

January 20/74

Reprinted 2/79

Dr. Bann per 2/25/79 **FILED FEB 19 1979**

SENATE FILE 235

By CARR, SLATER, SCOTT
and TIEDEN

Passed Senate, Date 3-12-79 (p. 730) Passed House, Date _____
Vote: Ayes 43 Nays 3 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to increase the maximum allowable value of merchandise
2 prizes in a raffle conducted by a fair or qualified
3 organization.

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

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SENATE FILE 235

S-3125

Amend Senate File 235 as follows:

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1. Page 1, by striking lines 26 and 27.

S-3125 FILED *Adopted 2/12 (p. 730)*
FEBRUARY 28, 1979

BY COMMITTEE ON JUDICIARY
LUCAS DeKOSTER, CHAIRPERSON

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1 Section 1. Section ninety-nine B point five (99B.5),
2 subsection one (1), paragraph g, Code 1979, is amended to
3 read as follows:

4 g. The actual retail value of any prize does not exceed
5 twenty-five dollars. If a prize consists of more than one
6 item, unit or part, the aggregate retail value of all items,
7 units or parts shall not exceed twenty-five dollars. However,
8 a fair may hold not more than one raffle per year at which
9 a merchandise prize may be awarded if of a value not greater
10 than ~~five~~ ten thousand dollars as determined by the purchase
11 price paid by the fair, and the cost of each chance in or
12 ticket to that raffle may not exceed five dollars.

13 Sec. 2. Section ninety-nine B point seven (99B.7),
14 subsection one (1), paragraph d, Code 1979, is amended to
15 read as follows:

16 d. Cash prizes shall not be awarded in games other than
17 bingo. The actual retail value of any merchandise prizes
18 shall not exceed twenty-five dollars and may not be
19 repurchased. However, a raffle may be conducted not more
20 than one time in a twelve-month period at which a merchandise
21 prize may be awarded of a value not greater than ~~five~~ ten
22 thousand dollars as determined by purchase price paid by the
23 organization or donor and for which the cost to a participant
24 of a chance in or ticket to the raffle does not exceed five
25 dollars.

26 Sec. 3. This Act is effective January first following
27 its enactment.

28 EXPLANATION

29 This Act increases the maximum allowable value of
30 merchandise prizes in a raffle conducted by a fair or qualified
31 organization from \$5,000 to \$10,000.

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Has Judiciary 2/15

SENATE FILE 235

No. Passed Jan 2663 4/2 (p. 1271)

BY CARR, SLATER, SCOTT
and TIEDEN

(AS AMENDED AND PASSED BY THE SENATE MARCH 12, 1979)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to increase the maximum allowable value of merchandise
2 prizes in a raffle conducted by a fair or qualified
3 organization.

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

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* = Language Stricken

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by the Senate

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1 Section 1. Section ninety-nine B point five (99B.5),
2 subsection one (1), paragraph g, Code 1979, is amended to
3 read as follows:

4 g. The actual retail value of any prize does not exceed
5 twenty-five dollars. If a prize consists of more than one
6 item, unit or part, the aggregate retail value of all items,
7 units or parts shall not exceed twenty-five dollars. However,
8 a fair may hold not more than one raffle per year at which
9 a merchandise prize may be awarded if of a value not greater
10 than five ten thousand dollars as determined by the purchase
11 price paid by the fair, and the cost of each chance in or
12 ticket to that raffle may not exceed five dollars.

13 Sec. 2. Section ninety-nine B point seven (99B.7),
14 subsection one (1), paragraph d, Code 1979, is amended to
15 read as follows:

16 d. Cash prizes shall not be awarded in games other than
17 bingo. The actual retail value of any merchandise prizes
18 shall not exceed twenty-five dollars and may not be
19 repurchased. However, a raffle may be conducted not more
20 than one time in a twelve-month period at which a merchandise
21 prize may be awarded of a value not greater than five ten
22 thousand dollars as determined by purchase price paid by the
23 organization or donor and for which the cost to a participant
24 of a chance in or ticket to the raffle does not exceed five
25 dollars.

26 EXPLANATION

27 This Act increases the maximum allowable value of
28 merchandise prizes in a raffle conducted by a fair or qualified
29 organization from \$5,000 to \$10,000.

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1 Amend Senate File 235 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 25 the
4 following:

5 "Sec. 3. Section one hundred twenty-three point
6 three (123.3), Code 1979, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. "Raffle" means a lottery in which
9 each participant buys a ticket for a chance at a prize
10 with the winner determined by a random method.

11 "Raffle" does not include a slot machine.

12 Sec. 4. Section one hundred twenty-three point
13 three (123.3), Code 1979, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. "Nonprofit organization" means
16 a corporation organized under chapter five hundred
17 four (504) or chapter hundred four A (504A) of the
18 Code.

19 Sec. 5. Section one hundred twenty-three point
20 three (123.3), Code 1979, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. "Auction" means the offering for
23 sale or selling to the highest bidder or offering
24 for sale or selling at a high price and then offering
25 the same merchandise at successive lower prices until
26 a buyer is secured.

