

MAR 17 2003
APPROPRIATIONS

HOUSE FILE **594**
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 314)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the registration of electrical and mechanical
2 amusement devices and the registration of manufacturers and
3 distributors thereof, making penalties applicable, and
4 providing an effective date.

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

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HOUSE FILE 594*

H-1214

10 1 Amend the amendment, H-1199, to House File 594 as
11 2 follows:
12 3 1. Page 1, line 22, by inserting after the words
13 4 "to the fund." the following: "Notwithstanding
14 5 section 8.33, moneys remaining in the fund at the end
15 6 of a fiscal year shall not revert to the general fund
16 7 of the state but shall be appropriated to the
17 8 department of human services for the purpose of
18 9 increasing registered child care inspections."

By WISE of Lee DANDEKAR of Linn
PETERSEN of Polk REASONER of Union

H-1214 FILED APRIL 2, 2003

Rest 4-1-03

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HF 594

1 Section 1. Section 99B.10, Code 2003, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 4. Each electrical and mechanical
4 amusement device in operation or distributed in this state
5 that awards a prize, as provided in this section, where the
6 outcome is not primarily determined by the skill or knowledge
7 of the operator, is registered by the department as provided
8 by this subsection. No more than four electrical and
9 mechanical amusement devices registered as provided by this
10 subsection shall be permitted or offered for use in any single
11 location or premises. Each person engaging in business as a
12 distributor of electrical and mechanical amusement devices in
13 this state shall obtain a registration tag for each electrical
14 and mechanical amusement device distributed that is required
15 to be registered as provided in this subsection. Upon receipt
16 of an application and a fee of twenty-five dollars for each
17 device required to be registered, the department shall issue
18 an annual registration tag which tag shall be displayed as
19 required by rules adopted by the department. The application
20 shall be submitted on forms designated by the department and
21 contain the information required by rule of the department. A
22 registration may be renewed annually upon submission of a
23 registration application and payment of the annual
24 registration fee and compliance with this chapter and the
25 rules adopted pursuant to this chapter.

26 NEW SUBSECTION. 5. Any awards given for use of an
27 amusement device shall only be redeemed on the premises where
28 the device is located and only for merchandise sold in the
29 normal course of business for the premises.

30 NEW SUBSECTION. 6. Any other requirements as determined
31 by the department by rule. Rules adopted pursuant to this
32 subsection shall be formulated in consultation with affected
33 state agencies and industry and consumer groups.

34 Sec. 2. Section 99B.10, Code 2003, is amended by adding
35 the following new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. Fees collected by the department
2 pursuant to this section shall be deposited in a special fund
3 created in the state treasury. Moneys in the fund are
4 appropriated to the department of inspections and appeals and
5 the department of public safety for administration and
6 enforcement of this section and section 99B.10A, including
7 employment of necessary personnel. The distribution of moneys
8 in the fund to the department of inspections and appeals and
9 the department of public safety shall be pursuant to a written
10 policy agreed upon by the departments. Notwithstanding
11 section 12C.7, subsection 2, interest or earnings on moneys
12 deposited in the fund shall be credited to the fund.

13 Sec. 3. NEW SECTION. 99B.10A MANUFACTURERS AND
14 DISTRIBUTORS OF ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES --
15 REGISTRATION.

16 A person engaged in business in this state as a
17 manufacturer, manufacturer's representative, or distributor of
18 electrical and mechanical amusement devices required to be
19 registered as provided in section 99B.10, subsection 4, shall
20 register with the department. Registration shall be submitted
21 on forms designated by the department that shall contain the
22 information required by the department by rule. The
23 department shall adopt rules providing for the submission of
24 information to the department by a person registered pursuant
25 to this section if information in the initial registration is
26 changed, including discontinuing the business in this state.

27 Sec. 4. Section 725.16, Code 2003, is amended to read as
28 follows:

29 725.16 GAMBLING PENALTY.

30 A person who commits an offense declared in chapter 99B to
31 be a misdemeanor shall be guilty of a serious misdemeanor
32 ~~except if an owner of an electrical or mechanical amusement~~
33 ~~device commits an offense in violation of section 99B.10, the~~
34 ~~owner is guilty of a class "B" felony.~~

35 Sec. 5. EFFECTIVE DATE. This Act, being deemed of

1 immediate importance, takes effect upon enactment.

