

Reprinted

MAY 2 1992

HOUSE FILE 2489

BY MCKINNEY

STATE GOVERNMENT

(COMPANION TO LSB 6365SS

BY HUTCHINS)

Passed House, Date 5/3/92 (p. 2118) Passed Senate, Date 5/3/92 (A 1802)
 Vote: Ayes 90 Nays 0 Vote: Ayes 45 Nays 0
 Approved 5/14/92

A BILL FOR

1 An Act relating to the inspection of slot machines prior to
 2 installation on an excursion gambling boat and making
 3 technical corrections to pari-mutuel wagering and gambling
 4 game amendments, and providing effective and applicability
 5 dates.

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

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HF 2489

1 Section 1. Section 99D.11, subsection 5, Code Supplement
2 1991, as amended by 1992 Iowa Acts, Senate File 2249, section
3 3, is amended to read as follows:

4 5. As each race is run the licensee shall deduct sixteen
5 percent from the total sum wagered on all horses or dogs as
6 first winners. However, the commission shall authorize at the
7 request of the licensee a deduction of a higher or lower
8 percentage of the total sum wagered not to exceed eighteen
9 percent and the additional deduction shall be retained by the
10 licensee. The balance, after deducting breakage, shall be
11 paid to the holders of certificates on the winning horse or
12 dog in the proportion that the amount wagered by each
13 certificate holder bears to the total amount wagered on all
14 horses or dogs in the race as first winners. The licensee may
15 pay a larger amount if approved by the commission. The
16 licensee shall likewise receive other wagers on horses or dogs
17 in places or combinations the commission may authorize. The
18 method, procedure, and the authority and right of the
19 licensee, as well as the deduction allowed to the licensee,
20 shall be as specified with respect to wagers upon horses or
21 dogs selected to run first. However, the commission shall
22 authorize at the request of the licensee a deduction of a
23 higher or lower percent of the total sum wagered not to exceed
24 twenty-four percent on multiple or exotic wagering involving
25 not more than two horses or dogs. The deduction authorized
26 above twenty percent on the multiple or exotic wagering
27 involving not more than two dogs or horses shall be retained
28 by the licensee. For exotic wagering involving three or more
29 horses or dogs, the commission shall authorize at the request
30 of the licensee a deduction of a higher or lower percent of
31 the total sum wagered but ~~not more than a total sum wagered of~~
32 to exceed twenty-five percent on the exotic wagers. The
33 additional deduction authorized above twenty-two percent on
34 the multiple or exotic wagers involving more than two horses
35 or dogs shall be retained by the licensee. One percent of the

1 exotic wagers on three or more horses or dogs shall be
2 distributed as provided in section 99D.12.

3 Sec. 2. Section 99D.15, subsection 3, Code Supplement
4 1991, as amended by 1992 Iowa Acts, Senate File 2249, section
5 9, is amended to read as follows:

6 d. If the gross sum wagered at a racetrack for the 1992
7 1991-1992 racing season is less than twenty million dollars,
8 the licensee may retain up to three hundred eighty thousand
9 dollars of its tax liability for the 1992 1991-1992 racing
10 season as a no interest loan. The loan shall be repaid to the
11 treasurer of state in four equal annual installments. The
12 first installment is due and payable at the conclusion of the
13 1993 1992-1993 racing season and an additional installment is
14 due and payable at the conclusion of each succeeding racing
15 season ending with the 1996 1995-1996 racing season. A lien
16 in favor of the state shall attach to the property of the
17 taxpayer as provided in section 422.26 when the tax payment
18 would otherwise be due and may be enforced by the state upon
19 the delinquency of the loan repayment.

20 Sec. 3. NEW SECTION. 99F.17A INSPECTION OF SLOT
21 MACHINES.

22 The representative of a licensed manufacturer or
23 distributor of gambling games who takes delivery of slot
24 machines under section 99F.17, subsection 5, shall deliver
25 those slot machines to a land-based facility approved by the
26 commission for inspection and approval prior to installation.
27 Slot machines passing inspection and receiving approval may
28 then be installed on an excursion gambling boat.

