



GAMING PRACTICE

ALERT

NEW JERSEY CASINO CONTROL ACT AMENDED – PROVIDES NEW EXEMPTION FOR PUBLICLY TRADED NON-GAMING CASINO VENDORS

By Marie Jiacopello Jones

On April 8, 2009, Governor Corzine signed Assembly Bill No. 3691, which provides various amendments to the New Jersey Casino Control Act (the Act). One amendment provides that non-gaming vendors to the casino industry that are publicly traded may be able to file for an exemption from the non-gaming casino service industry enterprise licensure requirement if they do less than a certain amount of business with casino licensees.

Non-gaming vendors to the New Jersey casino licensees must file for licensure if they do \$150,000 worth of business within a consecutive 12-month period with one casino, or \$500,000 worth of business in a consecutive 12-month period with more than one casino. The Act previously provided that the Commission may exempt any person or field of commerce from licensure if it is regulated by an agency that determines whether a person possesses good character, honesty and integrity similar to the standards of the Act. The Act now provides for

exemption if the entity is a publicly traded corporation, or a wholly owned subsidiary of a publicly traded company, and the amount of revenue received by the entity from all casino licensees or applicants within a 12-month period is less than one tenth of one percent of all revenues received by the entity and its holding companies during the same 12-month period. If the revenue is less than this amount, a non-gaming license is deemed to not be necessary to protect the public interest or accomplish the policies of the Act.

This significantly broadens who may receive an exemption under the Act. To obtain such an exemption, a petition seeking same must be filed with the Casino Control Commission.

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