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EXPLANATION

3 This bill amends Code section 99B.10, governing electrical
4 and mechanical amusement devices, to provide that devices that
5 award prizes not based on the skill of the operator are
6 required to be registered. The Code section is amended to
7 provide for a \$25 annual registration tag for each device,
8 which tag shall be displayed on each device in use. In
9 addition, this Code section is amended to provide that any
10 awards given for use of an amusement device shall only be
11 redeemed on the premises for merchandise normally sold on the
12 premises and that the department can prescribe additional
13 requirements by rule. The bill also provides that the fees
14 collected shall be deposited in a special fund and are
15 appropriated to the department of inspections and appeals and
16 the department of public safety for administration and
17 enforcement of this Code section and new Code section 99B.10A.

18 New Code section 99B.10A is created to provide that a
19 person engaged in business in this state as a distributor,
20 manufacturer, or manufacturer's representative of electrical
21 and mechanical amusement devices subject to registration shall
22 also register with the department. Pursuant to Code sections
23 99B.15 and 99B.16 and the amendment to Code section 725.16 in
24 this bill, a person who fails to comply with the limitations
25 imposed by this bill or willfully fails to submit records as
26 required commits a serious misdemeanor.

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HOUSE FILE 594

H-1189

1 Amend House File 594 as follows:
2 1. Page 2, line 12, by inserting after the words
3 "to the fund." the following: "Notwithstanding
4 section 8.33, moneys remaining in the fund at the end
5 of a fiscal year shall not revert to the general fund
6 of the state but shall be appropriated to the
7 department of human services for the purpose of
8 increasing registered child care inspections."

By WISE of Lee

DANDEKAR of Linn

PETERSEN of Polk

REASONER of Union

H-1189 FILED MARCH 27, 2003

Out of order 4/1/03

HOUSE FILE 594

H-1190

1 Amend House File 594 as follows:
2 1. Page 2, by inserting after line 34 the
3 following:
4 "Sec. ____ . DEPARTMENTAL REPORT. The department of
5 inspections and appeals, in consultation with the
6 department of public safety, shall submit a written
7 report to the general assembly by December 31, 2004,
8 with copies to the committees on government oversight
9 and state government of the senate and house of
10 representatives, that provides details on the
11 implementation of this Act, including fees collected
12 annually, and expenses by all state government
13 agencies for administration, registration issuance,
14 inspection, and other costs related to this Act. The
15 department shall also include information in the
16 report as to its projections as to whether the fees
17 collected under this Act are properly set to cover
18 future expenses of applicable state agencies under
19 this Act."
20 2. By renumbering as necessary.

By JENKINS of Black Hawk

WISE of Lee

H-1190 FILED MARCH 27, 2003

Adopted 4/1/03

H-1198

1 Amend House File 594 as follows:

2 1. Page 2, by inserting before line 27 the
3 following:

4 "Sec. ____ . NEW SECTION. 99B.10B REVOCATION OF
5 REGISTRATION -- ELECTRICAL AND MECHANICAL AMUSEMENT
6 DEVICES.

7 The department may revoke a registration issued
8 pursuant to section 99B.10 or 99B.10A, for a period
9 not to exceed two years, for cause, following at least
10 ten days written notice and opportunity for an
11 evidentiary hearing, pursuant to rules adopted by the
12 department. The rules shall provide that a
13 registration may be revoked if the registrant or agent
14 of the registrant violates, or permits a violation, of
15 section 99B.10 or 99B.10A, violates any rule adopted
16 by the department under this chapter that the
17 department determines should warrant revocation of the
18 registration, or engages in any act or omission that
19 would have permitted the department to refuse to issue
20 a registration under section 99B.10 or 99B.10A."

21 2. By renumbering as necessary.

By ROBERTS of Carroll
RAECKER of Polk

H-1198 FILED MARCH 31, 2003

Adopted 4/1/03

H-1199

1 Amend House File 594 as follows:

2 1. By striking page 1, line 34, through page 2,
3 line 12.

