

701—235.4(453E) Permit cancellation, suspension, and revocation.

235.4(1) *No proration or refund of permit fees.* Permit fees for device retailer and device delivery sale permits are not subject to proration or refund in the event the permit is canceled, suspended, or revoked.

235.4(2) *Administrative procedure for permit suspensions and revocations.* Any permit suspension or revocation by the department under Iowa Code chapter 453E and this rule is subject to the requirements of “contested case procedures” and “license and permit denials and revocations” contained in 701—Chapter 7.

235.4(3) *Notice and hearing.* The department may revoke or suspend a retail device or device delivery sale permit pursuant to Iowa Code section 453E.7 after giving the permit holder notice and an opportunity to be heard.

235.4(4) *Delinquency of tax, penalty, or interest.* Rule 701—201.10(423) provides information on the term “substantially delinquent” in paying a tax.

a. The department may revoke the permit of any permit holder who becomes substantially delinquent in paying any tax that is administered by the department or the interest or penalty on the tax.

b. If the permit holder is a corporation, the department may revoke the permit if any officer with a substantial legal or equitable interest in the ownership of the corporation owes any delinquent tax, penalty, or interest of the applicant corporation. In this latter instance, the corporation must initially owe the delinquent tax, penalty, or interest and the officer must be personally and secondarily liable for the tax.

c. If the permit holder is a partnership, a permit cannot be revoked for a partner’s substantial delinquency in paying any tax, penalty, or interest that is not a liability of the partnership.

235.4(5) *Revocation by a local jurisdiction.*

a. Any permit revocation by a board of supervisors or city council is subject to the procedure or policy adopted by such board or council.

b. Local authorities must inform the department of any revocation and suspension of device retail permits by the local authority within 30 days of the suspension or revocation. Notification must be made electronically through GovConnectIowa unless the local authority has received permission from the director to use another method.

235.4(6) *Revocation for child support violations.*

a. The department will revoke a permit of a permit holder who is an individual if the department has received a certificate of noncompliance from child support services in regard to the permit holder unless the unit furnishes the department with a withdrawal of the certificate of noncompliance.

b. The board of supervisors or the city council that issued a retail permit is required by Iowa Code chapter 252J to revoke the permit of any retailer who is an individual if the board or council has received a certificate of noncompliance from child support services in regard to the retailer unless the unit furnishes the board or council with a withdrawal of the certificate of noncompliance.

235.4(7) *Waiting period.* Once the permit is revoked or suspended under this rule, the permittee cannot obtain another device retailer or device delivery sale permit, nor may a device retailer or device delivery sale permit be issued for the location covered by the revoked or suspended permit, regardless of the identity of the applicant, for a period of at least one year unless the applicant shows good cause to the contrary.

This rule is intended to implement Iowa Code chapter 252J and sections 453A.22 and 453E.7.

[ARC 9710C, IAB 11/12/25, effective 12/17/25]