29 Sec. 4. 1992 Iowa Acts, Senate File 2249, section 21, is
30 amended to read as follows:

31 SEC. 21. EFFECTIVE DATES. Sections 5, 9, 12, 13, and 14,
32 16, and 17 of this Act and this section, being deemed of
33 immediate importance, take effect upon enactment. Sections 12
34 and 13 of this Act apply retroactively to January 1, 1992.
35 Section 9 of the Act applies retroactively to April 1, 1992.

1 Sections 5, and 14, 16, and 17 of this Act apply retroactively
2 to May 1, 1992. The remaining sections of this Act take
3 effect on July 1, 1992.

4 Sec. 5. EFFECTIVE AND APPLICABILITY DATES.

5 1. This Act, being deemed of immediate importance, takes
6 effect upon enactment. However, sections 1 and 3 of this Act
7 take effect July 1, 1992.

8 2. Section 2 of this Act applies retroactively to April 1,
9 1992.

10 EXPLANATION

11 This bill requires that slot machines pass an inspection
12 and approval at a land-based facility approved by the racing
13 and gaming commission prior to their installation on an
14 excursion gambling boat.

15 The bill also makes technical corrections to provisions of
16 1992 Iowa Acts, Senate File 2249, relating to deductions from
17 the total sum wagered by pari-mutuel licensees, to authorize a
18 dog racetrack to request a loan from its taxes paid to the
19 state, and to provide uniform effective dates for gambling
20 game amendments.

21 This bill takes effect upon enactment except that sections
22 1 and 3 take effect July 1, 1992, and section 2 applies
23 retroactively to April 1, 1992.

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HOUSE FILE 2489

H-6099

- 1 Amend House File 2489 as follows:
- 2 1. Title page, line 1, by inserting after the
- 3 word "machines" the following: "or video games of
- 4 change".

By BISIGNANO of Polk

H-6099 FILED MAY 3, 1992

ADOPTED BY UNANIMOUS CONSENT (p. 2117)

HOUSE FILE 2489

H-6097

- 1 Amend House File 2489 as follows:
- 2 1. Page 2, line 21, by inserting after the word
- 3 "MACHINES" the following: "OR VIDEO GAMES OF CHANCE".
- 4 2. Page 2, line 24, by inserting after the word
- 5 "machines" the following: "or video games of chance".
- 6 3. Page 2, line 25, by inserting after the word
- 7 "machines" the following: "or video games of chance".
- 8 4. Page 2, line 27, by inserting after the word
- 9 "machines" the following: "or video games of chance".

By COMMITTEE ON STATE GOVERNMENT
BLANSHAN of Greene, Chairperson

H-6097 FILED MAY 2, 1992

ADOPTED (p. 2117)

Sen. State Gov't. 5/3, No Pass

HOUSE FILE 2489
BY MCKINNEY

(COMPANION TO LSB 6365SS
BY HUTCHINS)

(As Amended and Passed by the House May 3, 1992)

Passed House, Date 5/3/92 (p. 2118) Passed Senate, Date 5/3/92 (p. 1802)
Vote: Ayes 90 Nays 0 Vote: Ayes 45 Nays 0
Approved May 14, 1992

A BILL FOR

1 An Act relating to the inspection of slot machines or video games
2 of chance prior to installation on an excursion gambling boat
3 and making technical corrections to pari-mutuel wagering and
4 gambling game amendments, and providing effective and
5 applicability dates.

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

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House Amendments _____

1 Section 1. Section 99D.11, subsection 5, Code Supplement
2 1991, as amended by 1992 Iowa Acts, Senate File 2249, section
3 3, is amended to read as follows:

