

S-2/15/02 State Good  
S-3/5/02 Do Pass

FEB 7 2002  
Place On Calendar

HOUSE FILE 2249  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 534)

Passed House, <sup>(p. 353)</sup> Date 2/14/02 Passed Senate, <sup>(p. 710)</sup> Date 3/19/02  
Vote: Ayes 94 Nays 0 Vote: Ayes 45 Nays 0  
Approved March 29, 2002

A BILL FOR

1 An Act relating to the administration of the Iowa lottery by  
2 providing for criminal history checks of applicants for  
3 certain licenses and major vendors contracting with the  
4 lottery, marketing materials, and the identification of  
5 instant lottery tickets, providing for a fee, and providing  
6 for an effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2249

H-8045

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1 Amend House File 2249 as follows:

11

2 1. Title page, by striking lines 1 through 3 and  
3 inserting the following: "An Act relating to criminal  
4 history checks of applicants for certain licenses,  
5 lottery employees, and major vendors contracting with  
6 the".

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By BRAUNS of Muscatine

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H-8045 FILED FEBRUARY 12, 2002

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*adopted*  
*2/14/02 (p. 352)*

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HF 2249

1 Section 1. Section 80A.4, Code 2001, is amended to read as  
2 follows:

3 80A.4 LICENSE REQUIREMENTS.

4 1. Applications for a license or license renewal shall be  
5 submitted to the commissioner in the form the commissioner  
6 prescribes. A license or license renewal shall not be issued  
7 unless the applicant:

8 a. Is eighteen years of age or older.

9 b. Is not a peace officer.

10 c. Has never been convicted of a felony or aggravated  
11 misdemeanor.

12 d. Is not addicted to the use of alcohol or a controlled  
13 substance.

14 e. Does not have a history of repeated acts of violence.

15 f. Is of good moral character and has not been judged  
16 guilty of a crime involving moral turpitude.

17 g. Has not been convicted of a crime described in section  
18 708.3, 708.4, 708.5, 708.6, 708.8, or 708.9.

19 h. Has not been convicted of illegally using, carrying or  
20 possessing a dangerous weapon.

21 i. Has not been convicted of fraud.

22 j. Provides fingerprints to the department.

23 ~~j.~~ k. Complies with other qualifications and requirements  
24 the commissioner adopts by rule.

25 2. If the applicant is a corporation, the requirements of  
26 subsection 1 apply to the president and to each officer,  
27 commissioner or employee who is actively involved in the  
28 licensed business in Iowa. If the applicant is a partnership  
29 or association, the requirements of subsection 1 apply to each  
30 partner or association member.

31 3. Each employee of an applicant or licensee shall possess  
32 the same qualifications required by subsection 1 ~~of this~~  
33 ~~section~~ for a licensee.

34 4. The fingerprints required by subsection 1 may be  
35 submitted by the department to the federal bureau of

1 investigation through the state central criminal history  
2 repository for the purpose of a national criminal history  
3 check.

4 Sec. 2. Section 80A.5, subsections 1 and 2, Code 2001, are  
5 amended to read as follows:

6 1. An applicant for a license or license renewal shall  
7 deposit with each application the fee for the license and if  
8 necessary the fees associated with processing the  
9 fingerprints.

10 2. If the application is approved the deposited amount  
11 shall be applied on the license fee. If the application is  
12 disapproved, the deposited amount excluding the fees  
13 associated with the processing of the fingerprints shall be  
14 refunded to the applicant.

15 Sec. 3. Section 80A.7, subsection 2, Code 2001, is amended  
16 to read as follows:

17 2. The fee for each application for an identification card  
18 is ten dollars.

19 Sec. 4. Section 80A.7, Code 2001, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 5. An application for an identification  
22 card shall include the submission of fingerprints of the  
23 person seeking the identification card which fingerprints may  
24 be submitted to the federal bureau of investigation through  
25 the state central criminal history repository for the purpose  
26 of a national criminal history background check. Fees  
27 associated with the processing of fingerprints shall be  
28 assessed to the employing licensee.

29 Sec. 5. Section 99D.8A, subsection 2, Code 2001, is  
30 amended to read as follows:

31 2. An applicant shall submit pictures, fingerprints, and  
32 descriptions of physical characteristics to the commission in  
33 the manner prescribed on the application forms. The  
34 fingerprints may be submitted to the federal bureau of  
35 investigation by the department of public safety through the

1 state central criminal history repository for the purpose of a  
2 national criminal history check.

