

### 99B.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Amusement concession*” means a game of skill or game of chance with an instant win possibility where, if the participant completes a task, the participant wins a prize. “*Amusement concession*” includes but is not limited to carnival-style games that are conducted by a person for profit. “*Amusement concession*” does not include casino-style games, nudge games, swap games, or amusement devices required to be registered pursuant to [section 99B.53](#).

2. “*Amusement device*” means an electrical or mechanical device possessed and used in accordance with [this chapter](#). When possessed and used in accordance with [this chapter](#), an amusement device is not a game of skill or game of chance, and is not a gambling device.

3. “*Amusement park*” means any permanent facility or park where amusement rides, as defined in [section 88A.1](#), are available for use by the public.

4. “*Applicant*” means an individual or an organization applying for a license under [this chapter](#).

5. “*Arcade*” means any permanent facility or a distinct part of a permanent facility principally devoted to offering amusement or entertainment by means of amusement concessions or nongambling games.

6. “*Bingo*” means a game, whether known as bingo or any other name, in which each participant uses one or more cards each of which is marked off into spaces arranged in horizontal and vertical rows of spaces, with each space being designated by number, letter, symbol, or picture, or combination of numbers, letters, symbols, or pictures. No two cards shall be identical. In the game of bingo, players shall cover spaces on the card or cards as the operator of the game announces to the players the number, letter, symbol, or picture, or combination of numbers, letters, symbols, or pictures, appearing on an object selected by chance, either manually or mechanically, from a receptacle in which have been placed objects bearing numbers, letters, symbols, or pictures, or combinations of numbers, letters, symbols, or pictures corresponding to the system used for designating the spaces. The winner of each game is the player or players first properly covering a predetermined and announced pattern of spaces on a card. Each determination of a winner by the method described in [this subsection](#) is a single bingo game at any bingo occasion.

7. “*Bingo occasion*” means a single gathering or session at which a series of bingo games is played. A bingo occasion begins when the operator of a bingo game selects an object with a number, letter, symbol, or picture, or combination of numbers, letters, symbols, or pictures through which the winner of the first bingo game in a series of bingo games will be determined. A bingo occasion ends when at least one hour has elapsed since a bingo game is played or when an announcement by the operator of the bingo game is made that the bingo occasion is over, whichever first occurs.

8. “*Bona fide social relationship*” as used herein means a real, genuine, unfeigned social relationship between two or more persons wherein each person has an established knowledge of the other, which has not arisen for the purpose of gambling.

9. “*Bookmaking*” means the determining of odds and receipt and paying off of bets by an individual or publicly or privately owned enterprise not present when the wager or bet was undertaken.

10. “*Build-up or pyramid*” means a raffle or a game in which a prize must be returned in order to play another game or to be eligible for another bigger prize, a game in which a prize must be forfeited if a later game is lost, or a raffle which is multi-step and requires the participant to win at multiple steps to win the grand prize.

11. “*Calendar raffle*” means a raffle where a single entry is entered in one raffle where winners will be selected over multiple dates.

12. “*Casino-style games*” means any house banking game, including but not limited to casino-style card games such as poker, baccarat, chemin de fer, blackjack, and pai gow, and casino games such as roulette, craps, and keno. “*Casino-style games*” does not include a slot machine.

13. “*Charitable uses*” includes uses benefiting a definite number of persons who are the

victims of loss of home or household possessions through explosion, fire, flood, or storm when the loss is uncompensated by insurance, and uses benefiting a definite number of persons suffering from a seriously disabling disease or injury, causing severe loss of income or incurring extraordinary medical expense when the loss is uncompensated by insurance.

14. A person “conducts” a specified activity if that person owns, promotes, sponsors, or operates a game or activity. A natural person does not “conduct” a game or activity if the person is merely a participant in a game or activity which complies with [section 99B.45](#).

15. “Department” means the department of inspections, appeals, and licensing.

16. “Educational, civic, public, charitable, patriotic, or religious uses” includes uses benefiting a society for the prevention of cruelty to animals or animal rescue league; uses benefiting an indefinite number of persons either by bringing them under the influence of education or religion or relieving them from disease, suffering, or constraint, or by erecting or maintaining public buildings or works, or otherwise lessening the burden of government; and uses benefiting any bona fide nationally chartered fraternal or military veterans’ corporation or organization which operates in Iowa a clubroom, post, dining room, or dance hall, but does not include the erection, acquisition, improvement, maintenance, or repair of real, personal, or mixed property unless it is used for one or more of the uses described in [this subsection](#).

