

**House File 2586 - Introduced**

HOUSE FILE 2586  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 552)

**A BILL FOR**

1 An Act relating to gambling regulation and enforcement  
2 activities of the division of criminal investigation of the  
3 department of public safety.

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

1 Section 1. Section 80.25A, Code 2020, is amended to read as  
2 follows:

3 **80.25A Gaming operations investigation and enforcement.**

4 The commissioner of public safety shall direct the chief  
5 of the division of criminal investigation to establish a  
6 subdivision to be the primary criminal investigative and  
7 enforcement agency for the purpose of enforcement of criminal  
8 violations of chapters 99D, 99E, and 99F. The commissioner  
9 of public safety shall appoint or assign other agents to  
10 the division as necessary to enforce criminal violations  
11 of chapters 99D, 99E, and 99F. All enforcement ~~officers,~~  
12 ~~assistants,~~ and agents of the division are subject to section  
13 80.15 except clerical workers.

14 Sec. 2. Section 99F.4, subsection 18, Code 2020, is amended  
15 to read as follows:

16 18. To provide for the continuous recording of all gambling  
17 activities on an excursion gambling boat. The recording shall  
18 be performed under guidelines set by rule of the ~~division of~~  
19 ~~criminal investigation~~ commission and the rules may require  
20 that all or part of the original recordings be submitted to the  
21 ~~division on a timely schedule~~ commission.

22 Sec. 3. Section 99F.6, subsection 3, Code 2020, is amended  
23 to read as follows:

24 3. The commission shall charge the applicant a fee set  
25 by the department of public safety, division of criminal  
26 investigation, to defray the costs associated with the  
27 search and classification of submitted fingerprints required  
28 in subsection 2 and, if required by the commission under  
29 subsection 4, background or information investigations  
30 conducted by ~~agents of~~ the division of criminal investigation.  
31 ~~This fee is~~ Fees charged to defray the costs associated with  
32 a background or information investigation shall reflect only  
33 actual direct costs incurred by the division of criminal  
34 investigation and shall be itemized and provided to the  
35 commission. Fees charged pursuant to this subsection shall be

1 in addition to any other license fee charged by the commission.

2 Sec. 4. Section 99F.6, subsection 4, paragraph a,  
3 subparagraph (1), Code 2020, is amended by striking the  
4 subparagraph and inserting in lieu thereof the following:

5 (1) Before a license is granted, the commission shall  
6 conduct a background or information investigation in a  
7 manner as determined by the commission. The commission  
8 may consider an applicant's current license status in this  
9 state or other jurisdictions in determining background or  
10 information investigation requirements. In addition, the  
11 commission may require the division of criminal investigation  
12 of the department of public safety or other prescribed entity  
13 performing background services to conduct a thorough background  
14 or information investigation of the applicant for a license  
15 to operate a gambling game operation on an excursion gambling  
16 boat.

17 Sec. 5. REPEAL. Section 99F.4B, Code 2020, is repealed.

18 Sec. 6. GAMING ENFORCEMENT — SPECIAL AGENT HIRING  
19 MORATORIUM. Notwithstanding any provision of law to the  
20 contrary, the department of public safety shall not hire, for  
21 the period commencing July 1, 2020, and ending June 30, 2023,  
22 any special agent to fill a vacant position or a newly created  
23 position concerning the division of criminal investigation's  
24 excursion gambling boat or gambling structure enforcement  
25 activities.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This bill relates to gambling regulation and enforcement  
30 activities of the division of criminal investigation of the  
31 department of public safety.

32 Code section 80.25A, concerning gaming operation  
33 investigation and enforcement by the department of public  
34 safety, is amended to provide that the subdivision of  
35 the division of criminal investigation established for

1 investigation and enforcement purposes shall be for the purpose  
2 of enforcement of criminal violations of Code chapters 99D,  
3 99E, and 99F.

4 Code section 99F.4, concerning powers of the racing and  
5 gaming commission, is amended to provide that the recording  
6 of gambling activities on an excursion gambling boat shall be  
7 performed under guidelines set by rule of the racing and gaming  
8 commission and not the division of criminal investigation.

9 Code section 99F.6(3), concerning fees charged an applicant  
10 for a license, is amended to provide that the fee shall include  
11 costs associated with a background or information investigation  
12 conducted by the division of criminal investigation only if  
13 the division is required to conduct the investigation by the  
14 racing and gaming commission. The subsection is further  
15 amended to provide that the fee charged to defray the costs  
16 associated with a background or information investigation shall  
17 reflect only actual direct costs incurred by the division of  
18 criminal investigation and shall be itemized and provided to  
19 the commission.

20 Code section 99F.6(4), concerning the requirement to  
21 conduct a background investigation, is amended by striking  
22 the requirement that before a license is granted, the  
23 division of criminal investigation shall conduct a background  
24 investigation. Instead, the bill provides that before a  
25 license is granted, the commission shall conduct a background  
26 or information investigation in a manner as determined by  
27 the commission. In conducting this investigation, the bill  
28 provides that the commission may consider an applicant's  
29 current license status in this state or other jurisdictions  
30 in determining background or information investigation  
31 requirements and may require the division of criminal  
32 investigation of the department of public safety or other  
33 prescribed entity performing background services to conduct a  
34 thorough background or information investigation.

35 Code section 99F.4B, concerning the requirement that the

H.F. 2586

1 department of inspections and appeals cooperate to the maximum  
2 extent possible with the division of criminal investigation  
3 in adopting rules relating to the gaming operations in Code  
4 chapters 99D, 99E, and 99F, is repealed.

5 The bill also provides that the department of public safety  
6 shall not hire for the period commencing on or after July  
7 1, 2020, and ending June 30, 2023, any special agents to  
8 fill a vacancy or a newly created position concerning gaming  
9 enforcement activities.