

531—13.12(99G) Placement of lottery equipment. The chief executive officer shall determine the need for and type of lottery equipment to be installed at licensee sales outlet locations. Decisions regarding placement of lottery equipment shall be at the sole discretion of the chief executive officer. In the exercise of discretion, the chief executive officer may consider any of the following:

1. The availability of equipment.
2. The suitability of the type of equipment for the specific retail outlet under consideration.
3. The location, equipment, business type and proximity of other extant retail outlets compared with an outlet under consideration.
4. The sufficiency of existing licensed outlets to serve the public convenience.
5. Such minimum sales criteria as may be appropriate based on current market conditions.
6. The cost of equipment and potential return on lottery investment.
7. Such other factors as the chief executive officer may deem appropriate to the exercise of prudent business judgment in reaching a decision.

The decision of the chief executive officer regarding placement of equipment is solely discretionary and final.

This rule is intended to implement Iowa Code Supplement sections 99G.9(3), 99G.7, and 99G.21.