

OKLAHOMA LOTTERY COMMISSION



LOTTERY RETAILER APPLICATION PACKET

LAST UPDATED: 9/24/2007

Requirements to Become an Oklahoma Lottery Retailer

1. Congratulations on your decision to apply to sell Oklahoma Lottery tickets. This is a great way for you to add extra income to your business, sell fun and entertaining products, and help provide additional funding for education in Oklahoma.
2. There are several steps to complete. The first is to fill out the application. But first, you need to make sure that you are eligible. The Oklahoma Lottery Act provides that you cannot be a retailer if any of the following apply to you:
 - a. You have been convicted or are awaiting sentencing on a plea of guilt or nolo contendere to a criminal offense related to the security or integrity of the lottery in this or any other jurisdiction;
 - b. You have been convicted of or are awaiting sentencing on a plea of guilt or nolo contendere to any illegal gambling activity, false statements, false swearing, or perjury in this or any other jurisdiction;
 - c. You have been convicted of or are awaiting sentencing on a plea of guilt or nolo contendere to any crime punishable by more than one (1) year of imprisonment or a fine of more than \$1,000.00 or both, unless your civil rights have been restored and at least five (5) years have elapsed from the date of the completion of the sentence without a subsequent conviction of a crime described in this application;
 - d. You have violated the provisions of the Oklahoma Education Lottery Act or any rule, policy, or procedure of the OLC unless either ten (10) years has passed since the violation or the board finds the violation both minor and unintentional in nature;
 - e. You are a vendor doing business with the OLC;
 - f. You are an employee or agent of any vendor doing business with the OLC;
 - g. You reside in the same household as the executive director, any board member, or any employee of the OLC;
 - h. You have made a statement of material fact to the OLC knowing such statement to be false;
 - i. You are engaged exclusively in the business of selling lottery tickets;
 - j. You are currently delinquent in the payment of any state tax, penalty, or interest owed the State of Oklahoma, excluding items under formal appeal pursuant to applicable statutes (an applicant who has entered into and is abiding by a payment agreement with the Oklahoma Tax Commission shall be deemed current in payment of such taxes, penalties and interest);
3. If you qualify, please get a copy of the application packet. You can access the application packet and instructions at www.lottery.ok.gov. If you don't have Internet access, you may request a packet by phoning toll free 1-866-508-9696. You may also write to:

Oklahoma Lottery Commission
3817 N. Santa Fe
Oklahoma City, OK 73118-8508
4. When you get your application packet, please provide all of the requested information, sign the necessary documents, enclose your application fee and mail it all to us. Note, that when you apply, you are authorizing the Lottery to perform criminal background checks and credit checks on you and all owners, officers, principals, and partners listed in your application.
5. When you submit your application, you will need to send in a cashiers / personal / business check for the \$95 application fee for each location. \$45 of this fee is a non-refundable application fee. \$50 will cover the bonding requirements and if you are not approved to sell lottery tickets, will be refunded to you. Make your check payable to "Oklahoma Lottery Commission".
6. After we have reviewed your application, conducted a site survey, and you have cleared all of the credit and background checks you must establish a separate bank account to the benefit of the Oklahoma Lottery Commission in which to keep your lottery net proceeds (see Part 5 of the Application). The account must be set up in an institution insured by the FDIC and the Lottery must be authorized to electronically sweep funds (EFT) from the account. You may go ahead and set up the bank account earlier in the process, but if your application is not approved, any costs for setting up the account are your responsibility.

