fantasy sports operators or others, reporting and responding to complaints by a player regarding the handling of the player's account, and closure of player accounts.
12. Player Accounts
 - a. Provide policies and procedures related to reporting and responding to complaints by a player regarding the handling of the player's account.
 - b. Provide policies and procedures related to closure of player accounts.
 - c. Provide policies and procedures for limiting each player to one continuous and active account.



- d. Provide policies and procedures adopted to verify the identity of players seeking to establish accounts.

13. Misuse/Unauthorized Play

- a. Provide policies and procedures related to the prevention of minor participation in fantasy sports contests.
- b. Provide policies and procedures related to account monitoring to prevent misuse of accounts, which must include:
 - i. detection and prevention of misuse of proxy servers,
 - ii. location verification,
 - iii. prevention of the use of unauthorized scripts, and
 - iv. prevention of the use of preselected teams.
- c. Provide policies and procedures related to the prevention of unauthorized play by fantasy sports operator employees, fantasy sports operator contractors, any spouse, children, or parents of any sports operator employee or contractor, professional or amateur athletes whose individual statistics or performance may be used to determine any part of the outcome of a fantasy sports contest, any sports agent, team employee, referee, or league official associated with any athletic competition that is the subject of fantasy sports contests.

14. Advertisements/Marketing

- a. Provide policies and procedures related to advertisements, which must include the policies and procedures related to accurate representations concerning chances of winning and the number of persons winning.
- b. Provide policies and procedures related to the Applicant's compliance with the Federal Trade Commission, Guides Concerning Use of Endorsements and Testimonials in Advertising, compiled in 16 CFR § 255;

15. Problem Gambling

- a. Provide policies and procedures relating to assistance available to problem gamblers.
- b. Provide policies and procedures relating to implementation and enforcement of self-limitations and self-exclusions requested by players.



16. Beginning/Highly Experienced Players
 - a. Provide policies and procedures relating to fantasy sports contests for beginning players, which must include:
 - i. an explanation of contest play,
 - ii. identification of highly experienced players (including symbols or other identification used),
 - iii. recommending beginning player only contests and low cost private contests,
 - iv. percentage of contests open only to beginning players and that exclude highly experienced players,
 - v. prevention of access by highly experienced players to beginner player contests directly or through a proxy, and
 - vi. suspension of accounts of highly experienced players who participate in contests for beginning players only.
17. Restricting Entries/Locking Contests
 - a. Provide policies and procedures relating to the restriction of the number of entries per fantasy sports contest per player.
 - b. Provide policies and procedures relating to the locking of fantasy sports contests.

Note: The SWC may seek additional information, within its discretion.



THIS DOCUMENT MUST BE SIGNED BY AN AUTHORIZED OFFICER

My name is _____ and I serve as the _____
of _____. I swear or affirm to the best of my knowledge,
information, and belief, that the information submitted on this application is true and correct,
and that I have made a good faith effort to verify the information submitted herein.

Signature of Authorized Officer: _____

Salutation: _____ Full Name: _____

Position Title: _____

Date: _____