

**CHAPTER 41  
APPLICATIONS**

**Authority**

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R.1995 d.242, effective April 13, 1995.  
See: 27 N.J.R. 647(a), 27 N.J.R. 2011(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 41, Applications, expires on April 13, 2000.

**Chapter Historical Note**

Chapter 41, Applications (Subchapters 1 through 10), was adopted as R.1977 d.475, effective December 15, 1977. See: 9 N.J.R. 545(b), 10 N.J.R. 4(d). Subchapter 11, Applications by Casino Licensees for Approval of Agreements, was adopted as R.1978 d.177, effective May 25, 1978. See: 10 N.J.R. 212(b), 10 N.J.R. 306(c). Subchapter 12, Labor Organization Registration, was adopted as R.1978 d.176, effective May 25, 1978. See: 10 N.J.R. 211(b), 10 N.J.R. 306(b). Subchapter 13, Casino License Conservatorship, was adopted as R.1979 d.207, effective May 24, 1979. See: 11 N.J.R. 213(b), 11 N.J.R. 360(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 (except Subchapter 5), was readopted as R.1983 d.181, effective May 17, 1983. Subchapter 5, Equal Employment Opportunity; Affirmative Action Programs, was repealed by R.1983 d.181, effective June 6, 1983. See: 15 N.J.R. 532(b), 15 N.J.R. 931(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1988 d.255, effective May 12, 1988. See: 20 N.J.R. 763(a), 20 N.J.R. 1209(a). Subchapter 10, Professional Practice, was repealed by R.1989 d.495, effective September 18, 1989. See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b). Subchapter 2, Casino Hotel Facilities, and Subchapter 13, Casino License Conservatorship, were recodified as N.J.A.C. 19:43-6 and 19:43-13, respectively, by R.1992 d.500, effective December 21, 1992. See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a). Subchapter 14, Applications for the Renewal of Employee Licenses, was adopted as R.1993 d.34, effective January 19, 1993 (operative July 1, 1993). See: 24 N.J.R. 2133(a), 25 N.J.R. 345(b).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1993 d.205 effective April 15, 1993. See: 25 N.J.R. 916(b), 25 N.J.R. 1999(a). Subchapter 5, Forms, was adopted as R.1993 d.429, effective September 7, 1993. See: 25 N.J.R. 2655(a), 25 N.J.R. 4120(a).

Pursuant to Executive Order No. 66(1978), Chapter 41 was readopted as R.1995 d.242. See: Source and Effective Date.

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### SUBCHAPTER 1. LICENSE AND REGISTRATION REQUIREMENTS

#### 19:41-1.1 Persons required to obtain a casino key employee license

(a) Any natural person who will be employed by a casino licensee in a position that includes any responsibility or authority listed below, regardless of job title, shall be required to hold, prior to such employment, a current and valid casino key employee license issued in accordance with N.J.S.A. 5:12-89:

1. The supervision of specific areas of casino or simulating operations. Such positions shall include, without limitation, persons who:

i. Function as a table games shift manager in accordance with N.J.A.C. 19:45-1.12(b)8;

ii. Function as a pit boss in accordance with N.J.A.C. 19:45-1.12(b)6;

iii. Function as a poker shift supervisor in accordance with N.J.A.C. 19:45-1.12(b)7;

iv. Function as a slot shift manager in accordance with N.J.A.C. 19:45-1.12(h)4;

v. Supervise the repair and maintenance of slot machines and bill changers;

vi. Supervise surveillance investigations or the operation of the surveillance department during a shift;

vii. Supervise security investigations or the operation of the security department during a shift;

viii. Function as a cage manager in accordance with N.J.A.C. 19:45-1.11(b)7;

ix. Supervise the operation of the cashiers' cage, table games cage or slot machine cage during a shift. Persons who supervise the operation of a cashiers' cage, table games cage or slot machine cage, in a position directly subordinate to the cage shift manager, shall be required to obtain a key license where the organization of the cage operations, the size of the casino operation, the nature and volume of the transactions performed by the cage and the number and locations of cage operations indicate that such person exercises a comparable level of responsibility and authority;

x. Supervise the hard count or soft count room or function as a count room supervisor in accordance with N.J.A.C. 19:45-1.33 or 1.43;

iv. Copies of all annual financial statements, whether audited or unaudited, prepared in the last five fiscal years, any exceptions taken to such statements by an independent auditor and the management response thereto;

v. The most recent quarterly unaudited financial statement prepared by or for the enterprise or, if the enterprise is registered with the Securities Exchange Commission (SEC), a copy of the most recently filed Form 10Q;

vi. Any current report prepared due to a change in control of the enterprise, an acquisition or disposition of assets, a bankruptcy or receivership proceeding, a change in the enterprise's certifying accountant or any other material event, or, if the enterprise is registered with the SEC, a copy of the most recently filed Form 8K;

vii. The most recent Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934;

viii. Registration Statements filed in the last five years pursuant to the Securities Act of 1933; and

ix. All reports and correspondence submitted within the last five years by independent auditors for the enterprise which pertain to the issuance of financial statements, managerial advisory services or internal control recommendations;

31. An organizational chart of the enterprise, including position descriptions and the name of the person holding each position; and

32. Copies of all Internal Revenue Forms 1120 (corporate income tax return), all Internal Revenue Forms 1065 (partnership return) or all Internal Revenue Forms 1040 (personal return) filed for the last five years.