Oklahoma Lottery Retailer Application - Frequently Asked Questions

- 1) Q: Why do you have to do a criminal background check and a credit check? A: The law requires us to.
- 2) Q: What if we have had tax problems in the past, but we have worked out a payment plan with the Tax Commission to address it? A: If you have done that, you will be okay. The tax issue will only be a problem for you if you should have paid taxes but didn't, or if you are not keeping with the agreement you worked out with the Tax Commission.
- 3) Q: Why do we have to print off the application forms, sign so many of them, and then mail them in? Can't we do that all online? A: The Lottery Act requires quite a bit of information from business owners, as well as directors and officers of corporations. Individuals are required by the law to make all the statements and disclosures in Part 3 of the application. You are also required to set up a separate bank account and the ability to electronically transfer money from those accounts needs to be approved by your bank through our State Treasurer. We are working on a way to complete applications online, but currently our process is manual.
- 4) Q: Once we're approved to sell lottery tickets, can we sell or transfer our license? A: No. You aren't actually "licensed", you've entered into a contract with the Lottery Commission (OLC) and we will issue you a certificate of authority that is valid only for the owner(s) and the location specified on the approved application. The law clearly states that you cannot transfer the certificate. Make sure you read the retailer contract requirements as it covers many of the things you can and cannot do under the law.
- 5) Q: If we have more than one location to sell lottery tickets, why don't we get a discount on the application fee? A: Section 717 of Title 3A (the Lottery Act is in Title 3A) states "Persons applying to become lottery retailers shall be charged a uniform application fee for each lottery outlet".
- 6) Q: How do we get a bond as the law requires? A: The law also allows the OLC to purchase a blanket bond and to set up a reserve account to cover losses that may be experienced. \$50 of your application fee is designated to cover the bond.
- 7) Q: How much is politics involved in my ability to sell lottery tickets? A: Not at all.
- 8) Q: How do you collect money and pay me when needed? A: You are required to set up a bank account with a local bank "in Trust for the Oklahoma Lottery Commission", using your FEIN. We will transfer from the account what you owe us on a weekly basis. Generally, only claims centers cash enough prizes so that we need to pay them. If it becomes necessary to pay you, we will write you a state warrant (check).
- 9) Q: What if there isn't enough money in the bank account when you do a transfer? A: In this case, the OLC will charge you an NSF fee and your bank may do the same. You will be responsible for any charges assessed by the financial institution. We will also contact you to determine why you didn't have enough money in your account. If the problem continues, we will shut off your ability to validate tickets and sell online games until you correct the problem. To avoid any NSF's, each retail location will have the ability to print reports from your lottery terminal showing sales, prizes you paid, commissions you earned, and amounts to be swept from the bank account. We will transfer from the bank account on a standard schedule giving you enough time to make sure that the account has enough money in it to cover the upcoming transfer.
- 10) Q: I have 15 retail locations that I will want to sell lottery tickets. Will I need a separate bank account for each location? A: Multiple locations operating under a single FEIN may utilize a single account.
- 11) Q: Will Indian smoke shops be able to sell lottery tickets? A: Under current interpretation of legal requirements, Tribes and tribal-owned businesses will need to have a compact between themselves and the State in order to sell Oklahoma Lottery tickets.

OKLAHOMA LOTTERY COMMISSION

LOTTERY RETAILER APPLICATION - INSTRUCTIONS

The Oklahoma Lottery Commission (OLC) intends to develop and maintain a statewide network of lottery retailers that will serve the public convenience and promote the sale of tickets and the playing of lottery games while ensuring the integrity of the lottery operations, games and activities. The OLC will make every effort to provide small and minority owned retailers an opportunity to participate in the sales of lottery tickets.

An application must be submitted by any business that intends to sell Oklahoma Lottery tickets in Oklahoma. The applicant must meet the objective criteria established by the OLC regarding financial responsibility, security of its place(s) of business, accessibility to the public, integrity and reputation. The OLC will not consider political affiliation, activities, or contributions to political committees or candidates for any public office as a condition of approval.

Instructions for Lottery Retailer Sales Contract Application

This application for a Lottery Retailer Sales Contract consists of eight (8) parts:

- Part 1: Retailer Contract Requirements
- Part 2: Business Information
- Part 3: Disclosures by Owners
- Part 4: Business Locations
- Part 5: Electronic Funds Transfer Authorization
- Part 6: RESERVED
- Part 7: Minority Business Information - Voluntary
- Part 8: Authorization to Install Lottery Communications Equipment

All applicants must complete Parts 1, 2, 3, 4, 5, and 8.

The minority business information requested in Part 7 is solely for the purpose of complying with the Oklahoma Education Lottery Act. Response is voluntary.

Part 6 is not currently being used.

HOW TO APPLY FOR AN OKLAHOMA LOTTERY RETAILER SALES CONTRACT

Complete the application and return it to the Lottery along with a check or money order payable to the Oklahoma Lottery Commission for ninety-five dollars (\$95) for each location. You can mail the application to:

Oklahoma Lottery Commission
3817 N. Santa Fe
Oklahoma City, Oklahoma 73118-8508

For assistance in completing this application, you may call the Oklahoma Lottery Retail Contracts Unit toll free at 1-866-508-9696.

Part 2 – Business Information

This form gathers information about your business and the kind of application you are submitting, whether you are a new applicant to our system or an existing applicant wanting to add new locations or change current locations. Please complete all information requested:

