

**99G.21 Department powers, liabilities, and obligations.**

1. Funds of the state shall not be used or obligated to pay the expenses or prizes of the department under [this chapter](#).

2. The department, in carrying out the purposes and provisions of [this chapter](#), shall have the following powers:

a. To sue and be sued and to complain and defend in all courts.

b. To adopt and alter a seal.

c. To procure or to provide insurance.

d. To hold copyrights, trademarks, and service marks and enforce its rights with respect thereto.

e. To initiate, supervise, and administer the operation of the lottery in accordance with the provisions of [this chapter](#) and administrative rules, policies, and procedures adopted pursuant thereto.

f. To enter into written agreements with one or more other states or territories of the United States, or one or more political subdivisions of another state or territory of the United States, or any entity lawfully operating a lottery outside the United States for the operation, marketing, and promotion of a joint lottery or joint lottery game. For the purposes of [this subsection](#), any lottery with which the authority\* reaches an agreement or compact shall meet the criteria for security, integrity, and finance set by the board.

g. To conduct such market research as is necessary or appropriate, which may include an analysis of the demographic characteristics of the players of each lottery game, and an analysis of advertising, promotion, public relations, incentives, and other aspects of communication.

h. To select and contract with vendors and retailers.

i. To enter into contracts or agreements with state or local law enforcement agencies for the performance of law enforcement, background investigations, and security checks.

j. To establish and maintain banking relationships, including but not limited to establishment of checking and savings accounts and lines of credit.

k. To advertise and promote the lottery and lottery games.

l. To act as a retailer, to conduct promotions which involve the dispensing of lottery tickets or shares, and to establish and operate a sales facility to sell lottery tickets or shares and any related merchandise.

3. Notwithstanding any other provision of law, any purchase of real property and any borrowing of more than one million dollars by the department for purposes of [this chapter](#) shall require written notice from the department to the general assembly's standing committees on government oversight and the prior approval of the executive council.

4. The powers enumerated in [this section](#) are cumulative of and in addition to those powers enumerated elsewhere in [this chapter](#) and no such powers limit or restrict any other powers of the department under [this chapter](#).

5. Departments, boards, commissions, or other agencies of this state shall provide reasonable assistance and services to the department for purposes of [this chapter](#) upon the request of the director.

[2003 Acts, ch 178, §74, 121; 2003 Acts, ch 179, §142; 2006 Acts, ch 1010, §50; 2010 Acts, ch 1069, §11; 2023 Acts, ch 19, §2321 – 2323](#)

\*\*Authority\* probably not intended; corrective legislation is pending

Subsections 1, 3, 4, and 5 amended

Subsection 2, unnumbered paragraph 1 amended

Subsection 2, paragraphs h and i stricken and paragraphs j and k redesignated as h and i

Subsection 2, paragraph l stricken and paragraphs m – o redesignated as j – l