3 Sec. 6. Section 99E.3, subsection 3, Code 2001, is amended  
4 to read as follows:

5 3. The commissioner may employ, with the approval of the  
6 director, clerks, stenographers, inspectors, agents, and other  
7 employees pursuant to chapter 19A as necessary to carry out  
8 this chapter, except as provided in section 99E.14. The  
9 commissioner may require a background investigation to be  
10 conducted in connection with the employment of lottery  
11 employees. The board shall define, by rule, the employment  
12 categories subject to investigation. The background  
13 investigation by the division of criminal investigation of the  
14 department of public safety may include a national criminal  
15 history record check through the federal bureau of  
16 investigation. The screening of lottery employees through the  
17 federal bureau of investigation shall be conducted by  
18 submission of fingerprints through the state criminal history  
19 record repository to the federal bureau of investigation.

20 Sec. 7. Section 99E.9, subsection 2, Code 2001, is amended  
21 to read as follows:

22 2. Subject to the approval of the board, the commissioner  
23 may enter into contracts for the operation and marketing of  
24 the lottery, except that the board may by rule designate  
25 classes of contracts other than major procurements which do  
26 not require prior approval by the board. A major procurement  
27 shall be as the result of competitive bidding with the  
28 contract being awarded to the responsible vendor submitting  
29 the lowest and best proposal. However, before a contract for  
30 a major procurement is awarded, the division of criminal  
31 investigation of the department of public safety shall conduct  
32 a thorough background investigation of the vendor, ~~any parent~~  
33 ~~or subsidiary corporation of the vendor, all shareholders of~~  
34 ~~five percent or more interest of the vendor or parent or~~  
35 ~~subsidiary corporation of the vendor, and all officers and~~

~~1 directors of the vendor or parent or subsidiary corporation of~~  
~~2 the vendor~~ to whom the contract is to be awarded. The  
~~3 commissioner and board shall consult with the division of~~  
~~4 criminal investigation and shall provide, by rule, for the~~  
~~5 scope of the thorough background investigations and due~~  
~~6 diligence with regard to the background investigations to be~~  
~~7 conducted in connection with major procurements.~~ The vendor  
~~8 shall submit to the division of criminal investigation~~  
~~9 appropriate investigation authorizations to facilitate this~~  
~~10 investigation. A contract for a major procurement awarded or~~  
~~11 entered into by the commissioner with an individual or~~  
~~12 business organization shall require that individual or~~  
~~13 business organization to establish a permanent office in this~~  
~~14 state.~~ The background investigation by the division of  
~~15 criminal investigation may include a national criminal history~~  
~~16 record check through the federal bureau of investigation. The~~  
~~17 screening of vendors or their employees through the federal~~  
~~18 bureau of investigation shall be conducted by submission of~~  
~~19 fingerprints through the state criminal history record~~  
~~20 repository to the federal bureau of investigation.~~ As used in  
~~21 this subsection, "major procurement" means consulting~~  
~~22 agreements and the major procurement contract with a business~~  
~~23 organization for the printing of tickets, or for purchase or~~  
~~24 lease of equipment or services essential to the operation of a~~  
~~25 lottery game.~~

26 Sec. 8. Section 99E.9, subsection 3, paragraph m, Code  
27 2001, is amended to read as follows:

28 m. The form and type of marketing, informational, and  
29 educational material to be permitted. ~~Marketing material and~~  
30 ~~campaigns shall include the concept of investing in Iowa's~~  
31 ~~economic development and show the economic development~~  
32 ~~initiatives funded from lottery revenue.~~

33 Sec. 9. Section 99E.9, subsection 3, paragraph o, Code  
34 2001, is amended by striking the paragraph.

5 Sec. 10. Section 99F.6, subsection 2, Code 2001, is

1 amended to read as follows:

2 2. An applicant shall submit pictures, fingerprints, and  
3 descriptions of physical characteristics to the commission in  
4 the manner prescribed on the application forms. The  
5 fingerprints may be submitted to the federal bureau of  
6 investigation by the department of public safety through the  
7 state central criminal history repository for the purpose of a  
8 national criminal history check.

