

# Senate Study Bill 220

## Bill Text

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1 1 Section 1. Section [99D.7](#), subsection 18, Code 1997, is  
1 2 amended to read as follows:  
1 3 18. To revoke or suspend licenses and impose fines

~~not to~~

1 4

~~exceed one thousand dollars~~

1 5 Sec. 2. Section [99D.9](#), Code 1997, is amended by adding the  
1 6 following new subsection:

1 7 NEW SUBSECTION. 6A. A licensee shall not claim as an  
1 8 expense more than one percent of the cash value of all checks  
1 9 accepted by the licensee and dishonored by the financial  
1 10 institutions upon which the checks were drawn during the  
1 11 preceding fiscal year.

1 12 Sec. 3. Section [99D.11](#), subsection 7, Code 1997, is  
1 13 amended to read as follows:

1 14 7. A person under the age of twenty-one years shall not  
1 15 make or attempt to make a pari-mutuel wager. A person who  
1 16 violates this subsection commits a scheduled violation under  
1 17 section 805.8, subsection 13.

1 18 Sec. 4. Section [99D.11](#), Code 1997, is amended by adding  
1 19 the following new subsection:

1 20 NEW SUBSECTION. 8. A licensee shall not permit the  
1 21 operation of a satellite terminal as defined in section 527.2  
1 22 to dispense cash or credit for gambling purposes within the  
1 23 area of a pari-mutuel racetrack enclosure where gambling is  
1 24 being conducted.

1 25 Sec. 5. Section [99D.15](#), subsection 3, paragraph d, Code  
1 26 1997, is amended by striking the paragraph.

1 27 Sec. 6. Section [99D.25A](#), subsections 6, 7, and 8, Code  
1 28 1997, are amended to read as follows:

1 29 6. Once a horse has been permitted the use of lasix,

~~it~~

1 30 the horse must be treated with lasix in the horse's stall.  
1 31 unless the commission provides that the horse must be brought  
1 32 to the detention barn for treatment not less than four hours  
1 33 prior to scheduled post time for the race in which it is  
1 34 entered to start. After the lasix treatment, the commission,  
1 35 by rule, may authorize the release of the horse from the  
2 1 horse's stall or detention barn before the scheduled post  
2 2 time. If a horse is brought to the detention barn late, the  
2 3 commission shall assess a civil penalty of one hundred dollars  
2 4 against the trainer.

2 5 7. A horse entered to race with lasix must be treated at  
2 6 least four hours prior to post time. The lasix shall be  
2 7 administered intravenously by a veterinarian employed by the  
2 8 owner or trainer of the horse

~~under the visual supervision of~~

2 9

~~the commission veterinarian~~

~~2 10 to ensure that lasix is administered as provided in this~~  
~~2 11 section. The commission shall require that the practicing~~  
~~2 12 veterinarian~~

~~must deposit with the commission veterinarian at~~

~~2 13~~

~~the detention barn an unopened supply of lasix and sterile~~

~~2 14~~

~~hypodermic needles and syringes to be used for the~~

~~2 15~~

~~administrations~~

~~2 16 is signed by the veterinarian and certifies information~~  
~~2 17 regarding the treatment of the horse. The affidavit must be~~  
~~2 18 delivered to a commission veterinarian within twenty minutes~~  
~~2 19 following the treatment. The affidavit shall include at least~~  
~~2 20 the name of the practicing veterinarian, the tattoo number of~~  
~~2 21 the horse, the location of the barn and stall where the~~  
~~2 22 treatment occurred, the race number of the horse, the name of~~  
~~2 23 the trainer, and the time that the lasix was administered.~~  
2 24 Lasix shall only be administered in a dose level of two  
2 25 hundred fifty milligrams.

~~The commission veterinarian shall~~

~~2 26~~

~~extract a test sample of the horse's blood, urine, or saliva~~

~~2 27~~

~~to determine whether the horse was improperly drugged after~~

~~2 28~~

~~the race is run.~~

2 29 8. A person found within or in the immediate vicinity of  
2 30 the detention barn or horse stall who is in possession of  
2 31 unauthorized drugs or hypodermic needles or who is not  
2 32 authorized to possess drugs or hypodermic needles shall, in  
2 33 addition to any other penalties, be barred from entry into any  
2 34 racetrack in Iowa and any occupational license the person  
2 35 holds shall be revoked.

3 1 Sec. 7. Section [99E.16](#), subsection 7, paragraph a, Code  
3 2 1997, is amended to read as follows:

3 3 a. The applicant is at least

~~eighteen~~

~~twenty-one years of~~

3 4 age.

3 5 Sec. 8. Section [99E.18](#), Code 1997, is amended by adding  
3 6 the following new subsection:

3 7 NEW SUBSECTION. 5. A person under the age of twenty-one  
3 8 years shall not purchase, or attempt to purchase, a ticket or  
3 9 share. A person who violates this subsection commits a  
3 10 scheduled violation under section 805.8, subsection 13.

3 11 Sec. 9. Section [99F.7](#), Code 1997, is amended by adding the

3 12 following new subsection:

3 13 NEW SUBSECTION. 17. A licensee shall not claim as an  
3 14 expense more than one percent of the cash value of all checks  
3 15 accepted by the licensee and dishonored by the financial  
3 16 institutions upon which the checks were drawn during the  
3 17 preceding fiscal year.