- Line 1 - The Lottery Retail Contract is with the owner(s) for sales of lottery tickets at a specific retail location. Indicate the type of application being completed.
- Check “a- Change in Ownership of Existing Retail Location(s)” if you are reporting a change in ownership for an existing lottery retail location.
 - Check “b- Change in Location of Existing Retail Location(s)” if you are needing to report a change in the location of your approved Oklahoma retail location.
 - Check “c- Additional locations under same FEIN” if you are already a lottery retail owner and you want to add more locations under the same FEIN. **CALL THE RETAIL CONTRACTS UNIT** before you proceed to help determine the information needed.
 - Check “d- Additional locations under different FEIN” if you are already a lottery retail owner and you want to add more locations but under a different FEIN than you are currently using for your other locations.
 - Check “e- FEIN change” if you are changing the structure of the business that owns the retail locations, resulting in a new FEIN for the business.
 - Check “f- Application to become a new Lottery Retailer” if this is the first time you have applied for a lottery retail contract in Oklahoma and the location is not a current lottery retailer.
- Line 2 - List the legal name of the business enterprise you are using to apply for the lottery retail contract. This will not necessarily be the names of the individual locations but may be if your corporate name is the same as your dba name(s).
- Line 3 - List the business address. No P. O. Boxes please. This should be the physical location of your headquarters (or the retail location if both are the same).
- Line 4 - List the business phone number that we can call to get answers to questions we may have about the application or questions we may have about the lottery retail contract in the future. List an alternate phone number if available. This may be an owner’s or manager’s home phone or cell phone.
- Line 5 - List a business email address if available.
- Line 6 - Enter the business Federal Employer’s Identification Number (FEIN), if any.
- Line 7 - Enter the business Sales and Use Tax Account number, if any.
- Line 8 - Specify the type of business organization.
- Line 9 - If the business is an Oklahoma Corporation, enter the business I.D. number, charter number, and charter date.
- Line 10 - If the business is a foreign corporation, enter the home state, charter number, Oklahoma Certificate of Authority number and Oklahoma Certificate of Authorization date.
- Line 11 - If the business is a limited partnership, enter the home state and identification number.
- Line 12 - If the business is located in Indian country, **DO NOT** submit this application. In general, current legal interpretation is that you need to have a compact with the State of Oklahoma to sell lottery tickets. You are welcome to call our retail contracts unit to express your interest and if the interpretation changes, we will contact you.
- Line 13 - List all sole owners, partners, officers or directors of the business. **Note: Each individual listed on this form must complete Part 3, Disclosures by Owner(s). If owners are added or removed, you need to notify the Lottery by letter and submit a new Part 3 for all new owners.**
- Line 14 – The individual who is preparing the application needs to print their name, title in relationship to the business, then sign and date the form.

Part 3 – Disclosures by Owner(s)

This form needs to be completed by each owner, partner, officer and / or director of the business that is listed in Part 2 under “Proprietors”.

Line 1 through Line 9 - Read each question and indicate “yes” or “no” in the space provided.

Line 10 - If you answered “yes” to line 2, explain your answer in the box provided (attach additional sheets if necessary).

Line 11 - If you answered “yes” to any question on Lines 3 through 8, explain your answer in the box provided (attach additional sheets if necessary).

Please read all the highlighted information in the two boxes, print your name, provide your SSN and date of birth and sign the application. Note that you are authorizing the Lottery to conduct a credit and criminal background check on you. This information describes the Lottery Retail Contract and the requirements that you agree to by submitting your application.

Please Note: Any personal financial information, credit reports or other financial data provided by Retailer Applicants is not subject to the Oklahoma Open Records Act.

Part 4 – Business Locations

You will need to complete a separate Part 4 for each location that you are including in this application.

Enter the legal name of business at the top of the form.

For each location that you are including in this application, complete 1 section:

Line 1: enter the name of the location where you want to sell lottery products.

Line 2: enter the physical address of the location.

Line 3: enter the mailing address if different than the physical address.

Line 4: enter the business location phone number and an alternate number that can be used to contact employees at the business location.

Line 5: enter the name of the manager of the location at the time this application is being submitted.

Line 6: check one of the boxes to indicate what type of business is at the location.

Line 7: check one of the boxes to indicate the type of building where the business is located.

Line 8: enter the number of employees you have at this location.

Line 9: enter the number of parking spaces at this location.

Line 10: enter the average weekly sales for all your products, merchandise and services at this business location.

Line 11: enter the approximate number of customers you have in this business location over the course of a week.

Part 5 – Electronic Funds Transfer Authorization

The Oklahoma Lottery Commission (OLC) requires that all retailers maintain a separate bank account for all lottery proceeds and that retailers authorize the OLC to Electronic Funds Transfer (EFT) all monies due OLC from the account weekly.

You may submit your application without this form and without obtaining the bank account. When the rest of your application has been approved, we will contact you to get your bank account established. At that time you must submit this information before final approval can be granted and before lottery equipment can be installed at the business location(s).

If you want to speed up the application process, you may go ahead and arrange for the bank account and submit this form with your initial application. However if there are costs involved and you are not approved to sell lottery products, all costs involved are your responsibility.

Line 1 - Enter the legal name of the business on the EFT account.

Line 2 – Read the information in section 2, then complete the required information.

Line 2.a. – The business representative establishing this bank account must sign and date on this line.