9 Sec. 11. EFFECTIVE DATE. This Act, being deemed of  
10 immediate importance, takes effect upon enactment.

11 EXPLANATION

12 This bill relates to criminal history checks of applicants  
13 for certain licenses and amends the Iowa lottery laws relating  
14 to background investigations for lottery employees and  
15 contract vendors and their employees, the content of marketing  
16 materials, and the imprint of a licensee's name and address on  
17 instant lottery tickets.

18 The amendments to Code chapter 80A relate to applications  
19 to conduct a bail enforcement business, or a private  
20 investigation or security business. The bill requires that,  
21 upon an application for a license or license renewal, the  
22 applicant and employees of the applicant shall submit  
23 fingerprints to the department of public safety. The bill  
24 permits the department to submit the fingerprints to the  
25 federal bureau of investigation for the purpose of a national  
26 criminal history check. The bill also permits the department  
27 to assess a fee for processing the fingerprints.

28 The amendment to Code section 99D.8A relates to an  
29 application for a license to conduct pari-mutuel wagering.  
30 Current law requires that an applicant for a license to  
31 conduct pari-mutuel wagering submit fingerprints with the  
32 application. The bill permits the department of public safety  
33 to submit the fingerprints to the federal bureau of  
34 investigation for the purpose of a national criminal history  
35 check.

1 Code section 99E.3, subsection 3, is amended to authorize  
2 the commissioner to require background investigations in  
3 connection with the employment of lottery employees. The  
4 lottery board shall define, by rule, the employment categories  
5 subject to the investigation. The investigation may include a  
6 national criminal history record check through the federal  
7 bureau of investigation.

8 Code section 99E.9, subsection 2, is amended to authorize  
9 the lottery commissioner and the lottery board to consult with  
10 the division of criminal investigation of the department of  
11 public safety and provide, by rule, the scope of thorough  
12 background investigations of vendors and their employees  
13 needed in connection with major procurements. Specific  
14 language requiring a background investigation of a parent or  
15 subsidiary corporation of a vendor, all shareholders of 5  
16 percent or more of a vendor or parent or subsidiary  
17 corporation, and all officers and directors of a vendor or  
18 parent or subsidiary corporation of a vendor is stricken. The  
19 background investigations may include national criminal  
20 history record checks through the federal bureau of  
21 investigation. A requirement is also stricken that provides  
22 that an individual or business awarded a major procurement  
23 shall establish a permanent office in this state.

24 Code section 99E.9, subsection 3, paragraph "m", is amended  
25 to strike a requirement that lottery marketing materials and  
26 campaigns include the concept of investing in Iowa's economic  
27 development and show the economic development initiatives  
28 funded from lottery revenue.

29 Code section 99E.9, subsection 3, paragraph "o", is  
30 stricken. This paragraph requires that a lottery licensee  
31 either print or stamp the licensee's name and address on the  
32 back of each instant ticket except pull-tab tickets.

33 The amendment to Code section 99F.6 relates to an  
34 application for a license to operate gambling games at a pari-  
35 mutuel dog or horse racetrack, to operate an excursion

1 gambling boat and to conduct gambling games on the boat.  
2 Current law requires that an applicant for a license submit  
3 fingerprints with the application. The bill permits the  
4 department of public safety to submit the fingerprints to the  
5 federal bureau of investigation for the purpose of a national  
6 criminal history check.

7 The bill takes effect upon enactment.

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HOUSE FILE 2249  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 534)

(As Amended and Passed by the House February 14, 2002)

Passed House, Date \_\_\_\_\_ Passed Senate, Date <sup>(P.710)</sup> 3/19/02  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 45 Nays 0  
Approved March 29, 2002

**A BILL FOR**

1 An Act relating to criminal history checks of applicants for  
2 certain licenses, lottery employees, and major vendors  
3 contracting with the lottery, marketing materials, and the  
4 identification of instant lottery tickets, providing for a  
5 fee, and providing for an effective date.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

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1 Section 1. Section 80A.4, Code 2001, is amended to read as  
2 follows:

3 80A.4 LICENSE REQUIREMENTS.

4 1. Applications for a license or license renewal shall be  
5 submitted to the commissioner in the form the commissioner  
6 prescribes. A license or license renewal shall not be issued  
7 unless the applicant:

8 a. Is eighteen years of age or older.

9 b. Is not a peace officer.

10 c. Has never been convicted of a felony or aggravated  
11 misdemeanor.

12 d. Is not addicted to the use of alcohol or a controlled  
13 substance.

14 e. Does not have a history of repeated acts of violence.

