
**A LOCAL BILL FOR AN ACT
FOR THE SECOND SENATORIAL DISTRICT**

To define and authorize the use of abandoned investigative deposits held by the Tinian Casino Gaming Control Commission (TCGCC); to establish procedures for notice, claims, and final disposition of such deposits; to authorize the appropriation of abandoned deposits to pay outstanding regulatory fees, assessments, penalties, and taxes owed to the Commission; and for other purposes.

**BE IT ENACTED BY THE SECOND SENATORIAL DISTRICT DELEGATION PURSUANT TO
CHAPTER 4, DIVISION 1, TITLE 1 OF THE COMMONWEALTH CODE:**

1 **Section 1. Findings and Purpose.** The Tinian and Aguiguan Legislative Delegation
2 (TALD) finds that The Tinian Casino Gaming Control Commission (“TCGCC” or
3 “Commission”) is mandated by law to be financially self-sustaining, funding all of its
4 investigative, regulatory, administrative, and enforcement operations exclusively from fees,
5 assessments, and charges imposed upon applicants, licensees, and casino operators.

6 The Act establishing the Commission expressly intends that the casino industry—not
7 the taxpayers—bear the full cost of regulation. The Commission does not receive
8 appropriations from the Commonwealth or municipal governments and relies entirely on
9 revenue generated through license fees, investigative deposits, and related assessments.

10 The Tinian and Aguiguan Legislative Delegation further finds that the over the past
11 decade, numerous casino applicants, key employee applicants, service provider applicants,
12 and licensees have withdrawn their applications, abandoned the licensing process, dissolved
13 as legal entities, or otherwise ceased operations without completing the regulatory process or
14 requesting the return of any unused investigative deposits.

15 As a result, the Commission currently holds more than one hundred thousand dollars
16 (\$100,000) in investigative deposits that are dormant, unclaimed, or abandoned, with no

1 active contact information and no legally viable method under existing regulations to utilize
2 these funds for the regulatory purposes for which they were originally collected.

3 At the same time, the Commission faces significant unpaid and outstanding fees,
4 license costs, annual assessments, penalties, and taxes owed by various applicants, licensees,
5 and former licensees—obligations which represent the very costs the Act intended the
6 Commission to recover from industry participants.

7 Because the Commission’s operating costs continue regardless of the withdrawal or
8 abandonment of applications, the existence of unclaimed deposits alongside substantial
9 unpaid obligations undermines the Act’s purpose and threatens the Commission’s ability to
10 effectively regulate gaming activities on Tinian.

11 The Tinian and Aguiguan Legislative Delegation finds that it is in the public interest
12 to define “abandoned investigative deposits,” establish a five-year dormancy period, require
13 reasonable notice to last-known addresses, provide a six-month transitional claim window,
14 and authorize the Tinian and Aguiguan Legislative Delegation to appropriate the abandoned
15 deposits for the purpose of covering regulatory and investigative costs and offsetting
16 outstanding obligations owed to the Commission.

17 This Act ensures fairness, fiscal responsibility, and the integrity of gaming regulation
18 by aligning statutory authority with longstanding cost-recovery objectives, while also
19 providing due process for any individual or entity that can demonstrate entitlement to the
20 unclaimed funds.

21 Accordingly, the purpose of this Act is to (1) define “abandoned investigative
22 deposits”; (2) create a uniform and lawful process for identifying, noticing, and escheating
23 such deposits to the Commission; (3) allow a transitional six-month claim period; and (4)
24 authorize the Tinian and Aguiguan Legislative Delegation to appropriate the abandoned
25 deposits to pay regulatory or investigative costs and to offset outstanding Commission fees,
26 assessments, penalties, and taxes owed by applicants and licensees.

27 **Section 2. Enactment.** Subject to codification by the Commonwealth Law Revision
28 Commission, the following provisions are here by enacted:

1 **§ 101. Definitions.** As used in this Act:

2 (a) “Investigative Deposit” means any deposit or advance submitted to the TCGCC by
3 an applicant or licensee for the purpose of covering background investigation costs, suitability
4 reviews, compliance inquiries, or related regulatory activities.