27 Sec. 6. Chapter one hundred twenty-three (123),
28 Code 1979, is amended by adding the following new
29 section:

30 NEW SECTION. THE RAFFLING OR AUCTIONING OF
31 ALCOHOLIC LIQUOR OR BEER. Notwithstanding any other
32 provision of this chapter concerning liquor control
33 licenses and beer permits, but subject to rules of
34 the department, a nonprofit organization as defined
35 under section two (2) of this Act, may raffle, auction
36 or both raffle and auction alcoholic liquor purchased
37 from the department, or beer, or both, without
38 obtaining a liquor control license or beer permit.
39 However, this section does not exempt a nonprofit
40 organization from complying with applicable provisions
41 of chapter ninety-nine B (99B) and section one hundred
42 twenty-three point forty-seven (123.47) of the Code.

43 Sec. 7. Section one hundred twenty-three point
44 twenty-one (123.21), subsection six (6), Code 1979,
45 is amended to read as follows:

46 6. Providing for the issuing issuance and
47 distributing distribution of price lists showing the
48 price to-be-paid-by-purchasers for each brand, class,
49 or variety of liquor kept-for-sale to be charged
50 purchasers from the department, under this chapter.

1 Provide for the filing or posting of prices between
2 class "A" beer permit holders and retailers as provided
3 in this chapter, and establish or control such prices
4 as may be based on minimum standards of fill, quantity,
5 or alcoholic content for each individual sale of
6 intoxicating liquor or beer as deemed necessary for
7 retail or consumer protection.

8 Sec. 8. Section five hundred forty-six A point
9 eight (546A.8), Code 1979, is amended to read as
10 follows:

11 546A.8 EXEMPTIONS. The provisions of this chapter
12 shall not extend to the sale at public auction of
13 livestock, farm machinery or farm produce or other
14 items commonly sold at farm sales, or to auction sales
15 of new merchandise which was assessed personal property
16 tax or is replacement stock of merchandise inventory
17 which was assessed personal property tax in the county
18 in which the sale is to be had, and to auction sales
19 under the direction of any court or court officers
20 of such sales as may be required by law and shall
21 not apply to the sale of alcoholic liquor, beer, or
22 both, as provided for in section four (4) of this
23 Act.

24 Sec. 9. This Act, being deemed of immediate
25 importance, shall take effect from and after its
26 publication in the Telegraph Herald, a newspaper
27 published in Dubuque, Iowa, and in The Cascade Pioneer-
28 Advertiser, a newspaper published in Cascade, Iowa."

H-3985 FILED
APRIL 18, 1979

BY HANSON of Delaware
WELSH of Dubuque

SENATE FILE 235

H-3971

1 Amend Senate File 235 as follows:

2 1. Page 1, by inserting after line 25 the
3 following:

4 "Sec. ____ . Section ninety-nine B point seven
5 (99B.7), subsection three (3), paragraph a, Code 1979,
6 is amended to read as follows:

7 3. a. A person wishing to conduct games and
8 raffles pursuant to this section as a qualified
9 organization shall submit an application and a license
10 fee of twenty-five dollars. However, upon submission
11 of an application accompanied by a license fee of
12 fifteen dollars, a person may be issued a limited
13 license which shall authorize the person to conduct
14 all games and raffles pursuant to this section at a
15 specified location and during a specified period of
16 fourteen consecutive calendar days. A limited license
17 shall not be issued more than once during any twelve-
18 month period to the same person, or for the same
19 location. A nonprofit organization, institution, or
20 charitable association, which is required to obtain a
21 permit by the provisions of chapter one hundred
22 twenty-two (122) of the Code, shall not be required
23 to pay the license fee to conduct a raffle required
24 by this paragraph if the total value of the prizes
25 awarded is less than five hundred dollars per year."

H-3971 FILED
APRIL 18, 1979

BY BENNETT of Ida
HUSAK of Tama

SENATE FILE 235

H-3663

1 Amend Senate File 235 as follows:
2 1. Page 1, by inserting after line 25 the
3 following:
4 "Sec. ____ . Section ninety-nine B point seven
5 (99B.7), Code 1979, is amended by adding the following
6 new subsection:
7 NEW SUBSECTION. A game of punchboard, pull-tab,
8 or pushcard may be conducted by a fraternal
9 organization within its premises if the fraternal
10 organization is a qualified organization."
11 2. Amend the title, line 3, by inserting after
12 the word "organization" the words "and to allow a
13 fraternal organization to conduct games of punchboard,
14 pull-tab or pushcard within its premises".
15 3. By renumbering sections to conform to this
16 amendment.

H-3663 FILED
APRIL 2, 1979

BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT
SHIMANEK, Chairperson

FISCAL NOTE

SENATE FILE 235 (Amend. H-3971)

Requested by Representative Lloyd-Jones
May 1, 1979

In compliance with a written request, there is hereby submitted a
Fiscal Note for S.F. 235, Amendment H-3971 pursuant to Joint Rule 16.

Amendment H-3971 to Senate File 235

The effect of this amendment would be to reduce the amount of
fees collected. The exact amount of reduction is negligible.

Source: Department of Revenue

FILED MAY 7, 1979

GERRY D. RANKIN
Legislative Fiscal Bureau

SENATE FILE 235

H-4217

1 Amend the House amendment, H-3971, to Senate File
2 235 as amended, passed and reprinted by the Senate
3 as follows:
4 1. Page 1, line 25, by striking the words "less
5 than five hundred dollars" and inserting in lieu
6 thereof the words "fifty dollars or less".

H-4217 FILED
MAY 1, 1979

BY LLOYD-JONES of Johnson
SHIMANEK of Jones