15 f. Is of good moral character and has not been judged  
16 guilty of a crime involving moral turpitude.

17 g. Has not been convicted of a crime described in section  
18 708.3, 708.4, 708.5, 708.6, 708.8, or 708.9.

19 h. Has not been convicted of illegally using, carrying or  
20 possessing a dangerous weapon.

21 i. Has not been convicted of fraud.

22 j. Provides fingerprints to the department.

23 ~~j.~~ k. Complies with other qualifications and requirements  
24 the commissioner adopts by rule.

25 2. If the applicant is a corporation, the requirements of  
26 subsection 1 apply to the president and to each officer,  
27 commissioner or employee who is actively involved in the  
28 licensed business in Iowa. If the applicant is a partnership  
29 or association, the requirements of subsection 1 apply to each  
30 partner or association member.

31 3. Each employee of an applicant or licensee shall possess  
32 the same qualifications required by subsection 1 ~~of this~~  
33 ~~section~~ for a licensee.

34 4. The fingerprints required by subsection 1 may be  
35 submitted by the department to the federal bureau of

1 investigation through the state central criminal history  
2 repository for the purpose of a national criminal history  
3 check.

4 Sec. 2. Section 80A.5, subsections 1 and 2, Code 2001, are  
5 amended to read as follows:

6 1. An applicant for a license or license renewal shall  
7 deposit with each application the fee for the license and if  
8 necessary the fees associated with processing the  
9 fingerprints.

10 2. If the application is approved the deposited amount  
11 shall be applied on the license fee. If the application is  
12 disapproved, the deposited amount excluding the fees  
13 associated with the processing of the fingerprints shall be  
14 refunded to the applicant.

15 Sec. 3. Section 80A.7, subsection 2, Code 2001, is amended  
16 to read as follows:

17 2. The fee for each application for an identification card  
18 is ten dollars.

19 Sec. 4. Section 80A.7, Code 2001, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 5. An application for an identification  
22 card shall include the submission of fingerprints of the  
23 person seeking the identification card which fingerprints may  
24 be submitted to the federal bureau of investigation through  
25 the state central criminal history repository for the purpose  
26 of a national criminal history background check. Fees  
27 associated with the processing of fingerprints shall be  
28 assessed to the employing licensee.

29 Sec. 5. Section 99D.8A, subsection 2, Code 2001, is  
30 amended to read as follows:

31 2. An applicant shall submit pictures, fingerprints, and  
32 descriptions of physical characteristics to the commission in  
33 the manner prescribed on the application forms. The  
34 fingerprints may be submitted to the federal bureau of  
35 investigation by the department of public safety through the

1 state central criminal history repository for the purpose of a  
2 national criminal history check.

3 Sec. 6. Section 99E.3, subsection 3, Code 2001, is amended  
4 to read as follows:

5 3. The commissioner may employ, with the approval of the  
6 director, clerks, stenographers, inspectors, agents, and other  
7 employees pursuant to chapter 19A as necessary to carry out  
8 this chapter, except as provided in section 99E.14. The  
9 commissioner may require a background investigation to be  
10 conducted in connection with the employment of lottery  
11 employees. The board shall define, by rule, the employment  
12 categories subject to investigation. The background  
13 investigation by the division of criminal investigation of the  
14 department of public safety may include a national criminal  
15 history record check through the federal bureau of  
16 investigation. The screening of lottery employees through the  
17 federal bureau of investigation shall be conducted by  
18 submission of fingerprints through the state criminal history  
19 record repository to the federal bureau of investigation.

20 Sec. 7. Section 99E.9, subsection 2, Code 2001, is amended  
21 to read as follows:

22 2. Subject to the approval of the board, the commissioner  
23 may enter into contracts for the operation and marketing of  
24 the lottery, except that the board may by rule designate  
25 classes of contracts other than major procurements which do  
26 not require prior approval by the board. A major procurement  
27 shall be as the result of competitive bidding with the  
28 contract being awarded to the responsible vendor submitting  
29 the lowest and best proposal. However, before a contract for  
30 a major procurement is awarded, the division of criminal  
31 investigation of the department of public safety shall conduct  
32 a thorough background investigation of the vendor, ~~any parent~~  
33 ~~or subsidiary corporation of the vendor, all shareholders of~~  
34 ~~five percent or more interest of the vendor or parent or~~  
35 ~~subsidiary corporation of the vendor, and all officers and~~

