

SUBCHAPTER 3. MODIFICATION OF KEY LICENSE APPLICATION

19:41A-3.1 Amendment

It shall be the continuing duty of each applicant to promptly file with the Commission staff a written amendment to his or her application explaining any new or changed facts or circumstances whenever any material or significant new or changed facts or circumstances occur with respect to any matter set forth in the application or other papers relating thereto. An applicant may be permitted to file an amendment to his or her application at any time prior to final action thereon by the Commission.

19:41A-3.2 Withdrawal

(a) Except as otherwise provided in (b) below, a written notice of withdrawal of application may be filed by an applicant for a casino key employee license at any time prior to final Commission action thereon. No application shall be permitted to be withdrawn, however, unless the applicant shall have first established to the satisfaction of the Commission that withdrawal of the application would be consistent with the public interest and the policies of the Act. The Commission shall have the authority to direct that any applicant so permitted to withdraw his or her application shall not be eligible to apply again for a casino key employee license until after the expiration of one year from the date of such withdrawal. Unless the Commission shall otherwise direct with the concurrence of the Division, no fee or other payment relating to any casino

key employee application shall become refundable by reason of withdrawal of the application.

(b) Where a hearing on an application has been requested by a party or directed by the Commission, the Commission shall not permit withdrawal of said application after:

1.The application matter has been transmitted to the Office of Administrative Law;

2.The application matter has been assigned to any other hearing examiner authorized by law to hear such matter; or

3.The Commission has made a determination to hear the application matter directly.

(c) Notwithstanding (a) and (b) above, the Commission may accept and consider a written notice of withdrawal after the time specified in this section if the Division consents to the withdrawal and if the Commission is satisfied that there exists extraordinary circumstances justifying withdrawal.

19:41A-3.3 Mootness

Any application submitted to the Commission shall constitute a request by the applicant for a determination as to his or her qualifications in accordance with the Act and rules of the Commission and a consent by the applicant to the making of such a determination by the Commission, in its discretion, when the application thereafter becomes moot for any reason whatsoever.