4 2. Page 2, by inserting after line 34 the
5 following:

6 "Sec. ____ . ELECTRICAL AND MECHANICAL AMUSEMENT
7 DEVICES -- SPECIAL FUND. Fees collected by the
8 department of inspections and appeals pursuant to
9 section 99B.10 for the fiscal years beginning July 1,
10 2003, and July 1, 2004, shall be deposited in a
11 special fund created in the state treasury. Moneys in
12 the fund are appropriated to the department of
13 inspections and appeals and the department of public
14 safety for administration and enforcement of sections
15 99B.10 and 99B.10A, including employment of necessary
16 personnel. The distribution of moneys in the fund to
17 the department of inspections and appeals and the
18 department of public safety shall be pursuant to a
19 written policy agreed upon by the departments.
20 Notwithstanding section 12C.7, subsection 2, interest
21 or earnings on moneys deposited in the fund shall be
22 credited to the fund."

23 3. Title page, line 3, by inserting after the
24 word "thereof," the following: "making an
25 appropriation,".

26 4. By renumbering as necessary.

By HORBACH of Tama
RAECKER of Polk
ROBERTS of Carroll

H-1199 FILED MARCH 31, 2003

Adopted 4/1/03

HOUSE FILE 594
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 314)

(As Amended and Passed by the House April 1, 2003)

Passed House, Date Passed 4/22/03
Passed 4/1/03 Passed Senate, Date Passed 4/17/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 5/23/03

A BILL FOR

1 An Act relating to the registration of electrical and mechanical
2 amusement devices and the registration of manufacturers and
3 distributors thereof, making an appropriation, making
4 penalties applicable, and providing an effective date.

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

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House Amendments _____
Deleted Language *

HF 594

1 Section 1. Section 99B.10, Code 2003, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 4. Each electrical and mechanical
4 amusement device in operation or distributed in this state
5 that awards a prize, as provided in this section, where the
6 outcome is not primarily determined by the skill or knowledge
7 of the operator, is registered by the department as provided
8 by this subsection. No more than four electrical and
9 mechanical amusement devices registered as provided by this
10 subsection shall be permitted or offered for use in any single
11 location or premises. Each person engaging in business as a
12 distributor of electrical and mechanical amusement devices in
13 this state shall obtain a registration tag for each electrical
14 and mechanical amusement device distributed that is required
15 to be registered as provided in this subsection. Upon receipt
16 of an application and a fee of twenty-five dollars for each
17 device required to be registered, the department shall issue
18 an annual registration tag which tag shall be displayed as
19 required by rules adopted by the department. The application
20 shall be submitted on forms designated by the department and
21 contain the information required by rule of the department. A
22 registration may be renewed annually upon submission of a
23 registration application and payment of the annual
24 registration fee and compliance with this chapter and the
25 rules adopted pursuant to this chapter.

26 NEW SUBSECTION. 5. Any awards given for use of an
27 amusement device shall only be redeemed on the premises where
28 the device is located and only for merchandise sold in the
29 normal course of business for the premises.

30 NEW SUBSECTION. 6. Any other requirements as determined
31 by the department by rule. Rules adopted pursuant to this
32 subsection shall be formulated in consultation with affected
33 state agencies and industry and consumer groups.

* 34 Sec. 2. NEW SECTION. 99B.10A MANUFACTURERS AND
35 DISTRIBUTORS OF ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES --

1 REGISTRATION.

2 A person engaged in business in this state as a
3 manufacturer, manufacturer's representative, or distributor of
4 electrical and mechanical amusement devices required to be
5 registered as provided in section 99B.10, subsection 4, shall
6 register with the department. Registration shall be submitted
7 on forms designated by the department that shall contain the
8 information required by the department by rule. The
9 department shall adopt rules providing for the submission of
10 information to the department by a person registered pursuant
11 to this section if information in the initial registration is
12 changed, including discontinuing the business in this state.

13 Sec. 3. NEW SECTION. 99B.10B REVOCATION OF REGISTRATION
14 -- ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES.

