§ 1317. Investigation of license applicants. 1. Upon receipt of an application for a gaming facility license, the commission shall cause to be commenced an investigation by the division of state police into the suitability of the applicant. In evaluating the suitability of the applicant, the commission shall consider the overall reputation of the applicant including, without limitation:

(a) the integrity, honesty, good character and reputation of the applicant;

(b) the financial stability, integrity and background of the applicant;

(c) the business practices and the business ability of the applicant to establish and maintain a successful gaming facility;

(d) whether the applicant has a history of compliance with gaming licensing requirements in other jurisdictions;

(e) whether the applicant, at the time of application, is a defendant in litigation involving its business practices;

(f) the suitability of all parties in interest to the gaming facility license, including affiliates and close associates and the financial resources of the applicant; and

(g) whether the applicant is disqualified from receiving a license under this article; provided, however, that in considering the rehabilitation of an applicant for a gaming facility license, the commission shall not automatically disqualify an applicant if the applicant affirmatively demonstrates, by clear and convincing evidence, that the applicant has financial responsibility, character, reputation, integrity and general fitness as such to warrant belief by the commission that the applicant will act honestly, fairly, soundly and efficiently as a gaming licensee.

2. If the investigation reveals that an applicant has failed to:

(a) establish the applicant's integrity or the integrity of any affiliate, close associate, financial source or any person required to be qualified by the commission;

(b) demonstrate responsible business practices in any jurisdiction; or

(c) overcome any other reason, as determined by the commission, as to why it would be injurious to the interests of the state in awarding the applicant a gaming facility license, the commission shall deny the

application, subject to notice and an opportunity for hearing.

3. If the investigation reveals that an applicant is suitable to receive a gaming facility license, the entity shall recommend that the commission commence a review of the applicant's entire application.