17. “Fair” means an annual fair and exposition held by the Iowa state fair board and any fair event conducted by a fair under the provisions of [chapter 174](#).

18. “Gambling” means any activity where a person risks something of value or other consideration for a chance to win a prize.

19. “Game night” means an event at which casino-style games may be conducted, in addition to games of skill and games of chance, within one consecutive twenty-four-hour period.

20. “Game of chance” means a game whereby the result is determined by chance and the player in order to win completes activities, such as aligning objects or balls in a prescribed pattern or order or makes certain color patterns appear. “Game of chance” specifically includes but is not limited to bingo. “Game of chance” does not include a slot machine or amusement device.

21. “Game of skill” means a game whereby the result is determined by the player’s ability to do a task, such as directing or throwing objects to designated areas or targets, or by maneuvering water or an object into a designated area, or by maneuvering a dragline device to pick up particular items, or by shooting a gun or rifle.

22. “Gross receipts” means the total revenue received from the sale of rights to participate in a game of skill, game of chance, bingo, or raffle and admission fees or charges.

23. “Licensed qualified organization” means a qualified organization that is issued a license under [this chapter](#) and that complies with the requirements for a qualified organization issued a license under [this chapter](#).

24. “Merchandise” means goods or services that are bought and sold in the regular course of business. “Merchandise” includes lottery tickets or shares sold or authorized under [chapter 99G](#). The value of the lottery ticket or share is the price of the lottery ticket or share as established by the department of revenue pursuant to [chapter 99G](#). “Merchandise” includes a gift card if the gift card is not redeemable for cash.

25. “Net receipts” means gross receipts less amounts awarded as prizes and less state and local sales tax paid upon the gross receipts.

26. “Net rent” means the total rental charge minus reasonable expenses, charges, fees, and deductions allowed by the department.

27. “Nudge game” means any game or phase of a game in which a participant spins reels or simulated reels and may choose to nudge one or more reels in any direction to complete a winning combination or pattern.

28. “Public uses” specifically includes dedication of net receipts to political parties as defined in [section 43.2](#).

29. “Qualified organization” means an organization that has an active membership of not less than twelve persons, does not have a self-perpetuating governing body and officers, and meets any of the following requirements:

a. Is exempt from federal income taxes under section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code as defined in [section 422.3](#).

b. Is an agency or instrumentality of the United States government, this state, or a political subdivision of this state.

c. Is a parent-teacher organization or booster club that is recognized as a fund-raiser and supporter for a school district organized pursuant to [chapter 274](#) or for a school within the school district, in a notarized letter signed by the president of the board of directors, the superintendent of the school district, or a principal of a school within that school district.

d. Is a political party, as defined in [section 43.2](#), or a nonparty political organization that has qualified to place a candidate as its nominee for statewide office pursuant to [chapter 44](#), or to a candidate's committee as defined in [section 68A.102](#).

30. "Raffle" means a lottery in which each participant buys an entry for a chance at a prize with the winner determined by a random method and the winner is not required to be present to win. "Raffle" does not include a slot machine.

31. "Swap game" means any game or phase of a game in which a participant spins reels or simulated reels and may choose to swap, move, or substitute one or more icons or symbols to create a winning combination or pattern.

[C75, 77, 79, 81, §99B.1; 81 Acts, ch 44, §1 - 3]

84 Acts, ch 1220, §3; 86 Acts, ch 1042, §1; 86 Acts, ch 1201, §1; 86 Acts, ch 1245, §711; 87 Acts, ch 115, §14; 89 Acts, ch 231, §13 - 15; 90 Acts, ch 1233, §4; 94 Acts, ch 1062, §1; 2000 Acts, ch 1130, §1; 2003 Acts, ch 178, §102, 121; 2003 Acts, ch 179, §142; 2004 Acts, ch 1019, §3; 2004 Acts, ch 1118, §1, 11; 2007 Acts, ch 173, §1; 2008 Acts, ch 1032, §187; 2015 Acts, ch 99, §1 - 6; 2021 Acts, ch 100, §1, 2; 2023 Acts, ch 19, §1865, 2295; 2023 Acts, ch 128, §1, 3

Referred to in §99B.12, 99D.8, 99F.5, 99F.6, 423.3, 717E.1

NEW subsection 3 and former subsection 3 renumbered as 4

NEW subsection 5 and former subsections 4-12 renumbered as 6 - 14

Former subsection 13 amended and renumbered as 15 and former subsections 14 - 21 renumbered as 16 - 23

Former subsection 22 amended and renumbered as 24 and former subsections 23 - 29 renumbered as 25 - 31