5 (b) “Dormancy Period” means a continuous period of five (5) years during which there
6 has been no application activity, no communication with the Commission, and no request for
7 refund of any unused deposit balance.

8 (c) “Reasonable Notice” means sending written notice by certified mail to the
9 applicant’s or licensee’s last known mailing address as reflected in Commission records and
10 publishing notice of unclaimed deposits on the TCGCC website for a period of not less than
11 thirty (30) consecutive days.

12 (d) “Abandoned Investigative Deposit” means an investigative deposit that has
13 remained unclaimed for the duration of the dormancy period and for which the Commission
14 has provided reasonable notice without receiving a valid claim.

15 **§ 102. Declaration of Abandonment.**

16 (a) An investigative deposit shall be deemed abandoned if: Five (5) years have passed
17 since the later of:

18 (1) the date of application withdrawal or termination;

19 (2) the date of license expiration, revocation, or surrender; or

20 (3) the last documented communication from the applicant or licensee; and
21 reasonable notice has been provided in accordance with Section 2(c), and no claimant
22 has demonstrated entitlement within ninety (90) days of the notice mailing date.

23 (b) Upon meeting the requirements of this section, the abandoned investigative deposit
24 shall become the property of the Commission and deposited into the Commission’s
25 investigative revolving account or other account designated for regulatory operations.

26 **§ 103. Transitional Claim Window.**

1 (a) Any individual or entity that claims entitlement to an investigative deposit held by
2 the Commission on the effective date of this Act may submit a written claim to the
3 Commission within six (6) months of the Act's effective date.

4 (b) The claimant must provide:

5 (1) Proof of identity;

6 (2) Documentation demonstrating entitlement to the deposit; and

7 (3) Any information reasonably required by the Commission to verify the
8 claim.

9 (c) Deposits for which no valid claim is submitted within the six-month transitional
10 window shall be deemed abandoned and become the property of the Commission.

11 **§ 104. Appropriation of Abandoned Investigative Deposits.**

12 (a) Abandoned deposits shall be appropriated by the Tinian and Aguiguan Legislative
13 Delegation for the following purposes:

14 (1) To pay the Commission's investigative, regulatory, enforcement, and
15 administrative costs;

16 (2) To reimburse the Commission for investigative or regulatory costs
17 attributable to the applicant or licensee whose deposit was abandoned;

18 (3) To offset any outstanding or unpaid Commission fees, assessments,
19 penalties, or taxes owed by applicants, licensees, or former licensees.

20 (b) The Commission shall maintain detailed records documenting all applications of
21 abandoned deposits.

22 **§ 105. Regulations.**

23 The Commission may adopt regulations necessary to implement this Act, including
24 procedures for identifying abandoned deposits, verifying claims, issuing refunds, executing
25 offsets, and documenting expenditures."

26 **Section 3. Severability.** If any provision of this Act or the application of any such
27 provision to any person or circumstance should be held invalid by a court of competent

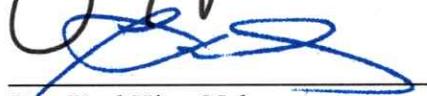
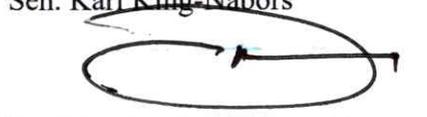
1 jurisdiction, the remainder of this Act or the application of its provisions to persons or
2 circumstances other than those to which it is held invalid shall not be affected thereby.

3 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not be
4 construed as affecting any existing right acquired under contract or acquired under statutes
5 repealed or under any rule, regulation or order adopted under the statutes. Repealers
6 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
7 The enactment of this Act shall not have the effect of terminating, or in any way modifying,
8 any liability civil or criminal, which shall already be in existence at the date this Act becomes
9 effective.

10 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
11 Governor or upon its becoming law without such approval.

Date: 01/23/26

Introduced By:


Sen. Jude U. Hofschneider

Sen. Karl King-Nabors

Sen. Francisco Q. Cruz

Reviewed for Legal Sufficiency by:


Senate Legal Counsel