

the amount delinquent for which the parcel is liable each year, the amount of the interest, fees, costs, and the cost of publication in the newspaper service fee as provided in section 446.10, subsection 2, all to be incorporated as a single sum. The publication shall contain a statement that, after the sale, if the parcel is not redeemed within the period provided in chapter 447, the right to redeem expires and a deed may be issued.

Sec. 8. Section 446.9, Code 2001, is amended by adding the following new subsection:  
NEW SUBSECTION. 5. If, for good cause, a parcel is not included in the publication specified in subsection 2, notice shall be given by publication or by posting a description of the parcel and the date, time, and place of the tax sale in the treasurer's office for two weeks before the regular or any adjourned tax sale and, at the time of the publication or posting, by mailing the notice required in subsection 1.

Sec. 9. Section 446.10, Code 2001, is amended to read as follows:

446.10 PUBLICATION COSTS AND SERVICE FEES.

1. The compensation for publication shall not exceed four dollars for each separately described parcel and shall be paid by the county.
2. ~~The amount paid~~ A service fee not to exceed four dollars shall be collected as a part of ~~the costs of sale fee for sale notice preparation~~ and deposited into the county general fund. If the taxes are paid before the date of sale, the ~~amount paid for publication~~ service fee shall be included as a part of the costs of collecting the taxes.

Approved March 29, 2002

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## CHAPTER 1044

### PRIVATE INVESTIGATION, PRIVATE SECURITY, AND LOTTERY LICENSING AND REGULATION

*H.F. 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 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.

Approved March 29, 2002