

## **99G.21 Authority powers, transfer of assets, liabilities, and obligations.**

1. Funds of the state shall not be used or obligated to pay the expenses or prizes of the authority.
2. The authority shall have any and all powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter which are not in conflict with the Constitution of this state, including, but without limiting the generality of the foregoing, the following powers:
  - a.* To sue and be sued and to complain and defend in all courts.
  - b.* To adopt and alter a seal.
  - c.* To procure or to provide insurance.
  - d.* To hold copyrights, trademarks, and service marks and enforce its rights with respect thereto.
  - e.* To initiate, supervise, and administer the operation of the lottery in accordance with the provisions of this chapter and administrative rules, policies, and procedures adopted pursuant thereto.
  - f.* To enter into written agreements with one or more other states or territories of the United States, or one or more political subdivisions of another state or territory of the United States, or any entity lawfully operating a lottery outside the United States for the operation, marketing, and promotion of a joint lottery or joint lottery game. For the purposes of this subsection, any lottery with which the authority reaches an agreement or compact shall meet the criteria for security, integrity, and finance set by the board.
  - g.* To conduct such market research as is necessary or appropriate, which may include an analysis of the demographic characteristics of the players of each lottery game, and an analysis of advertising, promotion, public relations, incentives, and other aspects of communication.
  - h.* Subject to the provisions of subsection 3, to acquire or lease real property and make improvements thereon and acquire by lease or by purchase, personal property, including but not limited to computers; mechanical, electronic, and on-line equipment and terminals; and intangible property, including but not limited to computer programs, systems, and software.
  - i.* Subject to the provisions of subsection 3, to enter into contracts to incur debt in its own name and enter into financing agreements with the state, agencies or instrumentalities of the state, or with any commercial bank or credit provider.
  - j.* To select and contract with vendors and retailers.
  - k.* To enter into contracts or agreements with state or local law enforcement agencies for the performance of law enforcement, background investigations, and security checks.
  - l.* To enter into contracts of any and all types on such terms and conditions as the authority may determine necessary.
  - m.* To establish and maintain banking relationships, including but not limited to establishment of checking and savings accounts and lines of credit.
  - n.* To advertise and promote the lottery and lottery games.
  - o.* To act as a retailer, to conduct promotions which involve the dispensing of lottery tickets or shares, and to establish and operate a sales facility to sell lottery tickets or shares and any related merchandise.

*p.* Notwithstanding any other provision of law to the contrary, to purchase meals for attendees at authority business meetings.

*q.* To exercise all powers generally exercised by private businesses engaged in entrepreneurial pursuits, unless the exercise of such a power would violate the terms of this chapter or of the Constitution of this state.

3. Notwithstanding any other provision of law, any purchase of real property and any borrowing of more than one million dollars by the authority shall require written notice from the authority to the legislative government oversight committees and the prior approval of the executive council.

4. The powers enumerated in this section are cumulative of and in addition to those powers enumerated elsewhere in this chapter and no such powers limit or restrict any other powers of the authority.

5. Departments, boards, commissions, or other agencies of this state shall provide reasonable assistance and services to the authority upon the request of the chief executive officer.

2003 Acts, ch 178, §74, 121; 2003 Acts, ch 179, §142