15 The department may revoke a registration issued pursuant to
16 section 99B.10 or 99B.10A, for a period not to exceed two
17 years, for cause, following at least ten days written notice
18 and opportunity for an evidentiary hearing, pursuant to rules
19 adopted by the department. The rules shall provide that a
20 registration may be revoked if the registrant or agent of the
21 registrant violates, or permits a violation, of section 99B.10
22 or 99B.10A, violates any rule adopted by the department under
23 this chapter that the department determines should warrant
24 revocation of the registration, or engages in any act or
25 omission that would have permitted the department to refuse to
26 issue a registration under section 99B.10 or 99B.10A.

27 Sec. 4. Section 725.16, Code 2003, is amended to read as
28 follows:

29 725.16 GAMBLING PENALTY.

30 A person who commits an offense declared in chapter 99B to
31 be a misdemeanor shall be guilty of a serious misdemeanor
32 ~~except if an owner of an electrical or mechanical amusement~~
33 ~~device commits an offense in violation of section 99B.10, the~~
34 ~~owner is guilty of a class "B" felony.~~

35 Sec. 5. ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES --

1 SPECIAL FUND. Fees collected by the department of inspections
2 and appeals pursuant to section 99B.10 for the fiscal years
3 beginning July 1, 2003, and July 1, 2004, shall be deposited
4 in a special fund created in the state treasury. Moneys in
5 the fund are appropriated to the department of inspections and
6 appeals and the department of public safety for administration
7 and enforcement of sections 99B.10 and 99B.10A, including
8 employment of necessary personnel. The distribution of moneys
9 in the fund to the department of inspections and appeals and
10 the department of public safety shall be pursuant to a written
11 policy agreed upon by the departments. Notwithstanding
12 section 12C.7, subsection 2, interest or earnings on moneys
13 deposited in the fund shall be credited to the fund.

14 Sec. 6. DEPARTMENTAL REPORT. The department of
15 inspections and appeals, in consultation with the department
16 of public safety, shall submit a written report to the general
17 assembly by December 31, 2004, with copies to the committees
18 on government oversight and state government of the senate and
19 house of representatives, that provides details on the
20 implementation of this Act, including fees collected annually,
21 and expenses by all state government agencies for
22 administration, registration issuance, inspection, and other
23 costs related to this Act. The department shall also include
24 information in the report as to its projections as to whether
25 the fees collected under this Act are properly set to cover
26 future expenses of applicable state agencies under this Act.

27 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
28 immediate importance, takes effect upon enactment.

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HOUSE FILE 594

S-3180

1 Amend House File 594, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, line 6, by inserting after the word
4 "department." the following: "Each person who
5 registers with the department under this section shall
6 pay an annual registration fee of two thousand five
7 hundred dollars."
8 2. Title page, line 3, by inserting after the
9 word "thereof," the following: "establishing fees,".

By COMMITTEE ON STATE GOVERNMENT
MARK ZIEMAN, CHAIRPERSON

S-3180 FILED APRIL 9, 2003

adopted 4/17/03

HOUSE FILE 594

S-3248

1 Amend House File 594, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 11 through 14 and
4 inserting the following: "location or premises. Each
5 person owning an electrical and mechanical amusement
6 device in this state shall obtain a registration tag
7 for each electrical and mechanical amusement device
8 owned that is required".
9 2. Page 1, line 25, by inserting after the word
10 "chapter." the following: "A person owning or leasing
11 an electrical and mechanical amusement device required
12 to be registered under this subsection shall only own
13 or lease an electrical and mechanical amusement device
14 that is required to be registered that has been
15 purchased from a manufacturer, manufacturer's
16 representative, or distributor registered with the
17 department under section 99B.10A."

By DOUG SHULL

S-3248 FILED APRIL 17, 2003

ADOPTED

HOUSE FILE 594

S-3249

1 Amend House File 594, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 8, by striking the words "No more
4 than four" and inserting the following: "For an
5 organization that meets the requirements of section
6 99B.7, subsection 1, paragraph "m", no more than four,
7 and for all other persons, no more than two".

