



Lottery and Gaming Control Commission

1800 Washington Boulevard, Suite 330, Baltimore, MD 21230

SPONSORING ENTITY'S DECLARATION:

EMERGENCY USAGE OF NON-APPROVED VENDOR SERVICES

Form #1024

This form is to be completed only by a Sponsoring Entity.

This form is **NOT** to be completed by the vendor providing the emergency services.

NOTICE

Maryland's Gaming Law and Sports Wagering Law are long and complex. Maryland Gaming Law is located in State Government Article, Title 9, Subtitle 1A, Annotated Code of Maryland ("SG"). The regulations promulgated by the Maryland Gaming Control Commission ("Commission") are found in Code of Maryland Regulations ("COMAR") 36.03. Collectively, SG § 9-1A *et seq.* and COMAR 36.03 are referred herein as the "Gaming Law". Maryland's Sports Wagering Law is located in SG Title 9, Subtitle 1E, and the regulations promulgated the Commission are found in COMAR 36.10. Collectively, SG § 9-1E *et seq.* and COMAR 36.03 are referred herein as the "Sports Wagering Law".

The cites referenced within this application are for explanatory purposes only, are subject to change, may be different from what is provided, and should not be relied upon. You are expected to be familiar with the current Sports Wagering Law and Gaming Law; updates and information may be found at <https://www.mdgaming.com/>.

Failure or refusal to adhere to the Gaming Law and Sports Wagering Law may result in the Commission imposing sanctions and/or penalties, to include, but not limited to, the placing of conditions on the license; suspension or revocation of the license; reprimand; and/or fines, and may result in criminal and/or civil charges being filed against the license holder.

SECTION A – ELIGIBILITY/APPLICABILITY

A.1 A **Sponsoring Entity** for purposes of the Sponsoring Entity's Declaration: Emergency Usage of Non-Approved Vendor Services is an applicant for, or a holder of, a/an:

- (a) Video Lottery Facility (Casino) License;
- (b) Gaming Manufacturer License;
- (c) Gaming Contractor License;
- (d) Sports Wagering Facility License;
- (e) Sports Wagering Facility Operator License;
- (f) Mobile Sports Wagering Entity License;
- (g) Online Sports Wagering Operator License;
- (h) Sports Wagering Contractor License; or
- (i) Non-Gaming and Non-Sports Wagering Construction Vendor Certification.

A.2 A "**Vendor**" has the meaning stated in COMAR 36.03.02.07 and COMAR 36.10.06.11 and is any person who provides non-gaming and/or non-sports wagering goods and services to a Sponsoring Entity.

A Non-Gaming and Non-Sports Wagering Vendor is **prohibited** from providing or attempting to provide any gaming or sports wagering goods, services, parts, components, or supplies unless **licensed** by the Commission as a:

- (a) Gaming Manufacturer;
- (b) Gaming Contractor; or
- (c) Sports Wagering Contractor.

A.3 Pursuant to COMAR 36.03.02.17 and COMAR 36.10.06.11, a Vendor, unless exempt, is required to be registered or certified by the Commission **prior to conducting any business** with a Sponsoring Entity.

Exception: The Commission provides Sponsoring Entities with the opportunity to use non-approved vendors in an emergency by completing this Emergency Usage of Non-Approved Vendor Services, Form 1024. As provided by the Gaming Law and Sports Wagering Law, this notification via Form 1024 must be completed by the Sponsoring Entity and submitted to the Commission if the Sponsoring Entity:

- (a) Encounters an emergent threat to public health, safety, or welfare;
- (b) That is outside of the Sponsoring Entity's control; and
- (c) Requires immediate provision of goods or services by a Vendor.

A.4 If an emergency circumstance causes a Sponsoring Entity to accept goods and/or services from a Vendor that is not currently registered or certified, the Sponsoring Entity is required to immediately notify the Commission in writing no later than the next State work day.

SECTION B - INSTRUCTIONS

These instructions are applicable to a Sponsoring Entity that requires an Emergency Usage of Non-Approved Vendor Services (hereinafter "Emergency Vendor").