Line 2.b. – Print the title of the business representative.

Line 3 - Please read section 3 and have a representative of your bank or depository institution provide the information requested in this section and sign the acknowledgement where requested.

Line 3.c. – Print the name of the bank and the name of the branch.

Line 3.d. – List the address of the bank.

Line 3.e. – List the EFT Account Number and Bank Routing Number of the account you have established for the Lottery.

Line 3.f. – Print the name of the Banking Representative completing this form.

Line 3.g. – Indicate the title of the Banking Representative completing this form.

Line 3.h. – Banking Representative completing the form to sign here.

ATTACH A COPY OF A DEPOSIT SLIP FROM THE EFT ACCOUNT WITH ALL BANK TRANSIT INFORMATION CLEARLY VISIBLE. YOU MAY SUBMIT THE SAME INFORMATION ON BANK LETTERHEAD IF A DEPOSIT SLIP IS NOT AVAILABLE YET.

Part 6 – Reserved

This form is reserved for future use. Currently it is not required.

Part 7 – Minority Business Information

This form is required solely to comply with the provisions of the Oklahoma Education Lottery Act. **Your response is voluntary.**

Part 8 – Authorization to Install Lottery Communications Equipment

This form is required to avoid any problem with the physical installation of required communication equipment on and in the building(s) where the retailer does business. You will need to provide one of these forms to cover each location in your application. If you have more than one location, all owned by the same owner, you can use 1 Part 8, enter up to 3 locations, and submit additional forms as attachments. If the buildings in which your locations are housed are owned by different owners, you will need each owner to complete a Part 8 for the locations that they own.

PLEASE SEND YOUR APPLICATION TO:

Oklahoma Lottery Commission

3817 N. Santa Fe

Oklahoma City, OK 73118-8508

OKLAHOMA LOTTERY COMMISSION

LOTTERY RETAILER APPLICATION

Part 1 - Retailer Contract Requirements

By applying for an Oklahoma Lottery Retail Contract, applicants (owners, partners, officers, directors of the business) agree that they will abide by the following terms and conditions. Violation of any of these terms and conditions may result in suspension or cancellation of the Lottery Retail Contract. Each owner, partner, officer and / or director of the business is required to complete Part 3 of the Oklahoma Lottery Retailer Application and each agrees that Oklahoma law will control all transactions and agreements related to the Oklahoma Lottery. Each also agrees that, with exception for administrative hearings conducted by the Oklahoma Lottery Commission, the exclusive forum for all legal actions shall be the Oklahoma County District Court, Oklahoma City, Oklahoma. Each owner, partner, officer and / or director of the business also agrees that all staff working in their retail locations will be properly informed that they must adhere to these contract requirements if they handle lottery products.

1) General Terms and Conditions

- a) The Oklahoma Lottery Commission Lottery Retailer Contract consists of Parts 1 through 8 of the Lottery Retailer Application. Applicants agree to adhere to the Oklahoma Lottery Commission Lottery Retailer Contract Requirements as currently amended or as amended in the future. If lottery retailers do not want to adhere to changes in the contract, they will have thirty (30) days to notify the OLC that they do not wish to continue as a lottery retailer. Otherwise they agree to adhere to the changes.
- b) The retailer will operate in a manner that is consistent with the Oklahoma Education Lottery Act, applicable federal, state and local laws, rules adopted by the OLC and these terms and conditions.
- c) The retailer will notify the OLC within 10 days of changes in: ownership, officers, directors, or partners required to be listed on the application, the location of the business(es), or financial status or criminal record of the applicant(s). A change in ownership involving less than 10% of a corporation's stock need not be reported unless that change results in someone who previously owned less than 10% of the corporation's total stock acquiring more than 10% of the total stock.
- d) The OLC shall issue a certificate of authority for each location authorized to sell lottery tickets. The retailer will prominently display the Oklahoma Lottery Ticket Certificate of Authority where tickets are sold. Certificates are not transferrable.
- e) The retailer will prominently display point-of-sale materials provided by the OLC, including door decals, game posters, display tickets, electronic signs, and other materials supplied by OLC, unless prior exceptions are obtained from the OLC.
- f) The law requires the OLC or its authorized agent to conduct criminal background investigations and credit investigations on all potential retailers, including investigation of principal, officer or director of a corporation or other business entity. All applicants agree to cooperate with these investigations.
- g) The law allows the OLC to inspect the facilities of retailers in order to determine that the retailer is in compliance with its contract. All applicants agree to cooperate with these investigations.
- h) Lottery retailer contracts are not transferable or assignable.
- i) The OLC will compensate retailers in accordance with OLC rules.

