



Temporary Gambling Authority

The Montana Department of Justice Gambling Control Division may grant Temporary Gambling Authority (TGA) to an applicant based on the provisions outlined in Administrative Rule (excerpt below). Approval of TGA will be coordinated with Department of Revenue's Liquor Control Division, as applicable.

(Note: Applicant must apply for a gambling operator's license online through TAP (<https://tap.dor.mt.gov>) in order to be eligible to receive Temporary Gambling Authority.)

To Be Completed By Applicant:

The undersigned applicant requests Temporary Gambling Authority to operate gambling activities pending final approval of the license. If Temporary Gambling Authority is terminated as described in 23.16.509(4), ARM, all gambling activities on applicant's premises which require a gambling operator's license must immediately cease.

Temporary Gambling Authority is requested to begin on _____
Date

Name of Applicant Entity

Signature of Authorized Representative

Date

Printed Name

Position

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Selected Administrative Rule Excerpt

23.16.509 TEMPORARY GAMBLING AUTHORITY (1) The department may grant an applicant for a gambling operator license the temporary authority to operate gambling when:

(a) the application and supporting documents, except Form FD-258 fingerprint cards, have been electronically submitted to the department through the department's licensing portal;

(b) the department has concluded the application is complete;

(c) within the 12-month period prior to submission of the application, the premises to be licensed had been licensed and operated as a gambling establishment, or licensed for the on-premises consumption of alcoholic beverages, and the premises were not altered from the last approved floor plan;

(d) the department has no adverse information about the applicant's owners, officers, and managers prior to granting temporary authority; and

(e) except for those grandfathered locations provided for under ARM 23.16.130, the Department of Revenue has issued temporary authority to purvey alcoholic beverages.

(2) Temporary gambling authority is neither a conditional approval, temporary license nor a permit. It does not constitute a transfer of ownership, nor does it guarantee or imply any assurance that the department will approve the application.

(3) Temporary gambling authority is valid for 45 days, except when terminated sooner. Prior to the expiration of temporary gambling authority, and upon written request of the applicant, the department may extend temporary gambling authority for additional periods of time up to 45 days, if the department determines that the cause of the delay was beyond the control of the applicant. The department shall notify the applicant if it requires additional information to make this determination and the applicant shall have seven days to submit written documentation to establish to the department's satisfaction that the delay was beyond the applicant's control. The department shall notify the applicant whether temporary gambling authority is extended, and the length of the period of extension of temporary gambling authority.

(4) Temporary gambling authority terminates whenever:

(a) the department, pursuant to ARM 23.16.203(1), has notified the applicant of the department's intent to deny the operator license; or

(b) the Department of Revenue has revoked a license or withdrawn temporary authority to purvey alcoholic beverages.

(5) All gambling activities on applicant's premises which require a gambling operator's license must immediately cease upon termination of temporary gambling authority.