By WILLIAM A. DOTZLER

S-3249 FILED APRIL 17, 2003

ADOPTED

SENATE AMENDMENT TO
HOUSE FILE 594

H-1369

1 Amend House File 594, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 8, by striking the words "No more
4 than four" and inserting the following: "For an
5 organization that meets the requirements of section,
6 99B.7, subsection 1, paragraph "m", no more than four,
7 and for all other persons, no more than two".

8 2. Page 1, by striking lines 11 through 14 and
9 inserting the following: "location or premises. Each
10 person owning an electrical and mechanical amusement
11 device in this state shall obtain a registration tag
12 for each electrical and mechanical amusement device
13 owned that is required".

14 3. Page 1, line 25, by inserting after the word
15 "chapter." the following: "A person owning or leasing
16 an electrical and mechanical amusement device required
17 to be registered under this subsection shall only own
18 or lease an electrical and mechanical amusement device
19 that is required to be registered that has been
20 purchased from a manufacturer, manufacturer's
21 representative, or distributor registered with the
22 department under section 99B.10A."

23 4. Page 2, line 6, by inserting after the word
24 "department." the following: "Each person who
25 registers with the department under this section shall
26 pay an annual registration fee of two thousand five
27 hundred dollars."

28 5. Title page, line 3, by inserting after the
29 word "thereof," the following: "establishing fees,".

30 6. By renumbering, relettering, or redesignating
31 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1369 FILED APRIL 18, 2003

House concurred 4/22/03

HOUSE FILE 594

H-1394

1 Amend the Senate amendment, H-1369, to House File
2 594, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 27 the
5 following:

6 "____. Page 2, line 12, by inserting after the
7 words "in this state." the following: "Fees collected
8 pursuant to this section shall not be deposited in the
9 general fund of the state but are appropriated to the
10 department of human services for the purpose of
11 increasing registered child care inspections.""

By PETERSEN of Polk
WISE of Lee

H-1394 FILED APRIL 22, 2003

LOST

HOUSE FILE 594

H-1395

1 Amend the Senate amendment, H-1369, to House File
2 594, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 "____. Page 3, line 13, by inserting after the
7 words "to the fund." the following: "Notwithstanding
8 section 8.33, moneys remaining in the fund at the end
9 of a fiscal year shall not revert to the general fund
10 of the state but are appropriated to the department of
11 human services for the purpose of increasing
12 registered child care inspections.""

By PETERSEN of Polk
WISE of Lee

H-1395 FILED APRIL 22, 2003
WITHDRAWN

HOUSE FILE 594

H-1396

1 Amend the Senate amendment, H-1369, to House File
2 594, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by striking lines 3 through 7.
5 2. Page 1, by inserting after line 13 the
6 following:
7 "____. Page 1, line 16, by striking the word
8 "twenty-five", and inserting the following: "one
9 hundred"."
10 3. Page 1, by inserting after line 22 the
11 following:
12 "____. Page 1, by inserting after line 29 the
13 following:
14 "NEW SUBSECTION. 6. Each electrical and
15 mechanical amusement device required to be registered
16 as provided by this section shall, by January 1, 2006,
17 include on the device a counting mechanism which
18 establishes the volume of business of the device. The
19 department shall have access to the information
20 provided by the counting mechanism."
21 _____. Page 1, line 30, by striking the figure
22 "6.", and inserting the following: "7.""
23 4. By renumbering as necessary.

By HEATON of Henry

H-1396 FILED APRIL 22, 2003
WITHDRAWN

AN ACT

RELATING TO THE REGISTRATION OF ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES AND THE REGISTRATION OF MANUFACTURERS AND DISTRIBUTORS THEREOF, ESTABLISHING FEES, MAKING AN APPROPRIATION, MAKING PENALTIES APPLICABLE, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 99B.10, Code 2003, is amended by adding the following new subsections:

