

Senate Study Bill 3040 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
INSPECTIONS, APPEALS, AND
LICENSING BILL)

A BILL FOR

1 An Act relating to matters under the purview of the department of
2 inspections, appeals, and licensing.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

DIVISION I
GAMBLING

Section 1. Section 99D.5, subsection 4, Code 2026, is amended to read as follows:

4. Commission members are each entitled to receive an annual salary of ten thousand dollars. Members shall also be reimbursed for actual expenses incurred in the performance of their duties ~~to a maximum of thirty thousand dollars per year for the commission.~~ Each member shall be covered by the blanket surety bond of the state purchased pursuant to section 8A.321, subsection 12.

Sec. 2. Section 99D.7, subsection 25, Code 2026, is amended to read as follows:

25. To take any other action as may be reasonable or appropriate to enforce this chapter and the commission rules, including but not limited to issuing cease and desist orders and obtaining injunctive relief against a person offering pari-mutuel wagering or advance deposit wagering, as defined in section 99D.11, in this state without holding an appropriate license issued by the commission.

Sec. 3. Section 99E.3, subsection 2, paragraph f, Code 2026, is amended to read as follows:

f. To take any other action as may be reasonable or appropriate to enforce this chapter and the commission rules, including but not limited to issuing cease and desist orders and obtaining injunctive relief against a person offering internet fantasy sports contests in this state without holding an appropriate license issued by the commission.

Sec. 4. Section 99F.4, subsection 13, Code 2026, is amended to read as follows:

13. To take any other action as may be reasonable or appropriate to enforce this chapter and the commission rules, including but not limited to issuing cease and desist orders and obtaining injunctive relief against a person offering games of chance, gambling, sports wagering, or illegal sweepstakes in

1 this state without holding an appropriate license issued by the
2 commission or otherwise being specifically authorized by law.

3 Sec. 5. Section 99F.15, subsection 4, unnumbered paragraph 1,
4 Code 2026, is amended to read as follows:

5 A person commits a class "D" felony and, in addition, shall
6 be barred for life from sports wagering, advance deposit sports
7 wagering, as defined in section 99F.9, excursion gambling boats,
8 and gambling structures under the jurisdiction of the commission,
9 if the person does any of the following:

10 Sec. 6. Section 99F.15, subsection 6, paragraph c, Code 2026,
11 is amended to read as follows:

12 c. Two convictions of the offense of unlawful betting as
13 provided in this subsection shall result in the person being
14 barred for life from sports wagering, advance deposit sports
15 wagering, as defined in section 99F.9, excursion gambling boats,
16 and gambling structures under the jurisdiction of the commission.

17 DIVISION II

18 STATE BUILDING CODE

19 Sec. 7. Section 103A.8C, subsection 1, Code 2026, is amended
20 to read as follows:

21 1. The commissioner, after consulting with and receiving
22 recommendations from the department of ~~public defense~~ homeland
23 security and emergency management and the department of natural
24 resources, shall adopt rules pursuant to chapter 17A specifying
25 standards and requirements for design and construction of safe
26 rooms and storm shelters. In developing these standards, the
27 commissioner shall consider nationally recognized standards. The
28 standards and requirements shall be incorporated into the state
29 building code established in section 103A.7, but shall not be
30 interpreted to require the inclusion of a safe room or storm
31 shelter in a building construction project unless such inclusion
32 is expressly required by another statute or by a federal statute
33 or regulation. However, if a safe room or storm shelter is
34 included in any building construction project which reaches the
35 design development phase on or after January 1, 2011, compliance

1 with the standards developed pursuant to this section shall be
2 required.

3 Sec. 8. Section 103A.23, subsection 2, Code 2026, is amended
4 to read as follows:

5 2. All fees collected by the commissioner shall be deposited
6 in the ~~state treasury to the credit of the general fund of the~~
7 state licensing and regulation fund created in section 10A.507.

8 DIVISION III

9 RESIDENTIAL CARE FACILITIES

10 Sec. 9. Section 135C.2, subsection 6, unnumbered paragraph 1,
11 Code 2026, is amended to read as follows:

12 The department shall establish a special classification within
13 the residential care facility category for residential care
14 facilities which have the primary purpose of serving pediatric
15 palliative care patients and that only provides respite care
16 services and the services of a hospice program as defined in
17 section 135J.1. A facility within the special classification
18 established pursuant to this subsection shall be exempt from
19 section 135.62 and may serve any number of individuals, including
20 zero. The department shall adopt rules pursuant to chapter 17A
21 which shall include but not be limited to all of the following:

22 EXPLANATION

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

25 This bill relates to matters under the purview of the
26 department of inspections, appeals, and licensing. The bill is
27 organized in divisions.

28 DIVISION I — GAMBLING. The bill eliminates a \$30,000-per-year
29 total cap on reimbursements that the state racing and gaming
30 commission (commission) may pay to all commissioners for expenses
31 incurred in the performance of the commissioners' duties. The
32 bill grants the commission explicit authority to issue cease
33 and desist orders and seek injunctive relief against persons
34 who offer gambling services in the state without an appropriate
35 license or authorization.

1 Under current law, a person commits a class "D" felony
2 and is barred for life from excursion gambling boats and
3 gambling structures under the jurisdiction of the commission
4 for committing certain acts listed in Code section 99F.15(4).
5 The bill expands the lifetime ban to include sports wagering
6 and advance deposit sports wagering. The bill also imposes a
7 lifetime ban from sports wagering and advance deposit sports
8 wagering on a person who is convicted twice of unlawful betting.

9 DIVISION II — STATE BUILDING CODE. The bill requires the
10 state building code commissioner to consult with the department
11 of homeland security and emergency management, instead of the
12 department of public defense, in adopting rules relating to safe
13 rooms and storm shelters. The bill also requires fees collected
14 by the state building code commissioner to be deposited in the
15 licensing and regulation fund instead of the general fund of the
16 state.

17 DIVISION III — RESIDENTIAL CARE FACILITIES. The bill allows
18 a residential care facility that is a pediatric palliative care
19 center to serve as few as zero individuals. Under current law,
20 an entity must serve at least three individuals to be defined as
21 a residential care facility.