2) Sale of Tickets

- a) The retailer is responsible for all proceeds from the sale of Oklahoma Lottery tickets. The proceeds shall constitute a trust fund in favor of the OLC.
- b) The retailer will make Oklahoma Lottery tickets available for sale during the retailer's normal business hours and provide for the redemption of winning tickets during the same hours, subject to OLC's approved validation procedures.
- c) The retailer will pay prizes in accordance with rules established by the OLC.
- d) Each retail location will offer for sale instant and online lottery tickets as required by rules of the OLC.
- e) The retailer will sell tickets in a prominent location near the cash register or checkout and will utilize ticket dispenser(s) provided by OLC. Any ticket dispensers not provided by OLC cannot be used without written approval from the OLC.
- f) Tickets may not be sold for more than the price established by the OLC.

- g) Retailers may only sell tickets from locations listed in the contract with the retailer (see Part 4 of the application) as evidenced by the Oklahoma Lottery Ticket Certificate of Authority issued by the Lottery Commission, unless the Lottery Commission issues a written approval for a temporary location not listed in the contract.
- h) Lottery tickets may not be sold or given to anyone under eighteen (18) years of age, and no prize or any portion of a prize shall be paid upon any ticket that was purchased by a person under eighteen (18) years of age.
- i) The retailer may not extend credit, lend money or accept in payment food stamps, checks, credit cards, charge cards, debit cards, or any form of deferred payment for Oklahoma Lottery tickets.
- j) The retailer must achieve the minimum sales thresholds that may be established by OLC.
- k) Lottery tickets may be given by retailers as a means of promoting goods or services to customers or prospective customers eighteen (18) years of age or older subject to prior approval by the OLC.
- l) The retailer may not permit the purchase of tickets over the telephone or by mail.
- m) The retailer is responsible for all tickets delivered to them.. Tickets received by the retailer will be promptly logged into the system as received. Tickets will be activated for sale when opened for sale. The retailer is expected to provide reasonable security for all tickets and OLC property.
- n) The retailer will notify the OLC immediately of any lost, missing or stolen tickets and within 24 hours at the latest. The retailer will notify the appropriate local law enforcement officials and complete a police report for any stolen tickets.

3) Payment to OLC

- a) The retailer will make a full financial settlement in a timely manner with the OLC for all tickets in accordance with OLC rules and procedures.
- b) The retailer authorizes the OLC to transfer funds due to the OLC through an Electronic Funds Transfer (EFT) from the bank account established by the retailer for the benefit of the Lottery Commission (see Part 5 of the application).
- c) Failure to have sufficient funds available at the time of the EFT sweep (NSF's) may result in banking service charges to the retailer. Repeated NSF's may result in contract suspension or contract revocation.

4) Application fee, bond requirement and contract renewal

- a) Persons applying to become lottery retailers shall be charged a uniform application fee for each lottery outlet.
- b) All lottery retailer contracts may be renewable annually in the discretion of the OLC unless sooner canceled or terminated.
- c) The retailer shall pay into a fund established to reimburse the OLC for losses from the operation of retailers. Payment for the initial contract year is included in the application fee. The amount, frequency and method of future payments shall be established by the OLC.

5) Other retailer obligations

- a) The retailer may not use a Oklahoma Lottery insignia, logo, trademark or name of a Oklahoma Lottery game in an advertisement without prior OLC authorization.
- b) Lottery retailers and applicants to be lottery retailers cannot pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service to the executive director, or any board member, or any employee of the OLC, or to any person related to any such person within the third degree of consanguinity or affinity.
- c) Lottery retailers may not contract with any person for lottery goods or services except with the approval of the board of trustees of the OLC.
- d) Lottery tickets may be given by retailers as a means of promoting goods or services to customers or prospective customers eighteen (18) years of age or older subject to prior approval by the OLC.
- e) No lottery retailer contract shall be transferable or assignable.
- f) If the rental payments for the business premises of a lottery retailer are contractually computed, in whole or in part, on the basis of a percentage of retail sales and such computation of retail sales is not explicitly defined to include sales of tickets or shares in a state-operated or state-managed lottery, only the compensation received by the lottery retailer from the OLC may be considered the amount of the lottery retail sale for purposes of computing the rental payment.