NEW SUBSECTION. 4. Each electrical and mechanical amusement device in operation or distributed in this state that awards a prize, as provided in this section, where the outcome is not primarily determined by the skill or knowledge of the operator, is registered by the department as provided by this subsection. For an organization that meets the requirements of section 99B.7, subsection 1, paragraph "m", no more than four, and for all other persons, no more than two electrical and mechanical amusement devices registered as provided by this subsection shall be permitted or offered for use in any single location or premises. Each person owning an electrical and mechanical amusement device in this state shall obtain a registration tag for each electrical and mechanical amusement device owned that is required to be registered as provided in this subsection. Upon receipt of an application and a fee of twenty-five dollars for each device required to be registered, the department shall issue an annual registration tag which tag shall be displayed as required by rules adopted by the department. The application shall be submitted on forms designated by the department and contain the information required by rule of the department. A registration may be renewed annually upon submission of a

registration application and payment of the annual registration fee and compliance with this chapter and the rules adopted pursuant to this chapter. A person owning or leasing an electrical and mechanical amusement device required to be registered under this subsection shall only own or lease an electrical and mechanical amusement device that is required to be registered that has been purchased from a manufacturer, manufacturer's representative, or distributor registered with the department under section 99B.10A.

NEW SUBSECTION. 5. Any awards given for use of an amusement device shall only be redeemed on the premises where the device is located and only for merchandise sold in the normal course of business for the premises.

NEW SUBSECTION. 6. Any other requirements as determined by the department by rule. Rules adopted pursuant to this subsection shall be formulated in consultation with affected state agencies and industry and consumer groups.

Sec. 2. NEW SECTION. 99B.10A MANUFACTURERS AND DISTRIBUTORS OF ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES -- REGISTRATION.

A person engaged in business in this state as a manufacturer, manufacturer's representative, or distributor of electrical and mechanical amusement devices required to be registered as provided in section 99B.10, subsection 4, shall register with the department. Each person who registers with the department under this section shall pay an annual registration fee of two thousand five hundred dollars. Registration shall be submitted on forms designated by the department that shall contain the information required by the department by rule. The department shall adopt rules providing for the submission of information to the department by a person registered pursuant to this section if information in the initial registration is changed, including discontinuing the business in this state.

Sec. 3. NEW SECTION. 99B.10B REVOCATION OF REGISTRATION -- ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES.

The department may revoke a registration issued pursuant to section 99B.10 or 99B.10A, for a period not to exceed two years, for cause, following at least ten days written notice and opportunity for an evidentiary hearing, pursuant to rules adopted by the department. The rules shall provide that a registration may be revoked if the registrant or agent of the registrant violates, or permits a violation, of section 99B.10 or 99B.10A, violates any rule adopted by the department under this chapter that the department determines should warrant revocation of the registration, or engages in any act or omission that would have permitted the department to refuse to issue a registration under section 99B.10 or 99B.10A.

Sec. 4. Section 725.16, Code 2003, is amended to read as follows:

725.16 GAMBLING PENALTY.

A person who commits an offense declared in chapter 99B to be a misdemeanor shall be guilty of a serious misdemeanor ~~except if an owner of an electrical or mechanical amusement device commits an offense in violation of section 99B.10, the owner is guilty of a class "B" felony.~~

Sec. 5. ELECTRICAL AND MECHANICAL AMUSEMENT DEVICES -- SPECIAL FUND. Fees collected by the department of inspections and appeals pursuant to section 99B.10 for the fiscal years beginning July 1, 2003, and July 1, 2004, shall be deposited in a special fund created in the state treasury. Moneys in the fund are appropriated to the department of inspections and appeals and the department of public safety for administration and enforcement of sections 99B.10 and 99B.10A, including employment of necessary personnel. The distribution of moneys in the fund to the department of inspections and appeals and the department of public safety shall be pursuant to a written policy agreed upon by the departments. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

Sec. 6. DEPARTMENTAL REPORT. The department of inspections and appeals, in consultation with the department of public safety, shall submit a written report to the general

assembly by December 31, 2004, with copies to the committees on government oversight and state government of the senate and house of representatives, that provides details on the implementation of this Act, including fees collected annually, and expenses by all state government agencies for administration, registration issuance, inspection, and other costs related to this Act. The department shall also include information in the report as to its projections as to whether the fees collected under this Act are properly set to cover future expenses of applicable state agencies under this Act.

Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

CHRISTOPHER C. RANTS
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 594, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor