

VERMONT BOARD OF LIQUOR AND LOTTERY
SPORTS WAGERING PROGRAM CRIMINAL BACKGROUND CHECK PROCEDURES
Updated and Approved November 8, 2023

These procedures are adopted pursuant to [3 V.S.A. § 835](#) and 31 V.S.A. § 1320 (e), (f), and govern collection of criminal background check information in the Sports Wagering Program. Criminal background check information will be considered as part of the Vermont Department of Liquor and Lottery’s review of current and prospective Sports Wagering Program Operator contractors in a manner consistent with the Vermont Board of Liquor and Lottery’s Sports Wagering Operator RFP Evaluation Criteria Procedures.

Section 1

The following individuals will be required to submit to a Background Investigation provided to the Commissioner for purposes of determining whether such individual possess a suitable character to engage in Sports Book Operator activities consistent with the statutes, rules, procedures, and practices regulating sports wagering in Vermont:

- (a) Any individual who is a principal of a Vermont Sports Book Operator contractor or of a Sports Book with a pending bid to secure a Vermont Sports Book Operator contract, or
- (b) Any individual who:
 - a. exercises manager-level decision-making authority over a current or prospective Vermont Sports Book operation, as determined by the Department; and
 - b. is or will be directly involved in the operation of Sports Book activity within the State of Vermont; and
 - c. whose employment duties involve or will involve the maintenance or operation of gaming activity or equipment and assets associated therewith.

Section 2

To qualify for employment with a Sports Wagering Program Operator contractor, an individual must:

- (a) Be at least twenty-one years of age; and
- (b) Possess a suitable character as determined by the Commissioner; and
- (c) Comply with all statutes, rules, procedures, and practices regulating sports wagering in Vermont, and with the applicable statutes, rules, procedures, and practices administered by any other regulatory or taxing authority.

Section 3

Background Investigation Requirements:

- (a) Any individual identified in § 1 above shall provide to the Department either:
 - (1) Submit fingerprints and biographical information as necessary through established Vermont Crime Information Center protocols to produce a fingerprint-supported civil National Crime Information Center background check; or

(2) A certified copy of a third-party criminal history report that adequately depicts a thorough representation of all criminal history of such individual. The third-party background check shall:

(i) be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act; and

(ii) include a multistate and multijurisdiction criminal record locator.

Section 4

(a) Any individual identified in § 1 above shall provide to the Department a completed Personal History Disclosure Form in a format prescribed by the Department providing at a minimum, the following information:

- 1) Name, including maiden name and any aliases or nicknames and applicable dates of use;
- 2) Date of birth;
- 3) Physical description;
- 4) Current address and residence history;
- 5) Citizenship and, if applicable, information regarding resident alien status, including information regarding passports;
- 6) Marital history, dependents and other family data;
- 7) Telephone number at the current place of employment;
- 8) Employment history of the individual and the individual's immediate family;
- 9) Education and training;
- 10) Record of military service;
- 11) Government positions and offices presently or previously held, and the offices, trusteeships, directorships or fiduciary positions presently or previously held with any business entity;
- 12) Trusteeships or other fiduciary positions held by the individual and the individual's spouse, and any denial or suspension of, or removal from, such positions;
- 13) Licenses and other approvals held by or applied for by the individual or, where specified, the individual's spouse, in the State of Vermont or any other jurisdiction, as follows:
 - i. Any professional or occupational license held by or applied for by the individual or the individual's spouse;
 - ii. Motor vehicle registrations and operator licenses held by or applied for by the individual or the individual's spouse, and any revocation or suspension thereof;
 - iii. Any license, permit, approval or registration required to participate in any lawful gambling operation in any jurisdiction held by or applied for by the individual; and
 - iv. Any denial, suspension or revocation by a governmental agency of a license, permit or certification held by or applied for by the individual or the individual's spouse, or any entity in which the individual or the individual's spouse was a director, officer, partner or an owner of a five percent or greater interest;

- 14) Any interest in or employment presently or previously held by the individual with an entity which has applied for a permit, license, certificate or qualification in connection with any lawful gambling or alcoholic beverage operation in this State or any other jurisdiction; and any current employment or other association by the person's family with the gambling or alcoholic beverage industries in this State or any other jurisdiction;
- 15) Civil, criminal and investigatory proceedings in any jurisdiction, as follows:
 - i. Arrests, charges or offenses committed by the individual or any member of the individual's immediate family;
 - ii. Any instance where the individual has been named as an unindicted party or co-conspirator in a criminal proceeding or held as a material witness;
 - iii. Any pardons, dismissals, suspensions or deferrals of any criminal investigation, prosecution, or conviction;
 - iv. Lawsuits to which the individual was or is a party;
 - v. Any citation or charge for a violation of a statute, regulation or code of any jurisdiction; and
- 16) Any exclusion or barring from any casino or gambling/gaming related entity in any jurisdiction; and
- 17) Financial data, as follows:
 - i. All assets and liabilities of the individual, and the individual's spouse and dependent children as indicated on the net worth statement and supporting schedules in a format prescribed by the Commissioner, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mortgages and liens, life insurance, pension funds, vehicles and other assets;
 - ii. Bank accounts, including any right of ownership in, control over or interest in any foreign bank account, and safe deposit boxes;
 - iii. Real estate interests held by the individual or the individual's spouse or dependent children;
 - iv. Businesses owned;
 - v. Real estate and personal income taxes payable;
 - vi. Judgments or petitions for bankruptcy, insolvency or liquidation concerning the individual or any business entity in which the individual held a five percent or greater interest (other than a publicly traded company), or in which the individual served as an officer or director;
 - vii. Any business entity in which the individual was an owner, director or officer which has been placed under some form of governmental administration or monitoring;
 - viii. Any garnishment or attachment of wages, charging order or voluntary wage execution, including the amount, court, nature of the obligation and the holder of the obligation;

- ix. Any repossessions of real or personal property;
- x. Any guarantees, co-signatures or insuring of payments of financial obligations of any individuals or business entities;
- xi. Status as executor, administrator or fiduciary of an estate;
- xii. Life insurance policies on the individual's life that name someone other than a member of the individual's immediate family as a beneficiary;
- xiii. Positions held, assets held, or interest received in any estate or trust;
- xiv. Insurance claims in excess of \$100,000 by the individual or the individual's spouse or dependent children;
- xv. Referral or finder's fees in excess of \$10,000;
- xvi. Loans in excess of \$10,000 made or received by the individual, the individual's spouse or dependent children;
- xvii. Gifts in excess of \$10,000 given or received by the individual or the individual's immediate family;
- xviii. Brokerage or margin accounts with any securities or commodities dealer;
- xix. Currency exchanges in an amount greater than \$10,000;

(b) In addition to the information in (a) above, a completed Personal History Disclosure may include the following:

- 1) The name, address, occupation and phone number of individuals who can attest to the individual's good character and reputation; and
- 2) A signed, dated and notarized certification of truth.

Section 5

Personal information and background check documents are confidential by law and will be exempt from public inspection and copying under the Vermont Public Records Act.

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