4 5. As each race is run the licensee shall deduct sixteen
5 percent from the total sum wagered on all horses or dogs as
6 first winners. However, the commission shall authorize at the
7 request of the licensee a deduction of a higher or lower
8 percentage of the total sum wagered not to exceed eighteen
9 percent and the additional deduction shall be retained by the
10 licensee. The balance, after deducting breakage, shall be
11 paid to the holders of certificates on the winning horse or
12 dog in the proportion that the amount wagered by each
13 certificate holder bears to the total amount wagered on all
14 horses or dogs in the race as first winners. The licensee may
15 pay a larger amount if approved by the commission. The
16 licensee shall likewise receive other wagers on horses or dogs
17 in places or combinations the commission may authorize. The
18 method, procedure, and the authority and right of the
19 licensee, as well as the deduction allowed to the licensee,
20 shall be as specified with respect to wagers upon horses or
21 dogs selected to run first. However, the commission shall
22 authorize at the request of the licensee a deduction of a
23 higher or lower percent of the total sum wagered not to exceed
24 twenty-four percent on multiple or exotic wagering involving
25 not more than two horses or dogs. The deduction authorized
26 above twenty percent on the multiple or exotic wagering
27 involving not more than two dogs or horses shall be retained
28 by the licensee. For exotic wagering involving three or more
29 horses or dogs, the commission shall authorize at the request
30 of the licensee a deduction of a higher or lower percent of
31 the total sum wagered ~~but not more than a total sum wagered of~~
32 to exceed twenty-five percent on the exotic wagers. The
33 additional deduction authorized above twenty-two percent on
34 the multiple or exotic wagers involving more than two horses
35 or dogs shall be retained by the licensee. One percent of the

1 exotic wagers on three or more horses or dogs shall be
2 distributed as provided in section 99D.12.

3 Sec. 2. Section 99D.15, subsection 3, Code Supplement
4 1991, as amended by 1992 Iowa Acts, Senate File 2249, section
5 9, is amended to read as follows:

6 d. If the gross sum wagered at a racetrack for the ~~1992~~
7 1991-1992 racing season is less than twenty million dollars,
8 the licensee may retain up to three hundred eighty thousand
9 dollars of its tax liability for the ~~1992~~ 1991-1992 racing
10 season as a no interest loan. The loan shall be repaid to the
11 treasurer of state in four equal annual installments. The
12 first installment is due and payable at the conclusion of the
13 ~~1993~~ 1992-1993 racing season and an additional installment is
14 due and payable at the conclusion of each succeeding racing
15 season ending with the ~~1996~~ 1995-1996 racing season. A lien
16 in favor of the state shall attach to the property of the
17 taxpayer as provided in section 422.26 when the tax payment
18 would otherwise be due and may be enforced by the state upon
19 the delinquency of the loan repayment.

20 Sec. 3. NEW SECTION. 99F.17A INSPECTION OF SLOT MACHINES
21 OR VIDEO GAMES OF CHANCE.

22 The representative of a licensed manufacturer or
23 distributor of gambling games who takes delivery of slot
24 machines or video games of chance under section 99F.17,
25 subsection 5, shall deliver those slot machines or video games
26 of chance to a land-based facility approved by the commission
27 for inspection and approval prior to installation. Slot
28 machines or video games of chance passing inspection and
29 receiving approval may then be installed on an excursion
30 gambling boat.

31 Sec. 4. 1992 Iowa Acts, Senate File 2249, section 21, is
32 amended to read as follows:

33 SEC. 21. EFFECTIVE DATES. Sections 5, 9, 12, 13, and 14,
34 16, and 17 of this Act and this section, being deemed of
35 immediate importance, take effect upon enactment. Sections 12

1 and 13 of this Act apply retroactively to January 1, 1992.
2 Section 9 of the Act applies retroactively to April 1, 1992.
3 Sections 5, and 14, 16, and 17 of this Act apply retroactively
4 to May 1, 1992. The remaining sections of this Act take
5 effect on July 1, 1992.

6 Sec. 5. EFFECTIVE AND APPLICABILITY DATES.

7 1. This Act, being deemed of immediate importance, takes
8 effect upon enactment. However, sections 1 and 3 of this Act
9 take effect July 1, 1992.

10 2. Section 2 of this Act applies retroactively to April 1,
11 1992.

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HOUSE FILE 2489

AN ACT

RELATING TO THE INSPECTION OF SLOT MACHINES OR VIDEO GAMES OF CHANCE PRIOR TO INSTALLATION ON AN EXCURSION GAMBLING BOAT AND MAKING TECHNICAL CORRECTIONS TO PARI-MUTUEL WAGERING AND GAMBLING GAME AMENDMENTS, AND PROVIDING EFFECTIVE AND APPLICABILITY DATES.