- B.1** The Sponsoring Entity will designate or assign at least one employee who will be responsible for its vendors including Emergency Vendors, which is the Sponsoring Entity Vendor Administrator. The Licensing Division will authorize the Vendor Administrator to perform certain tasks within the 'eLicensing' system such as uploading documents, entering data, and submitting data. The Licensing Division expects the Vendor Administrator to convey certain information to vendors.
- B.2** Unless the Emergency Vendor is exempted from registration or certification by the Commission, a Maryland Sponsoring Entity that requires the provision of goods or services by a Vendor as described in Section **A.3** must immediately initiate a "Sponsoring Entity's Declaration: Emergency Usage of Non-Approved Vendor," and submit Form 1024 to the Commission through the 'eLicensing' system.
- B.3** An Emergency Vendor is exempted from registration or certification with the Commission if the vendor is not on the Commission's Prohibited Vendor List and the vendor is providing less than \$20,000 to the Sponsoring Entity.
- B.4** If the Emergency Vendor is currently on the Commission's Prohibited Vendor List, this Vendor may not be exempt. The Sponsoring Entity must identify this on the "Sponsoring Entity's Declaration: Emergency Usage of Non-Approved Vendor," Form 1024 that the Emergency Vendor is on the Commission's Prohibited Vendor List.
- B.5** The Sponsoring Entity must submit the completed Sponsoring Entity's Declaration: Emergency Usage of Non-Approved Vendor, Form 1024 to the Commission via the 'eLicensing' system no later than the **next State work day** after the Emergency Vendor's emergency provision of goods or services. This notification will include an explanation of the need of the Sponsoring Entity's emergency use of a vendor that is not exempt, registered or certified.

B.6 Within ten (10) business days after the Emergency Vendor's emergency provision of goods or services, the Vendor Administrator must create the appropriate vendor application in the 'eLicensing' system based on the anticipated amount of non-gaming and/or non-sports wagering related goods and services to be provided, and issue the Vendor their **Username** and **Temporary Password**.

As described in COMAR 36.03.02.17 and COMAR 36.10.06.11, The Vendor Administrator must create:

- (a) A Non-Gaming and Non-Sports Wagering Vendor Registration Application, **Form 1023**, if the Emergency Vendor provided, or anticipates providing, from \$19,000 to \$299,999 in non-gaming and non-sports wagering goods or services to the Sponsoring Entity within a calendar year;
- (b) A Non-Gaming and Non-Sports Wagering Vendor Certification Application, **Form 1021**, if the Emergency Vendor provided, or anticipates providing, \$300,000 or more in non-gaming and non-sports wagering goods or services to the Sponsoring Entity within a calendar year; or
- (c) A Non-Gaming and Non-Sports Wagering Construction Vendor Certification Application, **Form 1021CC**, if the Emergency Vendor provided, or anticipates providing, \$300,000 or more in non-gaming and non-sports wagering construction-related goods or services to the Sponsoring Entity within a calendar year.

B.7 Within twenty (20) business days of submitting the "Sponsoring Entity's Declaration: Emergency Usage of Non-Approved Vendor," Form 1024, the Sponsoring Entity shall submit the appropriate vendor registration or certification application, See **B.6**.

NOTICE: A Sponsoring Entity is **prohibited** from disbursing payments to non-approved Vendors.

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This page is to be completed only by a Sponsoring Entity.

SECTION C - NOTIFICATION TO THE COMMISSION

On _____ (date), _____, a Maryland Sponsoring Entity, encountered an emergent threat to public health, safety, or welfare. The emergent threat to public health, safety, or welfare was outside the control of the Sponsoring Entity and required the procurement of emergency provisions of goods and/or services from a Vendor that is not currently registered or certified by the Commission. Is this Vendor on the Commission’s Prohibited Vendors List? Yes No

The above listed Sponsoring Entity used the Vendor listed below for the following reason(s):

The Vendor is known as: _____
 (include ‘Doing Business As’ or ‘Trading As’ names, if applicable).

The Vendor provided the following information regarding their business offices:

| | | |
|--|-------|-----|
| Address Line 1 | | |
| Address Line 2 | | |
| City | State | Zip |
| Mailing Address Line 1, if different from above, otherwise enter “Same” | | |
| Mailing Address Line 2, if different from above, otherwise enter “Same” | | |
| City | State | Zip |
| Vendor’s Maryland SDAT Registration # (https://egov.maryland.gov/BusinessExpress/EntitySearch/Search) | | |

The Vendor’s Point-of-Contact Information

| | |
|-------------------------|------------------------------|
| Name and Title/Position | |
| Office Telephone Number | Cell Phone Number |
| Email Address | Company’s Website (if known) |

Signature of Sponsoring Entity’s Representative

Date

Printed Name of Sponsoring Entity’s Representative

Title of Sponsoring Entity’s Representative