

705—1.30(99E) Employee background investigation. The commissioner shall require a background investigation by the department of public safety division of criminal investigation in connection with the employment of lottery personnel. Background investigations to be conducted are as follows:

1.30(1) *Standard background investigations.* The commissioner shall require a standard division of criminal investigation background investigation of any prospective lottery employee, consisting of a state criminal history background check, work history, and financial review.

1.30(2) *Key position background investigations.* The commissioner may require a full division of criminal investigation background investigation of any candidate for employment in a key position, consisting of a work history and financial review and a national Federal Bureau of Investigation criminal history background check.

The term “key position” is intended to include those positions in which the incumbents develop and direct implementation of policy and those in which the incumbents have policy or operational management responsibilities, security duties, or system maintenance or programming responsibilities related to the lottery’s data processing or network hardware, software, communications, or related systems. For purposes of this rule, key positions include but are not limited to lottery vice presidents, accounting managers, security investigators, and all information technology positions.

1.30(3) *Alternative sources for business entity investigations.* In lieu of a division of criminal investigation standard or full background investigation, or any component thereof, the commissioner, at the commissioner’s discretion and in cooperation with the division of criminal investigation, may accept a report furnished by the division of criminal investigation based on information furnished by authorities in another state of a recent, comparable investigation conducted by said authorities communicated between law enforcement agencies, which may be updated with any information reflecting changes during the interim between the Iowa and the earlier investigations.

This rule is intended to implement Iowa Code sections 99E.3(3), 99E.9(2) and 99E.9(3).