

reprinted 23-89

FEB: 1989

HOUSE FILE 201

ECONOMIC DEVELOPMENT
DO PASS RECOMMEND 216-89 (p.507)

BY JOCHUM, MILLER, SPENNER,
and SHEARER

Passed House, Date 3-1-89 (p.615) Passed Senate, Date _____
Vote: Ayes 86 Nays 5 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation of lotteries, lottery tickets,
2 and other games of chance, or contest, by amending provisions
3 relating to advertising.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 201

1 Section 1. Section 725.12, unnumbered paragraph 1, Code
2 1989, is amended to read as follows:

3175 3 If any person make or aid in making or establishing, or
4 advertise or make public a scheme for a lottery; or advertise,
5 offer for sale, sell, negotiate, dispose of, purchase, or
6 receive a ticket or part of a ticket in a lottery or number of
7 a ticket in a lottery; or have in the person's possession a
8 ticket, part of a ticket, or paper purporting to be the number
9 of a ticket of a lottery, with intent to sell or dispose of
10 the ticket, part of a ticket, or paper on the person's own
11 account or as the agent of another, the person commits a
12 serious misdemeanor. However, this section does not prohibit
13 the advertising of a lottery or possession by a person of a
14 lottery ticket, part of a ticket, or number of a lottery
15 ticket from a lottery legally operated or permitted under the
-16 laws of another jurisdiction or the advertising of a
3176 17 promotional lottery game of chance, contest, or activity of a
18 business, charitable, religious, social, or commercial
19 organization which is clearly occasional and ancillary to the
20 primary business or activity of the organization conducting
3177 21 the game, context, or activity.

22 EXPLANATION

23 This bill permits the advertising of lotteries which are
24 legal in other jurisdictions and specifically authorizes the
25 advertising of promotional lottery games, contests, or
26 activities of businesses providing those games, contests, or
27 activities are merely ancillary to the primary business being
28 conducted.

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HOUSE FILE 201

H-3149

- 1 Amend House File 201 as follows:
- 2 1. Page 1, by striking line 17, and inserting the
- 3 following: "lottery, game of chance, bingo game,
- 4 contest, or other promotional activity of a".

By SPEAR of Lee

H-3149 FILED FEBRUARY 14, 1989

deferred 3-1-89 (p.614) - Out of Order 3-1-89 (p.614)

HOUSE FILE 201

H-3151

- 1 Amend House File 201 as follows:
- 2 1. Page 1, line 21, by striking the word
- 3 "context" and inserting the following: "contest".

By SPEAR of Lee

H-3151 FILED FEBRUARY 14, 1989

Out of Order 3-1-89 (p.614)

HOUSE FILE 201

H-3163

- 1 Amend House File 201 as follows:
- 2 1. Page 1, line 21, by striking the word
- 3 "context" and inserting the following: "contest".

By COMMITTEE ON ECONOMIC DEVELOPMENT
SWARTZ of Marshall, Chairperson

H-3163 FILED FEBRUARY 16, 1989

Adopted 3-1-89 (p.614)

HOUSE FILE 201

H-3170

- 1 Amend House File 201, as follows:
- 2 1. Page 1, by inserting after line 21, the
- 3 following:
- 4 "Sec. ____ . This Act takes effect May 1, 1990."
- 5 2. Title page, line 3, by inserting after the
- 6 word "advertising" the following: ", and providing an
- 7 effective date".

By GRONINGA of Cerro Gordo

H-3170 FILED FEBRUARY 16, 1989

Adopted 3-1-89 (p.614)

HOUSE FILE 201

H-3175

- 1 Amend House File 201, as follows:
- 2 1. Page 1, by striking lines 16 through 21 and
- 3 inserting the following: "laws of another
- 4 jurisdiction. This section also does not prohibit the
- 5 advertising of a lottery, game of chance, contest, or
- 6 activity conducted by a not-for-profit organization
- 7 that would qualify as tax exempt under section 501 of
- 8 the Internal Revenue Code, as defined in section
- 9 422.3, or conducted as a promotional activity by a
- 10 commercial organization which is clearly occasional
- 11 and ancillary to the primary business of that
- 12 organization."

