**Section 1770.20 Selection of Lottery Sales Agents; License Application and Fee**

a) The Director shall license Agents as authorized persons engaged in business activity dealing with the public, provided that the sole proprietors, partners, corporate officers or principals of an applicant must be 18 years of age or older to be eligible to apply for a license. The total number of Agents shall be sufficient to assure that Lottery products are conveniently available to the public throughout the State, consistent with the constraints of the Department's budget. To obtain a license, any interested person must first complete application forms provided by the Department. Information to be included on application forms will include, but is not limited to: type of business; tax identification numbers; retailer agreement for the sale of Lottery tickets; retailer contract for the sale of Lottery tickets; and acknowledgement of the requirement for a Lottery trust fund account. Upon receipt of the completed application, the Department will have a representative meet with the applicant to discuss the responsibilities of selling Lottery products and to gather information concerning the applicant and the applicant's business establishment considering the factors listed in this subsection (a). The Director shall give careful consideration to the following factors in selecting as Agents those persons that one may expect to provide a high level of sales volume of Lottery products, proper security for the Lottery equipment, Lottery game tickets and money, and a good public image for the State's Lottery products:

1) The credit worthiness and financial responsibility of the applicant as disclosed by standard credit reporting services, the records of the State, and other credible information bearing upon the credit worthiness of the applicant as may be brought to the attention of the Director;

2) The criminal history and tax status of the applicant as disclosed in the application or in records of federal, State or local governments;

3) The physical security of the applicant's establishment in terms of the physical structure and design of the applicant's facilities as it would relate to the placement of Lottery equipment, the sale of Lottery products and the storage of Lottery receipts;

4) The public accessibility of the applicant's place of business or activity, including accessibility from roads, major highways, parking facilities and public transit routes, accessibility by the disabled, proximity of pedestrian traffic, hours of operation of applicant's business, and the cleanliness, attractiveness and physical security of the premises;

5) The number of existing Lottery sales licenses in the vicinity that are of similar tradestyle and overall type of operation to the extent that entering into a retailer agreement might jeopardize the Lottery's integrity, security, honesty, or fairness of the operation and administration of the Lottery games or undermine the public's confidence relevant to a positive perception of the Lottery, including but not limited to pawn shops, gun shops, adult entertainment establishments (18 years or older), payday loan services, or currency exchanges;

6) The nature of the applicant's business and the volume of in store sales from the applicant's regular business in order to assure that the sale of Lottery products will be ancillary to the applicant's regular business;

7) The level of anticipated or projected sales from the general area in which the applicant's business is located, taking into consideration the demographics of the neighborhood or locality, the proximity of the location to population centers and the average sales for other comparable Lottery retailers;

8) The character of the applicant and the applicant's reputation for honesty and integrity in the community;

9) The veracity of the information supplied in the license application;

10) The merchandising skills and business experience of the applicant, including the tenure of applicant's business at the proposed location;

11) Any information relating to these listed factors that the applicant provides to the Department's representative at the time of the site visit or at the time of submission of the application.

b) The Director will make available application forms for application for licensing as an Agent. Each license application shall be accompanied by a non-refundable $100 application fee. Each application for renewal of a Lottery license shall be accompanied by a renewal fee of $50. The application and fee shall be mailed or delivered to the address provided on the license application.

c) The license fee described in subsection (b) may be waived by the Department if the period of the license does not exceed 30 days and no new background checks are required for the applicants.

d) *Each Lottery* Agent *granted a license under* this Section *must pay a fee of $12 per week as partial reimbursement for communications charges incurred by the Department in providing access to the Department's central gaming system.* [20 ILCS 1605/10.2]

(Source: Amended at 47 Ill. Reg. 13924, effective September 18, 2023)