

PETS AS PRIZES

717E.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. *"Advertise"* means to present a commercial message in any medium including but not limited to print, radio, television, sign, display, label, tag, or articulation.
2. *"Business"* means any enterprise relating to any of the following:
 - a. The sale or offer for sale of goods or services.
 - b. A recruitment for employment or membership in an organization.
 - c. A solicitation to make an investment.
 - d. An amusement or entertainment activity.
3. *"Fair"* means any of the following:
 - a. The annual fair and exposition held by the Iowa state fair board pursuant to chapter 173 or any fair event conducted by a fair under the provisions of chapter 174.
 - b. An exhibition of agricultural or manufactured products.
 - c. An event for operation of amusement rides or devices or concession booths.
4. *"Game"* means a game of chance or game of skill as defined in section 99B.1.
5. *"Pet"* means a living animal which is limited to a dog, cat, or an animal normally maintained in a small tank or cage in or near a residence, including but not limited to a rabbit, gerbil, hamster, mouse, parrot, canary, mynah, finch, tropical fish, goldfish, snake, turtle, gecko, or iguana.

2004 Acts, ch 1109, §1; 2004 Acts, ch 1175, §391

717E.2 Pet awards prohibited.

A person is guilty of a simple misdemeanor if the person awards a pet or advertises that a pet may be awarded as any of the following:

1. A prize for participating in a game.
2. A prize for participating in a fair event.
3. An inducement or condition for visiting a place of business or attending an event sponsored by a business.
4. An inducement or condition for executing a contract which includes provisions unrelated to the ownership, care, or disposition of the pet.

2004 Acts, ch 1109, §2

717E.3 Exceptions.

This chapter shall not apply to any of the following:

1. A pet shop licensed pursuant to section 162.5 if the award of a pet is provided in connection with the sale of a pet on the premises of the pet shop.
2. Youth programs associated with 4-H clubs; future farmers of America; the Izaak Walton league of America; or organizations associated with outdoor recreation, hunting, or fishing including but not limited to the Iowa sportsmen's federation.

2004 Acts, ch 1109, §3