By CONNOLLY of Dubuque

H-3175 FILED FEBRUARY 20, 1989

Adopted 3-1-89 (p.614)

When State Gov.
Do Pass 3-21-89 (p. 954)

HOUSE FILE 201

BY JOCHUM, MILLER, SPENNER,
and SHEARER

(As Amended and Passed by the House March 1, 1989)

Passed House, Date _____ Passed Senate, Date 4-12-89 (p. 1401)
Vote: Ayes _____ Nays _____ Vote: Ayes 44 Nays 0
Approved 4-27-89 (p. 2137)

A BILL FOR

1 An Act relating to the regulation of lotteries, lottery tickets,
2 and other games of chance, or contest, by amending provisions
3 relating to advertising, and providing an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 725.12, unnumbered paragraph 1, Code
2 1989, is amended to read as follows:

3 If any person make or aid in making or establishing, or
4 advertise or make public a scheme for a lottery; or advertise,
5 offer for sale, sell, negotiate, dispose of, purchase, or
6 receive a ticket or part of a ticket in a lottery or number of
7 a ticket in a lottery; or have in the person's possession a
8 ticket, part of a ticket, or paper purporting to be the number
9 of a ticket of a lottery, with intent to sell or dispose of
10 the ticket, part of a ticket, or paper on the person's own
11 account or as the agent of another, the person commits a
12 serious misdemeanor. However, this section does not prohibit
13 the advertising of a lottery or possession by a person of a
14 lottery ticket, part of a ticket, or number of a lottery
15 ticket from a lottery legally operated or permitted under the
16 laws of another jurisdiction. This section also does not
17 prohibit the advertising of a lottery, game of chance,
18 contest, or activity conducted by a not-for-profit
19 organization that would qualify as tax exempt under section
20 501 of the Internal Revenue Code, as defined in section 422.3,
21 or conducted as a promotional activity by a commercial
22 organization which is clearly occasional and ancillary to the
23 primary business of that organization.

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24 Sec. 2. This Act takes effect May 1, 1990.

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HOUSE FILE 201

S-3679

1 Amend House File 201, as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, line 16, by inserting after the word
4 "jurisdiction" the following: "provided that the
5 laws of that jurisdiction do not prohibit the
6 advertising of a lottery legally operated or permitted
7 by this state or the possession by a person within
8 that other jurisdiction of a lottery ticket, part of a
9 ticket, or number of a lottery ticket from a similar
10 or equivalent lottery legally operated or permitted by
11 this state".

By JIM LIND

S-3679 FILED APRIL 12, 1989

LOST 4-12-89 (p1401)

HOUSE FILE 201

S-3320

1 Amend House File 201, as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, line 16, by inserting after the word
4 "jurisdiction" the following: "provided that the
5 laws of that jurisdiction do not prohibit the
6 advertising of a lottery legally operated or permitted
7 by this state or the possession by a person within
8 that other jurisdiction of a lottery ticket, part of a
9 ticket, or number of a lottery ticket from a lottery
10 legally operated or permitted by this state".
11 2. Page 1, by inserting after line 23, the
12 following:
13 "Sec. ____ . 1985 Iowa Acts, chapter 33, section
14 129, is repealed."
15 3. By renumbering as necessary.

By JIM LIND

S-3320 FILED MARCH 20, 1989

cut of Order 4-12-89 (p. 1387)

organization which is clearly occasional and ancillary to the primary business of that organization.

Sec. 2. This Act takes effect May 1, 1990.

HOUSE FILE 201

AN ACT

RELATING TO THE REGULATION OF LOTTERIES, LOTTERY TICKETS, AND OTHER GAMES OF CHANCE, OR CONTEST, BY AMENDING PROVISIONS RELATING TO ADVERTISING, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 725.12, unnumbered paragraph 1, Code 1989, is amended to read as follows:

If any person make or aid in making or establishing, or advertise or make public a scheme for a lottery; or advertise, offer for sale, sell, negotiate, dispose of, purchase, or receive a ticket or part of a ticket in a lottery or number of a ticket in a lottery; or have in the person's possession a ticket, part of a ticket, or paper purporting to be the number of a ticket of a lottery, with intent to sell or dispose of the ticket, part of a ticket, or paper on the person's own account or as the agent of another, the person commits a serious misdemeanor. However, this section does not prohibit the advertising of a lottery or possession by a person of a lottery ticket, part of a ticket, or number of a lottery ticket from a lottery legally operated or permitted under the laws of another jurisdiction. This section also does not prohibit the advertising of a lottery, game of chance, contest, or activity conducted by a not-for-profit organization that would qualify as tax exempt under section 501 of the Internal Revenue Code, as defined in section 422.1, or conducted as a promotional activity by a commercial

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 201, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 27, 1989

TERRY E. BRANSTAD
Governor

HF 201