

Senate File 395 - Introduced

SENATE FILE 395
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1097)

A BILL FOR

- 1 An Act relating to illegal gaming, and making penalties
- 2 applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 99F.1, Code 2025, is amended by adding the
2 following new subsections:

3 NEW SUBSECTION. 01. "Account sharing" means entering into or
4 participating in an agreement between two or more persons to,
5 either temporarily or permanently, share access to a person's
6 account with the purpose of concealing a person's identity, which
7 account has been established with a licensee to participate in
8 gambling games or sports wagering under this chapter.

9 NEW SUBSECTION. 25A. "Proxy betting" means any wagering or
10 betting activity, including a request of another to engage in
11 wagering or betting activity, involving two or more persons,
12 where one person places a wager on behalf of another person with
13 the intent to hide or conceal the bettor's identity.

14 Sec. 2. Section 99F.15, Code 2025, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 3A. A person engaging in proxy betting or
17 account sharing is in violation of section 725.7.

18 Sec. 3. Section 725.7, subsection 1, Code 2025, is amended to
19 read as follows:

20 1. Except as permitted in chapters 99B, ~~and~~ 99D, 99E, and
21 99F, a person shall not do any of the following:

22 a. Participate in a game for any sum of money or other
23 property of any value.

24 b. Make any bet.

25 c. For a fee, directly or indirectly, give or accept anything
26 of value to be wagered or to be transmitted or delivered for
27 a wager to be placed within or ~~without~~ outside of the state of
28 Iowa.

29 d. For a fee, deliver anything of value which has been
30 received outside the enclosure of a racetrack licensed under
31 chapter 99D, or outside of a gambling structure, to be placed
32 as wagers a wager in the pari-mutuel pool or other authorized
33 ~~systems~~ system of wagering.

34 e. Engage in bookmaking, except as permitted in chapters 99E
35 and 99F.

1 f. Engage in proxy betting as defined in section 99F.1.

2 g. Engage in account sharing as defined in section 99F.1.

3 EXPLANATION

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

6 This bill relates to illegal gaming. Under current law, a
7 person is prohibited from engaging in the acts outlined in Code
8 section 725.7(1). A person who violates these prohibitions is
9 guilty of illegal gaming and is subject to criminal penalties.
10 The bill defines "account sharing" and "proxy betting" and
11 includes those activities in the list of activities considered
12 illegal gaming. The bill also includes in the activities
13 considered illegal gaming the act of delivering anything of value
14 to place as a wager in a pari-mutuel pool or other authorized
15 system of wagering after receiving that thing of value, for a
16 fee, outside of a gambling structure.

17 A person guilty of illegal gaming commits an offense ranging
18 from a serious misdemeanor to a class "C" felony based on the
19 sum of money or value of other property involved and whether the
20 offense was a first or repeat offense. Illegal gaming in the
21 fourth degree (\$100 or less) constitutes a serious misdemeanor
22 for a first offense, an aggravated misdemeanor for a second
23 offense, a class "D" felony for a third offense, and a class "C"
24 felony for a fourth or subsequent offense. Illegal gaming in the
25 third degree (\$100 to \$500) constitutes an aggravated misdemeanor
26 for a first offense, a class "D" felony for a second offense, and
27 a class "C" felony for a third or subsequent offense. Illegal
28 gaming in the second degree (\$500 to \$5,000) constitutes a class
29 "D" felony for a first offense and a class "C" felony for a
30 second or subsequent offense. Illegal gaming in the first degree
31 (more than \$5,000) constitutes a class "C" felony.

32 A serious misdemeanor is punishable by confinement for no more
33 than one year and a fine of at least \$430 but not more than
34 \$2,560. An aggravated misdemeanor is punishable by confinement
35 for no more than two years and a fine of at least \$855 but

1 not more than \$8,540. A class "D" felony is punishable by
2 confinement for no more than five years and a fine of at
3 least \$1,025 but not more than \$10,245. A class "C" felony is
4 punishable by confinement for no more than 10 years and a fine of
5 at least \$1,370 but not more than \$13,660.

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