~~1 directors of the vendor or parent or subsidiary corporation of~~  
2 ~~the vendor~~ to whom the contract is to be awarded. The  
3 commissioner and board shall consult with the division of  
4 criminal investigation and shall provide, by rule, for the  
5 scope of the thorough background investigations and due  
6 diligence with regard to the background investigations to be  
7 conducted in connection with major procurements. The vendor  
8 shall submit to the division of criminal investigation  
9 appropriate investigation authorizations to facilitate this  
10 investigation. ~~A contract for a major procurement awarded or~~  
11 ~~entered into by the commissioner with an individual or~~  
12 ~~business organization shall require that individual or~~  
13 ~~business organization to establish a permanent office in this~~  
14 ~~state.~~ The background investigation by the division of  
15 criminal investigation may include a national criminal history  
16 record check through the federal bureau of investigation. The  
17 screening of vendors or their employees through the federal  
18 bureau of investigation shall be conducted by submission of  
19 fingerprints through the state criminal history record  
20 repository to the federal bureau of investigation. As used in  
21 this subsection, "major procurement" means consulting  
22 agreements and the major procurement contract with a business  
23 organization for the printing of tickets, or for purchase or  
24 lease of equipment or services essential to the operation of a  
25 lottery game.

26 Sec. 8. Section 99E.9, subsection 3, paragraph m, Code  
27 2001, is amended to read as follows:

28 m. The form and type of marketing, informational, and  
29 educational material to be permitted. ~~Marketing material and~~  
30 ~~campaigns shall include the concept of investing in Iowa's~~  
31 ~~economic development and show the economic development~~  
32 ~~initiatives funded from lottery revenue.~~

33 Sec. 9. Section 99E.9, subsection 3, paragraph o, Code  
34 2001, is amended by striking the paragraph.

35 Sec. 10. Section 99F.6, subsection 2, Code 2001, is

1 amended to read as follows:

2 2. An applicant shall submit pictures, fingerprints, and  
3 descriptions of physical characteristics to the commission in  
4 the manner prescribed on the application forms. The  
5 fingerprints may be submitted to the federal bureau of  
6 investigation by the department of public safety through the  
7 state central criminal history repository for the purpose of a  
8 national criminal history check.

9 Sec. 11. EFFECTIVE DATE. This Act, being deemed of  
10 immediate importance, takes effect upon enactment.

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HOUSE FILE 2249

AN ACT

RELATING TO CRIMINAL HISTORY CHECKS OF APPLICANTS FOR CERTAIN LICENSES, LOTTERY EMPLOYEES, AND MAJOR VENDORS CONTRACTING WITH THE LOTTERY, MARKETING MATERIALS, AND THE IDENTIFICATION OF INSTANT LOTTERY TICKETS, PROVIDING FOR A FEE, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 80A.4, Code 2001, is amended to read as follows:

80A.4 LICENSE REQUIREMENTS.

1. Applications for a license or license renewal shall be submitted to the commissioner in the form the commissioner prescribes. A license or license renewal shall not be issued unless the applicant:

- a. Is eighteen years of age or older.

- b. Is not a peace officer.
- c. Has never been convicted of a felony or aggravated misdemeanor.
- d. Is not addicted to the use of alcohol or a controlled substance.
- e. Does not have a history of repeated acts of violence.
- f. Is of good moral character and has not been judged guilty of a crime involving moral turpitude.
- g. Has not been convicted of a crime described in section 708.3, 708.4, 708.5, 708.6, 708.8, or 708.9.
- h. Has not been convicted of illegally using, carrying or possessing a dangerous weapon.
- i. Has not been convicted of fraud.
- j. Provides fingerprints to the department.
- ~~j~~ k. Complies with other qualifications and requirements the commissioner adopts by rule.

2. If the applicant is a corporation, the requirements of subsection 1 apply to the president and to each officer, commissioner or employee who is actively involved in the licensed business in Iowa. If the applicant is a partnership or association, the requirements of subsection 1 apply to each partner or association member.

3. Each employee of an applicant or licensee shall possess the same qualifications required by subsection 1 ~~of this section~~ for a licensee.

4. The fingerprints required by subsection 1 may be submitted by the department to the federal bureau of investigation through the state central criminal history repository for the purpose of a national criminal history check.

