

99B.42 Social gambling general requirements.

1. Social gambling is lawful under [section 99B.43](#), [99B.44](#), or [99B.45](#), when all of the following requirements are met:

a. The gambling occurs between two or more people who are together for purposes other than social gambling. A social relationship must exist beyond that apparent in the gambling situation.

b. The gambling shall not take place on a gaming floor, as defined in [section 99F.1](#), licensed by the state racing and gaming commission created in [section 99D.5](#).

c. Concealed numbers or conversion charts are not used to play any game.

d. A game is not adapted with any control device to permit manipulation of the game by the operator in order to prevent a player from winning or to predetermine who the winner will be.

e. The object of the game is attainable and possible to perform under the rules stated from the playing position of the player.

f. The game must be conducted in a fair and honest manner.

g. A person shall not receive or have any fixed or contingent right to receive, directly or indirectly, any amount wagered or bet or any portion of amounts wagered or bet, except an amount which the person wins as a participant while playing on the same basis as every other participant.

h. A cover charge, participation charge, or other charge shall not be imposed upon a person for the privilege of participating in or observing the social gambling, and a rebate, discount, credit, or other method shall not be used to discriminate between the charge for the sale of goods or services to participants in the social 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.

i. A participant shall not win or lose more than a total of two hundred dollars or equivalent consideration in one or more games permitted by [this subchapter](#) at any time during any period of twenty-four consecutive hours or over that entire period.

j. A participant is not participating as an agent of another person.

k. A representative of the department or a law enforcement agency is immediately admitted, upon request, to the premises with or without advance notice.

l. A person shall not engage in bookmaking on the premises.

m. A person shall not participate in any wager, bet, or pool which relates to an athletic event or contest and which is authorized or sponsored by one or more schools, educational institutions, or interscholastic athletic organizations, if the person is a coach, official, player, or contestant in the athletic event or contest.

2. The social gambling licensee is strictly accountable for compliance with [this section](#). Proof of an act constituting a violation is grounds for revocation of the license issued pursuant to [section 99B.43](#) or [99B.44](#) if the licensee permitted the violation to occur when the licensee knew or had reasonable cause to know of the act constituting the violation.

3. A participant in a social game or pool which is not in compliance with [this section](#) shall only be subject to a penalty under [section 99B.4](#) if the participant has knowledge of or reason to know the facts constituting the violation.

4. The social gambling licensee, and every agent of the licensee who is required by the licensee to exercise control over the use of the premises, who knowingly permits or engages in an act or omission which constitutes a violation of [this subchapter](#) is subject to a penalty under [section 99B.4](#). A licensee has knowledge of an act or omission if any agent of the licensee has knowledge of the act or omission.

[2015 Acts, ch 99, §41](#)

Referred to in [§99B.43](#), [§99B.44](#), [§99B.45](#)

NEW section