

REC'D FEB 9 1976

SENATE FILE 1102

By COMMITTEE ON JUDICIARY

Substituted for H.F. 1148 2-18 (436)

Passed Senate, Date 2-17-76 (p. 467) Passed House, Date 2-18-76 (p. 437)

Vote: Ayes 42 Nays 4 Vote: Ayes 90 Nays 6

Approved 2-27-76

A BILL FOR

1 An Act to permit gambling in the form of social games on
2 premises owned or occupied by associations charging dues
3 as a condition of membership.

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

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1 Section 1. Chapter ninety-nine B (99B), section eight
2 (8), subsection one (1), paragraph g, Acts of the Sixty-sixth
3 General Assembly, 1975 Session, amending section ninety-nine
4 B point six (99B.6), Code 1975, is amended to read as follows:

5 g. No cover charge, participation charge or other charge
6 is imposed upon a person ~~admitted-to-the-premises, whether~~
7 ~~or-not-the-person-participates-in~~ for the privilege of
8 participating in or observing gambling, and no rebate,
9 discount, credit, or other method is used to discriminate
10 between the charge for the sale of goods or services to
11 participants in gambling and the charge for the sale of goods
12 or services to nonparticipants. Satisfaction of an obligation
13 into which a member of an organization enters to pay at regular
14 periodic intervals a sum fixed by that organization for the
15 maintenance of that organization is not a charge which is
16 prohibited by this paragraph.

17 Sec. 2. Chapter ninety-nine B (99B), section eleven (11),
18 subsection one (1), paragraph g, Acts of the Sixty-sixth
19 General Assembly, 1975 Session, amending section ninety-nine
20 B point nine (99B.9), Code 1975, is amended to read as fol-
21 lows:

22 g. No cover charge, participation charge or other charge
23 is imposed upon a person ~~admitted-to-the-premises, whether~~
24 ~~or-not-the-person-participates-in~~ for the privilege of par-
25 ticipating in or observing gambling, and no rebate, discount,
26 credit, or other method is used to discriminate between the
27 charge for the sale of goods or services to participants in
28 gambling and the charge for the sale of goods or services
29 to nonparticipants. Satisfaction of an obligation into which
30 a member of an organization enters to pay at regular periodic
31 intervals a sum fixed by that organization for the maintenance
32 of that organization is not a charge which is prohibited by
33 this paragraph.

34 Sec. 3. This Act, being deemed of immediate importance,
35 shall take effect and be in force from and after its publica-

1 tion in the Carroll Daily Times Herald, a newspaper published
2 in Carroll, Iowa, and in the Fort Dodge Messenger, a newspaper
3 published in Fort Dodge, Iowa.

4 EXPLANATION

5 This bill amends the gambling law in order to permit
6 gambling in clubs and other organizations which charge mem-
7 bership fees. The attorney general has issued an opinion
8 that a membership fee constitutes a "charge" within the meaning
9 of the present statute, thus precluding the issuance to clubs
10 of gambling licenses. This bill also amends the section of
11 the law relating to gambling in public places other than those
12 operated by liquor control licensees and permittees because
13 it would have the same defect as the section discussed in
14 the attorney general's opinion.

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16 *Certification of Publication 3/15 (p. 872)*

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LSB 3188L
lb/jw/5

AN ACT

TO PERMIT GAMBLING IN THE FORM OF SOCIAL GAMES ON PREMISES OWNED OR OCCUPIED BY ASSOCIATIONS CHARGING DUES AS A CONDITION OF MEMBERSHIP.

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

Section 1. Chapter ninety-nine B (99B), section eight (8), subsection one (1), paragraph g, Acts of the Sixty-sixth General Assembly, 1975 Session, amending section ninety-nine B point six (99B.6), Code 1975, is amended to read as follows:

g. No cover charge, participation charge or other charge is imposed upon a person ~~admitted-to-the-premises, whether or-not-the-person-participates-in~~ for the privilege of participating in or observing gambling, and no rebate, discount, credit, or other method is used to discriminate between the charge for the sale of goods or services to participants in gambling and the charge for the sale of goods or services to nonparticipants. Satisfaction of an obligation into which a member of an organization enters to pay at regular periodic intervals a sum fixed by that organization for the maintenance of that organization is not a charge which is prohibited by this paragraph.

Sec. 2. Chapter ninety-nine B (99B), section eleven (11), subsection one (1), paragraph g, Acts of the Sixty-sixth General Assembly, 1975 Session, amending section ninety-nine B point nine (99B.9), Code 1975, is amended to read as follows:

g. No cover charge, participation charge or other charge is imposed upon a person ~~admitted-to-the-premises, whether or-not-the-person-participates-in~~ for the privilege of participating in or observing gambling, and no rebate, discount, credit, or other method is used to discriminate between the charge for the sale of goods or services to participants in

gambling and the charge for the sale of goods or services to nonparticipants. Satisfaction of an obligation into which a member of an organization enters to pay at regular periodic intervals a sum fixed by that organization for the maintenance of that organization is not a charge which is prohibited by this paragraph.

Sec. 3. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Carroll Daily Times Herald, a newspaper published in Carroll, Iowa, and in the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1102, Sixty-sixth General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved Feb. 27, 1976

ROBERT D. RAY
Governor