

99B.3 License denial, suspension, and revocation.

1. The department may deny, suspend, or revoke a license if the department finds that an applicant, licensee, or an agent of the licensee violated or permitted a violation of a provision of [this chapter](#) or a departmental rule adopted pursuant to [chapter 17A](#), or for any other cause for which the director of the department would be or would have been justified in refusing to issue a license, or upon the conviction of a person of a violation of [this chapter](#) or a rule adopted under [this chapter](#) which occurred on the licensed premises. However, the denial, suspension, or revocation of one type of gambling license does not require, but may result in, the denial, suspension, or revocation of a different type of gambling license held by the same licensee.

2. A person whose license is revoked under [this section](#) who is a person for whom a retail alcohol license has been issued pursuant to [chapter 123](#) shall have the person's retail alcohol license suspended for a period of fourteen days in the same manner as provided in [section 123.50, subsection 3, paragraph "a"](#).

3. The process for denial, suspension, or revocation of a license shall commence by delivering to the applicant or licensee notice, by means authorized by [section 17A.18](#), setting forth the particular reasons for such action.

a. If a written request for a hearing is not received within thirty days after the delivery of notice as provided in [this subsection](#), the denial, suspension, or revocation of a license shall become effective pending a final determination by the department. The determination involved in the notice may be affirmed, modified, or set aside by the department in a written decision.

b. If a request for a hearing is timely received by the department, the applicant or licensee shall be given an opportunity for a prompt and fair hearing before the department and the denial, suspension, or revocation shall be deemed stayed until the department makes a final determination. However, the director may suspend a license prior to a hearing if the director finds that the public integrity of the licensed activity is compromised or there is a risk to public health, safety, or welfare. In addition, at any time during or prior to the hearing the department may rescind the notice of the denial, suspension, or revocation upon being satisfied that the reasons for the denial, suspension, or revocation have been or will be removed. On the basis of any such hearing, the determination involved in the notice may be affirmed, modified, or set aside by the department in a written decision.

4. A copy of the final decision of the department shall be sent by electronic mail or certified mail, with return receipt requested, or served personally upon the applicant or licensee. The applicant or licensee may seek judicial review in accordance with the terms of the Iowa administrative procedure Act, [chapter 17A](#).

5. The procedure governing hearings authorized by [this section](#) shall be in accordance with the rules promulgated by the department and [chapter 17A](#).

6. If the department finds cause for denial of a license, the applicant may not reapply for the same license for a period of two years. If the department finds cause for suspension, the license shall be suspended for a period determined by the department. If the department finds cause for revocation, the license shall be revoked for a period not to exceed two years.

[C77, 79, 81, §99B.14]

[84 Acts, ch 1220, §12](#); [86 Acts, ch 1201, §11](#); [89 Acts, ch 231, §26](#); [2005 Acts, ch 106, §10](#); [2008 Acts, ch 1184, §51](#); [2015 Acts, ch 99, §29, 56](#)

C2016, §99B.3

[2016 Acts, ch 1073, §28](#); [2022 Acts, ch 1099, §91, 92, 102](#)

Former §99B.3 transferred to §99B.31; 2015 Acts, ch 99, §56

2022 amendments effective January 1, 2023; 2022 Acts, ch 1099, §102

Subsection 2 amended

(10)Subsection 3 stricken and former subsections 4 – 7 renumbered as 3 – 6