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

Section 1. Section 99D.11, subsection 5, Code Supplement 1991, as amended by 1992 Iowa Acts, Senate File 2249, section 3, is amended to read as follows:

5. As each race is run the licensee shall deduct sixteen percent from the total sum wagered on all horses or dogs as first winners. However, the commission shall authorize at the request of the licensee a deduction of a higher or lower percentage of the total sum wagered not to exceed eighteen

percent and the additional deduction shall be retained by the licensee. The balance, after deducting breakage, shall be paid to the holders of certificates on the winning horse or dog in the proportion that the amount wagered by each certificate holder bears to the total amount wagered on all horses or dogs in the race as first winners. The licensee may pay a larger amount if approved by the commission. The licensee shall likewise receive other wagers on horses or dogs in places or combinations the commission may authorize. The method, procedure, and the authority and right of the licensee, as well as the deduction allowed to the licensee, shall be as specified with respect to wagers upon horses or dogs selected to run first. However, the commission shall authorize at the request of the licensee a deduction of a higher or lower percent of the total sum wagered not to exceed twenty-four percent on multiple or exotic wagering involving not more than two horses or dogs. The deduction authorized above twenty percent on the multiple or exotic wagering involving not more than two dogs or horses shall be retained by the licensee. For exotic wagering involving three or more horses or dogs, the commission shall authorize at the request of the licensee a deduction of a higher or lower percent of the total sum wagered but not more than a total sum wagered of to exceed twenty-five percent on the exotic wagers. The additional deduction authorized above twenty-two percent on the multiple or exotic wagers involving more than two horses or dogs shall be retained by the licensee. One percent of the exotic wagers on three or more horses or dogs shall be distributed as provided in section 99D.12.

Sec. 2. Section 99D.15, subsection 3, Code Supplement 1991, as amended by 1992 Iowa Acts, Senate File 2249, section 9, is amended to read as follows:

d. If the gross sum wagered at a racetrack for the 1992 1991-1992 racing season is less than twenty million dollars, the licensee may retain up to three hundred eighty thousand

dollars of its tax liability for the 1992 1991-1992 racing season as a no interest loan. The loan shall be repaid to the treasurer of state in four equal annual installments. The first installment is due and payable at the conclusion of the ~~1993~~ 1992-1993 racing season and an additional installment is due and payable at the conclusion of each succeeding racing season ending with the 1996 1995-1996 racing season. A lien in favor of the state shall attach to the property of the taxpayer as provided in section 422.26 when the tax payment would otherwise be due and may be enforced by the state upon the delinquency of the loan repayment.

Sec. 3. NEW SECTION. 99F.17A INSPECTION OF SLOT MACHINES OR VIDEO GAMES OF CHANCE.

The representative of a licensed manufacturer or distributor of gambling games who takes delivery of slot machines or video games of chance under section 99F.17, subsection 5, shall deliver those slot machines or video games of chance to a land-based facility approved by the commission for inspection and approval prior to installation. Slot machines or video games of chance passing inspection and receiving approval may then be installed on an excursion gambling boat.

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SEC. 21. EFFECTIVE DATES. Sections 5, 9, 12, 13, and 14, 16, and 17 of this Act and this section, being deemed of immediate importance, take effect upon enactment. Sections 12 and 13 of this Act apply retroactively to January 1, 1992. Section 9 of the Act applies retroactively to April 1, 1992. Sections 5, and 14, 16, and 17 of this Act apply retroactively to May 1, 1992. The remaining sections of this Act take effect on July 1, 1992.

Sec. 5. EFFECTIVE AND APPLICABILITY DATES.

1. This Act, being deemed of immediate importance, takes effect upon enactment. However, sections 1 and 3 of this Act take effect July 1, 1992.

2. Section 2 of this Act applies retroactively to April 1, 1992.

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2489, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 14, 1992

TERRY E. BRANSTAD
Governor