- 6) **Lottery Retail Contract Cancellation: retail contracts may be cancelled, suspended, revoked or terminated by the OLC for the following reasons.**
- a) Violation of the Oklahoma Education Lottery Act, a rule, or a policy or procedure of OLC;
 - b) Failure to accurately or timely account for lottery tickets, games, revenues, or prizes as required by OLC;
 - c) Commission of any fraud, deceit, or misrepresentation;
 - d) Insufficient sales;
 - e) Conduct prejudicial to public confidence in the lottery;
 - f) Filing for or being placed in bankruptcy or receivership;
 - g) Any material change in any matter considered by OLC in executing the contract with the retailer, as determined in the sole discretion of OLC; or
 - h) Failure to meet any of the objective criteria established by the OLC pursuant to the Act.
 - i) If, in the discretion of the executive director or designee, cancellation, denial, revocation, suspension, or rejection of renewal of a lottery retailer contract is in the best interest of the lottery, the public welfare, or the State of Oklahoma, the executive director or designee may cancel, suspend, revoke, or terminate, after notice and a right to a hearing, any contract issued pursuant to the Oklahoma Education Lottery Act. A contract may be temporarily suspended by the executive director or designee without prior notice pending any prosecution, hearing, or investigation, whether by a third party or by the executive director. A contract may be suspended, revoked, or terminated by the executive director or designee for any one or more of the reasons enumerated. Any hearing held shall be conducted by the executive director or designee. A party to the contract aggrieved by the decision of the executive director or designee may appeal the adverse decision to the board of trustees of the OLC. The appeal shall be pursuant to the rules set by the board and is not subject to Article II of the Administrative Procedures Act.
- 7) **The Oklahoma Education Lottery Act (Title 3A, Section 701 et seq, of the Oklahoma Statutes) prohibits the following people, partnerships, unincorporated associations, corporations, or other business entities, or any principal, officer or director of a corporation or other business entity from holding an Oklahoma Lottery Ticket Sales Contract:**
- a) Those convicted or who are awaiting sentencing on a plea of guilt or nolo contendere to a criminal offense related to the security or integrity of the lottery in this or any other jurisdiction.
 - b) Those convicted of who or are awaiting sentencing on a plea of guilt or nolo contendere to any illegal gambling activity, false statements, false swearing, or perjury in this or any other jurisdiction.
 - c) Those convicted of or who are awaiting sentencing on a plea of guilt or nolo contendere to any crime punishable by more than one (1) year of imprisonment or a fine of more than \$1,000.00 or both, unless their civil rights have been restored and at least five (5) years have elapsed from the date of the completion of the sentence without a subsequent conviction of a crime described in this application.
 - d) Those who have violated the provisions of the Oklahoma Education Lottery Act or any rule, policy, or procedure of the OLC unless either ten (10) years has passed since the violation or the board finds the violation both minor and unintentional in nature.
 - e) Those who are a vendor doing business with the OLC.
 - f) Those who are an employee or agent of any vendor doing business with the OLC.
 - g) Those residing in the same household as the executive director, any board member, or any employee of the OLC.
 - h) Those who have made a statement of material fact to the OLC knowing such statement to be false.
 - i) Those who are engaged exclusively in the business of selling lottery tickets.
 - j) Those who are currently delinquent in the payment of any state tax, penalty, or interest owed the State of Oklahoma, excluding items under formal appeal pursuant to applicable statutes (an applicant who has entered into and is abiding by a payment agreement with the Oklahoma Tax Commission shall be deemed current in payment of such taxes, penalties and interest).
- 8) **Penalties provided in the Oklahoma Education Lottery Act**
- a) Title 3A, Section 726: Any person who sells a lottery ticket or share to a person under eighteen (18) years of age or permits a person under eighteen (18) years of age to play any lottery games shall, upon conviction, be guilty of a misdemeanor and shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for the first offense and for each subsequent offense not less than Two Hundred Dollars (\$200.00) nor more than One Thousand Dollars (\$1,000.00) and imprisonment for up to one (1) year in the county jail.
 - b) Title 3A, Section 727: A. Any person who, with intent to defraud, falsely makes, alters, forges, utters, passes, or counterfeits a state lottery ticket shall, upon conviction, be punished by a fine not to exceed Fifty Thousand

Dollars (\$50,000.00), by imprisonment for not longer than five (5) years, or by both such fine and imprisonment. B. Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception, or tampering with lottery equipment or materials shall, upon conviction, be punished by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), by imprisonment for not longer than five (5) years, or by both such fine and imprisonment.

- c) Title 3A, Section 728: No person shall knowingly or intentionally make a material false statement in any application for a license or proposal to conduct lottery activities or make a material false entry in any book or record which is compiled or maintained or submitted to the board of trustees of the Oklahoma Lottery Commission pursuant to the provisions of the Oklahoma Education Lottery Act. Any person who violates the provisions of this section shall, upon conviction, be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) or the dollar amount of the false entry or statement, whichever is greater, by imprisonment for not longer than five (5) years, or by both such fine and imprisonment.
- d) Title 21, Section 1053: Any person who contrives, prepares, sets up, proposes or draws any lottery shall be guilty of a felony punishable by a fine equal to double the amount of the whole sum or value for which such lottery was made, and if such amount cannot be ascertained, then, by imprisonment in the State Penitentiary not exceeding two (2) years or by imprisonment in a county jail not exceeding one (1) year, or by a fine of Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