(b) In addition to the information in (a) above, a completed BED-Gaming shall include the following documents, which shall be dated and signed by either the president, chief executive officer, partners, general partner, sole proprietor or other authorized person and notarized:

1. An Affidavit of Truth;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the enterprise as requested by the Commission and Division; and

3. An acknowledgement of receipt of notice regarding confidentiality, consent to search and non-refundability of filing fees.

New Rule, R.1995 d.370, effective July 17, 1995.  
See: 27 N.J.R. 1533(b), 27 N.J.R. 2704(a).

#### 19:41-5.16 Casino Hotel Alcoholic Beverage license application form

(a) A Casino Hotel Alcoholic Beverage (CHAB) application form shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant;

2. The permanent address and telephone number of the applicant;

3. The Atlantic City address and telephone number of the applicant;

4. The name, address and telephone number of a person to be contacted in reference to the application;

5. The name, address and telephone number of the attorney of record;

6. Federal Employer Identification Number;

7. The date an application for the issuance or renewal of a non-gaming related casino service industry license was filed.

8. A description of the primary use and hours of operation for each location within the facility where alcoholic beverages are to be served;

9. The address of any off-premises facility that will be used for the storage of alcoholic beverages and a copy of the license for the facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not been issued;

10. A description of where the casino hotel alcoholic beverage license will be displayed;

11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey and the percentage of that interest;

12. The names of all parties to any lease agreement between the applicant and a casino licensee;

13. A listing of prospective employees containing the information in N.J.A.C. 19:50-2.3(c), which listing is to be filed 21 days before the business or enterprise commences operations; and

14. An architectural blueprint drawn to one-eighth inch scale or such other scale approved by the Commission.

(b) In addition to the information in (a) above, a completed CHAB form may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:

- i. If the applicant is a corporation, the president or any other authorized officer;
- ii. If the applicant is a partnership, each partner;
- iii. If the applicant is a limited partnership, each general partner;
- iv. If the applicant is a sole proprietorship, the sole proprietor; or
- v. If the applicant is any other business form, any authorized officer.

New Rule, R.1998 d.51, effective January 20, 1998.  
See: 29 N.J.R. 4413(b), 30 N.J.R. 381(a).

**19:41-5.17 Casino Hotel Alcoholic Beverage (CHAB) license renewal application form**

(a) A Casino Hotel Alcoholic Beverage Renewal Application form shall be in a format prescribed by the Commission and may require the licensee to provide the following information:

1. Any official or trade name used by the applicant;
2. The permanent address and telephone number of the applicant;
3. The Atlantic City address of the business or enterprise;
4. The name, address and telephone number of a person to be contacted in reference to the application;
5. The name, address and telephone number of the attorney of record;
6. Federal Employer Identification Number;
7. Vendor Identification Number, casino service industry license number and the date of expiration of such license;
8. A description of the primary use and hours of operation for each location within the facility where alcoholic beverages are served;
9. The address of any off-premises facility that is or will be used for the storage of alcoholic beverages and a copy of the license for the facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not yet been issued;
10. A description of where the CHAB license is displayed;
11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey and the percentage of that interest;

12. The names of all parties to any lease agreement between the CHAB licensee and a casino licensee;

13. A current listing of all employees of the licensee pursuant to N.J.A.C. 19:50-2.3;

14. A listing of all alcoholic beverage enterprises, including wholesale distributors, suppliers and manufacturers, with which the licensee conducted business during the previous license term;

15. A detailed description of any changes made during the previous license term to any authorized casino hotel alcoholic beverage locations, organizational structure or lease agreement;

16. The expiration date of the current lease;

17. A detailed description of any other written or verbal agreements in effect between the CHAB licensee and any casino licensee;

18. The total amount of compensation paid pursuant to any agreement with a casino licensee;

19. The total amount of alcoholic beverage sales for the period commencing from the date the most recent CHAB license was granted and ending within 30 days of the date on which the CHAB license renewal application is filed.

(b) In addition to the information in (a) above, a completed CHAB renewal form may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the licensee is a corporation, the president or any other authorized officer;
  - ii. If the licensee is a partnership, each partner;
  - iii. If the licensee is a limited partnership, each general partner;
  - iv. If the licensee is a sole proprietorship, the sole proprietor; or
  - v. If the licensee is any other business form, any authorized officer.

New Rule, R.1998 d.51, effective January 20, 1998.  
See: 29 N.J.R. 4413(b), 30 N.J.R. 381(a).

**SUBCHAPTER 6. (RESERVED)**

**Subchapter Historical Note**

Subchapter 6, Statements of Compliance, was repealed by R.1996 d.352, effective August 5, 1996. See: 28 N.J.R. 2350(a), 28 N.J.R. 3817(b).