

**481—100.13(99B) Penalties.** Gambling licenses may be revoked for a period of two years. Exceptions are noted. The licensee shall have ceased doing business during the minimum continuous period of revocation. After the period of revocation, application must be submitted for a new license to be issued. An applicant shall prove deficiencies have been corrected.

When a license issued under Iowa Code chapter 99B or 123 is revoked and the license applied to a specific location, no one may have a gambling license for that location until the entire revocation period elapses.

The following criteria determine the period of revocation:

**100.13(1)** Failure to timely dedicate or distribute 75 percent of net receipts may result in revocation for a period of not longer than 60 days for each violation. Each failure is one violation.

**100.13(2)** Failure to dedicate or distribute 75 percent of net receipts within ten days following written notification by the department may result in revocation for at least 90 days for each violation. Each failure is one violation.

**100.13(3)** Failure to use dedicated receipts for purposes specified in Iowa Code section 99B.7(3) “b” may result in revocation for at least one year for each violation. Each failure is one violation.

**100.13(4)** Donating receipts knowing that the receipts will not be used for purposes specified in Iowa Code section 99B.7(3) “b” may result in revocation for at least one year for each violation. Each donation is one violation.

**100.13(5)** Failure to file a timely report for a quarter in which gambling activities were conducted may result in revocation for a period no longer than 30 days for a violation. The revocation shall continue until the report is filed, but not longer than two years. Each untimely report is one violation.

**100.13(6)** Intentionally filing a false or fraudulent gambling report or application may result in a revocation of two years for any violation.

**100.13(7)** The operation, either directly or indirectly, of a bingo occasion by the owner of a building leased or rented for bingo purposes may result in a revocation of two years for any violation.

**100.13(8)** The operation, either directly or indirectly, of a bingo occasion by an individual who sells bingo equipment or supplies may result in a revocation of two years for any violation.

**100.13(9)** A license is revoked for a minimum of one year for the following:

*a.* Games conducted are not in compliance with Iowa Code chapter 99B or 481—Chapters 100 to 103;

*b.* Fraudulent games are held;

*c.* Unauthorized expenses are paid;

*d.* Authorized expenses are unreasonable; or

*e.* Bingo occasions are longer than allowable limits.

**100.13(10)** A license is revoked for a maximum of two years for the following:

*a.* Records are not adequate or do not comply with rules;

*b.* Records are not made available for inspection or audit;

*c.* A license issued under the Iowa alcoholic beverage control Act is suspended because of conviction or guilty plea to a criminal violation of Iowa alcoholic beverage control Act;

*d.* Violation of any gambling statute or rule occurs on licensed premises;

*e.* An individual who sells bingo supplies or equipment is involved directly or indirectly in the operation of bingo games or in the control or use of bingo funds in the licensee’s bingo checking or savings accounts; or

*f.* An owner or lessor of a building rented or leased for operation of bingo games is involved directly or indirectly in the conduct of bingo or in the control or use of bingo funds in the licensee’s bingo checking or savings accounts.

**100.13(11)** Revocation of a gambling license is permanent when a license issued under Iowa alcoholic beverage control Act is revoked because of conviction of or guilty plea to a criminal violation of the:

*a.* Iowa gambling law, or

*b.* Iowa alcoholic beverage control Act.

**100.13(12)** If the division issued a final revocation order prior to July 1, 1984, the revocation is permanent. Final revocation orders issued by the division after June 30, 1984, shall not exceed two years. See Attorney General Opinion Williams to Bair, August 7, 1984.

The date of a final revocation order is the date of the director's order or the date the administrative law judge's order becomes final.

**100.13(13)** The director of the department may use discretion to set the length of revocation for a violation not set out specifically in gambling rules or statutes.

This rule is intended to implement Iowa Code section 99B.7.