OKLAHOMA LOTTERY COMMISSION

LOTTERY RETAILER APPLICATION

Part 2 - Business Information

Please read the instructions - type or print - complete all items

Retailer Certificate Number _____ (TO BE COMPLETED BY OLC)
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1 This application is for (check one):

- a. Change in Ownership of Existing Lottery Retail Location(s)
- b. Change in Location of Existing Lottery Retail Location(s)
- c. Additional Locations Under Same FEIN (call OLC Retail Contracts Unit)
- d. Additional Locations Under Different FEIN
- e. FEIN change
- f. Application to become a new Lottery Retailer

2 Legal name of the business (**not the dba** unless it is the same; individual locations will be listed later):

3 Business mailing address: _____

City: _____ State: _____ Zip: _____

4 Business phone #: _____ Alternate phone #: _____

5 Business email contact address: _____

6 Enter your Federal Employer's Identification Number (FEIN), if any:

7 Enter your sales and use tax account number, if any:

8 Indicate how your business is owned.

- | | | |
|--|--|---|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Corporation /non-profit (see 9/10**) |
| <input type="checkbox"/> Limited Liability Company (LLC) | <input type="checkbox"/> Limited Partnership (see 11*) | <input type="checkbox"/> Corporation /for-profit (see 9/10**) |
| <input type="checkbox"/> Other (please explain) _____ | | |

**9 If your business is an Oklahoma corporation, enter the following information:

OK

Home State	ID Number	Charter Number	Charter Date
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**10 If your business is a foreign corporation, enter the following information:

Home State	Charter Number	Okla. Certificate of Authority No.	Okla. Cert of Auth. Date
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*11 If your business is a limited partnership, enter the home state and identification number:

Home State	Identification Number
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12 If your business is located in Indian country, DO NOT submit the application. See the instructions for additional explanation about what to do.

**OKLAHOMA LOTTERY COMMISSION
 LOTTERY RETAILER APPLICATION
 Part 2 - Business Information**

PROPRIETORS

13 List all owner(s), partners, officers and / or directors of your business:

NOTE: ALL INDIVIDUALS LISTED BELOW MUST COMPLETE PART 3, DISCLOSURES BY OWNERS

First Name	Middle Name	Last Name
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____

(ATTACH ADDITIONAL SHEETS IF NECESSARY)

14 **Part 2 completed by:**

Type or print your full name: _____

Title: _____

Signature: _____

Date: _____

OKLAHOMA LOTTERY COMMISSION

LOTTERY RETAILER APPLICATION

Part 4 - Business Locations

This form is to be completed for each retail location you want to sell lottery tickets. Print and attach additional pages as needed.

Legal name of the business:
(same as Part 1, Question 2)

Retail Location

1 Name of Location (dba):

2 Physical Address / Location:

City:

State: Oklahoma

Zip:

3 Mailing Address (if different):

City:

State: Oklahoma

Zip:

4 Phone #:

Alternate Phone #:

5 Name of Current Manager:

6 Type of Business at this location:

Convenience Store & Gas

Grocery Store / Market

General Merchandise

Service

Convenience Store w/o Gas

Service Station

News / Tobacco

Drug Store

Restaurant/Bar/Lounge

Other (specify):

7 Where is this business located:

Mall

Strip Shopping Center

Freestanding

Kiosk

Office Building

Other:

8 # of employees at this location:

10 Total average weekly sales at this location:

9 # of parking spaces at this location:

11 Approximate weekly # of customers at this location:

OKLAHOMA LOTTERY COMMISSION
LOTTERY RETAILER APPLICATION
Part 5 – Electronic Funds Transfer Authorization

1. Legal Name of the Business: _____

INSTRUCTIONS: The Retailer must establish a separate electronic funds transfer (EFT) bank account for the preservation and transfer of lottery funds. The separate bank account must be specified "IN TRUST FOR THE OKLAHOMA LOTTERY COMMISSION." The Retailer's depository institution must confirm the establishment of the Oklahoma Lottery Commission Trust Account by signing in the space below.

