

7856.2020 SELECTION OF RETAILERS.

Subpart 1. **Eligibility.** An applicant for a lottery retailer contract must:

- A. be at least 18 years of age;
- B. not propose to be in business solely as a seller of lottery tickets;
- C. not owe \$500 or more in delinquent taxes as defined in Minnesota Statutes, section 270C.72;
- D. not have been convicted within the previous five years of a felony, gross misdemeanor, a crime involving fraud or misrepresentation, or a gambling-related offense;
- E. not have an officer, director, or person who owns more than five percent of the business of the applicant who has within the previous five years been convicted of a felony, gross misdemeanor, or crime involving fraud or misrepresentation, or a gambling-related offense except as provided under Minnesota Statutes, section 349A.06, subdivision 2, clause (c); and
- F. not be a member of the immediate family residing in the same household as the director, board member, or employee of the lottery.

Subp. 2. **Factors to be considered.** Before selecting a lottery retailer or selecting an additional business location for a lottery retailer, the director shall consider:

- A. the financial responsibility of the retailer;
- B. the honesty and integrity of the retailer;
- C. the accessibility of the place of business of the retailer;
- D. the sufficiency of existing lottery retailers to serve the public convenience;
- E. the volume of expected retailer sales;
- F. the veracity of the information supplied in the application;
- G. the length of time the retailer has been in business; and
- H. the nature and type of business engaged in by the retailer.

Subp. 3. **Residency requirements.** Contracts shall be issued only to any of the following:

- A. residents of the state;
- B. corporations incorporated in this state, or authorized to do business in this state;
- C. partnerships authorized to do business in this state; and

D. unincorporated businesses or other entities which are authorized to do business in this state.

Statutory Authority: *MS s 349A.02; 349A.05*

History: *14 SR 2315; L 1991 c 233 s 109; 18 SR 1223; 21 SR 147; L 2005 c 151 art 1 s 116*

Published Electronically: *November 8, 2006*