3 18 Sec. 10. Section 99F.9, subsection 5, Code 1997, is  
3 19 amended to read as follows:

3 20 5. A person under the age of twenty-one years shall not  
3 21 attempt to make or make a wager on an excursion gambling boat  
3 22 or in a racetrack enclosure and shall not be allowed in the  
3 23 area of the excursion gambling boat or racetrack enclosure  
3 24 where gambling is being conducted. A person who violates this  
3 25 subsection with respect to a wager commits a scheduled  
3 26 violation under section 805.8, subsection 13. However, a  
3 27 person eighteen years of age or older may be employed to work  
3 28 in a gambling area.

3 29 Sec. 11. Section 99F.9, Code 1997, is amended by adding  
3 30 the following new subsection:

3 31 NEW SUBSECTION. 7. A licensee shall not permit the  
3 32 operation of a satellite terminal as defined in section 527.2  
3 33 to dispense cash or credit for gambling purposes on an  
3 34 excursion gambling boat where gambling is being conducted.

3 35 Sec. 12. Section 725.7, Code 1997, is amended by adding  
4 1 the following new subsection:

4 2 NEW SUBSECTION. 3. a. In addition to the scheduled fine  
4 3 under section 805.8, subsection 13, for gambling under legal  
4 4 age, the motor vehicle license of the person shall be  
4 5 suspended by the state department of transportation for a  
4 6 period of sixty days or, if the person does not possess a  
4 7 motor vehicle license, the person shall perform fifty hours of  
4 8 court-ordered, unpaid, community service.

4 9 b. The clerk of the district court shall forward a copy of  
4 10 the order suspending the motor vehicle license of the person  
4 11 to the state department of transportation. The state  
4 12 department of transportation shall suspend the license of the  
4 13 person for the period prescribed in the order. The state  
4 14 department of transportation shall adopt by rules for  
4 15 suspending the motor vehicle licenses of such persons and for  
4 16 issuing temporary restricted licenses under section 321.215,  
4 17 as if such suspensions were ordered under chapter 321.

4 18 c. The state department of transportation shall, on  
4 19 application, issue a temporary restricted license to a person  
4 20 whose motor vehicle license is suspended under this subsection  
4 21 allowing the person to drive to and from the person's home and  
4 22 specified places at specified times which can be verified by  
4 23 the department and which are required by the person's full-  
4 24 time or part-time employment, continuing health care or the  
4 25 continuing health care of another who is dependent upon the  
4 26 person, continuing education while enrolled in an educational  
4 27 institution on a part-time or full-time basis and while  
4 28 pursuing a course of study leading to a diploma, degree, or  
4 29 other certification of successful educational completion,  
4 30 substance abuse treatment, or court-ordered community service  
4 31 responsibilities.

4 32 d. A person for whom a motor vehicle license is suspended  
4 33 under this subsection is not subject to chapter 321A and the  
4 34 suspension shall not be grounds for determination of risk,  
4 35 rates, or premiums in any policy of insurance issued to or for  
5 1 the person.

5 2 e. The clerk of the district court shall attempt to notify  
5 3 the parents or guardians of a person who has violated this  
5 4 subsection of the violation and suspension.

5 5 Sec. 13. Section 805.8, Code 1997, is amended by adding  
5 6 the following new subsection:

5 7 NEW SUBSECTION. 13. GAMBLING VIOLATIONS. For violations  
5 8 of legal age for gambling or pari-mutuel wagering under

5 9 section 99D.11, subsection 7, section 99E.18, subsection 5, or  
5 10 section 99F.9, subsection 5, the scheduled fine is one hundred  
5 11 dollars. Failure to pay the fine by a person under the age of  
5 12 eighteen shall not result in the person being detained in a  
5 13 secure facility.

5 14 Sec. 14. EFFECTIVE DATE. Section 6 of this Act, being  
5 15 deemed of immediate importance, takes effect upon enactment.

5 16 EXPLANATION

5 17 This bill authorizes the racing and gaming commission to  
5 18 set fines for pari-mutuel violations of chapter 99D consistent  
5 19 with its authority under chapter 99F for excursion gambling  
5 20 boat gambling violations. The \$1,000 limit is removed.

5 21 The bill strikes language associated with a state loan to  
5 22 the Waterloo greyhound racetrack. The racetrack is no longer  
5 23 in operation and the loan has been repaid.

5 24 The bill also allows a horse to be treated with lasix in  
5 25 the horse's stall unless the racing and gaming commission  
5 26 requires treatment in a detention barn. The bill also  
5 27 requires the commission to adopt rules to ensure the lawful  
5 28 administration of the lasix. The veterinarian administering  
5 29 the lasix shall provide an affidavit relating to the horse's  
5 30 treatment. The penalty for illegal administration of drugs to  
5 31 race horses or dogs is a class "D" felony.

5 32 This bill prohibits a licensee of a pari-mutuel racetrack  
5 33 or an excursion gambling boat from permitting the operation of  
5 34 a satellite banking terminal where pari-mutuel wagering is  
5 35 conducted within the racetrack enclosure or on the excursion  
6 1 gambling boat where gambling is conducted to provide cash or  
6 2 credit for gambling.

6 3 This bill also imposes a \$100 scheduled fine on a person  
6 4 under 21 years of age who attempts to gamble or gambles on an  
6 5 excursion gambling boat or at a racetrack enclosure, who  
6 6 attempts to purchase or purchases a lottery ticket or share,  
6 7 or who attempts to place or places a pari-mutuel wager. In  
6 8 addition, a violator is subject to suspension of the person's  
6 9 motor vehicle operator's license for 60 days, or if the  
6 10 violator does not possess a motor vehicle operator's license,  
6 11 to 50 hours of community service. The clerk of the district  
6 12 court is directed to attempt to notify the violator's parents  
6 13 or guardians of the violation and suspension.

6 14 LSB 2093SC 77

6 15 tj/cf/24.2