2. RETAILER REPRESENTATION AND AUTHORIZATION: I hereby authorize the OLC to initiate debit and credit entries in any available and appropriate amount to the account at the depository financial institution named below. I acknowledge that the origination of ACH transactions to the account must comply with the provision of U.S. law. I hereby further authorize and direct the depository institution named below to release any information regarding such account, including, but not limited to, account balance information, payment history, overdraft information and access to online viewing of account information to the OLC upon request by an authorized representative of the OLC. My authorization is given in accordance with subsection (e)(2) of Section 6802 of the "Gramm-Leach-Bliley Act of 1999" (15 U.S.C.A 6802) and shall remain in effect during the term of my contract with OLC. Retailer agrees that it shall receive and hold in trust all proceeds from any sale of tickets, lottery funds, or revenues derived from being a licensed OLC Retailer (the "Trust Revenue"). Retailer agrees it is prohibited from commingling the Trust Revenue with its own property or funds. If retailer generated funds and revenue are commingled with Trust Revenue, Retailer agrees that all commingled proceeds and other property shall be impressed with a trust in favor of the OLC in an amount equal to the amount of the Trust Revenue due the OLC. The trust relationship created hereby is both contractual and statutory. The Trust Revenue, as trust funds, do not constitute "property of the estate" as described in 11 U.S.C. § 541 and retailer agrees that whenever a retailer receives proceeds from the sale of lottery tickets or shares in the capacity of a lottery retailer becomes insolvent or dies insolvent, the proceeds in any account established pursuant to this authorization due to the OLC from the person or the estate of the person shall have preference over all debts or demands. **I CONSENT THAT THIS REPRESENTATION AND AUTHORIZATION SHALL REMAIN IN EFFECT UNTIL WRITTEN CONFIRMATION OF A BANK AND/OR ACCOUNT CHANGE IS RECEIVED BY OLC OR UNTIL 30 DAYS FOLLOWING TERMINATION OF THE LOTTERY RETAILER CONTRACT. I HAVE ATTACHED TO THIS FORM FOR THE ACCOUNT REFERENCED ABOVE A DEPOSIT SLIP OR DOCUMENT ON BANK LETTERHEAD THAT HAS BOTH THE ABA ROUTING NUMBER AND BANK ACCOUNT NUMBER.**

TO BE COMPLETED BY APPLICANT

a. Authorized Business Signature: _____ Date: _____

b. Title of Authorized Representative of Business: _____

3. DEPOSITORY INSTITUTION ACKNOWLEDGMENT: The above account has been established "IN TRUST FOR THE OKLAHOMA LOTTERY COMMISSION." We acknowledge that our customer, the Retailer, has opened an account with us as provided above for the Oklahoma Lottery Commission (OLC) and has directed us to provide information concerning the above referenced account to the OLC upon request by an authorized representative of the OLC. We further acknowledge that the Retailer has directed us to provide this information to OLC pursuant to the consent granted in part 2 above.

TO BE COMPLETED BY BANKING INSTITUTION REPRESENTATIVE

c. Bank Name: _____ Branch: _____

d. Street Address: _____

City: _____ State: _____

e. EFT Bank Account Number: _____ EFT Bank Route Transit Number: _____

f. Depository Institution Representative's name (print): _____

g. Title: _____ Telephone Number: _____

h. Signature of Depository Institution Representative: _____

Please attach a copy of one of your deposit slips here or attach a document on bank letterhead that shows the ABA routing number and bank account number.

OKLAHOMA LOTTERY COMMISSION
LOTTERY RETAILER APPLICATION
Part 6 - Retail Location in Indian Country

THIS FORM NO LONGER USED

OKLAHOMA LOTTERY COMMISSION
LOTTERY RETAILER APPLICATION
Part 7 - Minority Business Information - Voluntary

This request is solely for the purpose of complying with the Act -- Response is voluntary

Is your business a minority business as defined in the Oklahoma Education Lottery Act (Section 703 of Title 3A of the Oklahoma Statutes, listed below).

yes

no

If "yes", indicate the type of minority business:

"Minority business" is any business which is owned by:

- a. an individual who is a member of a minority who reports as the personal income of the individual for Oklahoma income tax purposes the income of the business;
- b. a partnership in which a majority of the ownership interest is owned by one or more members of a minority who report as their personal income for Oklahoma income tax purposes more than fifty percent (50%) of the income of the partnership, or
- c. a corporation organized under the laws of this state in which a majority of the common stock is owned by one or more members of a minority who report as their personal income for Oklahoma income tax purposes more than fifty percent (50%) of the distributed earnings of the corporation.

Check if appropriate: **Woman owned business**

Check one of the following:

____ **Hispanic or Latino** – All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race (**NOTE:** If you check this category, please **DO NOT** select from the racial list below. You have completed this form).

____ **Black or African American** (Not of Hispanic origin) – All persons having origins in any of the black racial groups of Africa.

____ **Native Hawaiian or Other Pacific Islander** (Not Hispanic or Latino) – All persons having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

____ **Asian** (Not Hispanic or Latino) – All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

____ **American Indian or Alaskan Native** (Not Hispanic or Latino) – All persons having origins in any of the original peoples of North or South America and who maintain cultural identification through tribal affiliation or community attachment.

This information is submitted voluntarily, will be kept confidential, will be exclusively utilized for EEO statistical gathering and compliance purposes, and will not influence the application or hiring process.

Thank you.

