

CHAPTER 717E

PETS AS PRIZES

Referred to in §331.307, 364.22, 701.1

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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.
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; 2006 Acts, ch 1030, §81

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