Sec. 2. Section 80A.5, subsections 1 and 2, Code 2001, are amended to read as follows:

1. An applicant for a license or license renewal shall deposit with each application the fee for the license and if necessary the fees associated with processing the fingerprints.

2. If the application is approved the deposited amount shall be applied on the license fee. If the application is disapproved, the deposited amount excluding the fees associated with the processing of the fingerprints shall be refunded to the applicant.

Sec. 3. Section 80A.7, subsection 2, Code 2001, is amended to read as follows:

2. The fee for each application for an identification card is ten dollars.

Sec. 4. Section 80A.7, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 5. An application for an identification card shall include the submission of fingerprints of the person seeking the identification card which fingerprints may be submitted to the federal bureau of investigation through the state central criminal history repository for the purpose of a national criminal history background check. Fees associated with the processing of fingerprints shall be assessed to the employing licensee.

Sec. 5. Section 99D.8A, subsection 2, Code 2001, is amended to read as follows:

2. An applicant shall submit pictures, fingerprints, and descriptions of physical characteristics to the commission in the manner prescribed on the application forms. The fingerprints may be submitted to the federal bureau of investigation by the department of public safety through the state central criminal history repository for the purpose of a national criminal history check.

Sec. 6. Section 99E.3, subsection 3, Code 2001, is amended to read as follows:

3. The commissioner may employ, with the approval of the director, clerks, stenographers, inspectors, agents, and other employees pursuant to chapter 19A as necessary to carry out this chapter, except as provided in section 99E.14. The commissioner may require a background investigation to be

conducted in connection with the employment of lottery employees. The board shall define, by rule, the employment categories subject to investigation. The background investigation by the division of criminal investigation of the department of public safety may include a national criminal history record check through the federal bureau of investigation. The screening of lottery employees through the federal bureau of investigation shall be conducted by submission of fingerprints through the state criminal history record repository to the federal bureau of investigation.

Sec. 7. Section 99E.9, subsection 2, Code 2001, is amended to read as follows:

2. Subject to the approval of the board, the commissioner may enter into contracts for the operation and marketing of the lottery, except that the board may by rule designate classes of contracts other than major procurements which do not require prior approval by the board. A major procurement shall be as the result of competitive bidding with the contract being awarded to the responsible vendor submitting the lowest and best proposal. However, before a contract for a major procurement is awarded, the division of criminal investigation of the department of public safety shall conduct a thorough background investigation of the vendor, ~~any parent or subsidiary corporation of the vendor, all shareholders of five percent or more interest of the vendor or parent or subsidiary corporation of the vendor, and all officers and directors of the vendor or parent or subsidiary corporation of the vendor~~ to whom the contract is to be awarded. The commissioner and board shall consult with the division of criminal investigation and shall provide, by rule, for the scope of the thorough background investigations and due diligence with regard to the background investigations to be conducted in connection with major procurements. The vendor shall submit to the division of criminal investigation appropriate investigation authorizations to facilitate this

~~investigation. A contract for a major procurement awarded or entered into by the commissioner with an individual or business organization shall require that individual or business organization to establish a permanent office in this state.~~ The background investigation by the division of criminal investigation may include a national criminal history record check through the federal bureau of investigation. The screening of vendors or their employees through the federal bureau of investigation shall be conducted by submission of fingerprints through the state criminal history record repository to the federal bureau of investigation. As used in this subsection, "major procurement" means consulting agreements and the major procurement contract with a business organization for the printing of tickets, or for purchase or lease of equipment or services essential to the operation of a lottery game.

Sec. 8. Section 99E.9, subsection 3, paragraph m, Code 2001, is amended to read as follows:

m. The form and type of marketing, informational, and educational material to be permitted. ~~Marketing material and campaigns shall include the concept of investing in Iowa's economic development and show the economic development initiatives funded from lottery revenue.~~

Sec. 9. Section 99E.9, subsection 3, paragraph o, Code 2001, is amended by striking the paragraph.

Sec. 10. Section 99F.6, subsection 2, Code 2001, is amended to read as follows:

2. An applicant shall submit pictures, fingerprints, and descriptions of physical characteristics to the commission in the manner prescribed on the application forms. The fingerprints may be submitted to the federal bureau of investigation by the department of public safety through the state central criminal history repository for the purpose of a national criminal history check.

Sec. 11. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

---

BRENT SIEGRIST  
Speaker of the House

---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2249, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved March 29, 2002

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THOMAS J. VILSACK  
Governor