

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2020 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

June 9, 2020

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
SF 2413	S-5109	Adopted	KEN ROZENBOOM
SF 2413	S-5110	Lost	ROBERT M. HOGG

Fiscal Notes

[SF 2411](#) — [Sports Wagering Debt Setoff](#) (LSB5802SZ)

SENATE FILE 2413

S-5109

- 1 Amend Senate File 2413 as follows:
- 2 1. Page 1, by striking lines 1 through 21 and inserting:
- 3 <DIVISION I
- 4 ANIMAL HEALTH>
- 5 2. Page 11, line 12, by striking <this part of>
- 6 3. Page 11, after line 13 by inserting:
- 7 <Sec. ____ . EFFECTIVE DATE. This division of this Act, being
- 8 deemed of immediate importance, takes effect upon enactment.>
- 9 4. Page 11, by striking lines 14 and 15 and inserting:
- 10 <DIVISION ____
- 11 FOOD OPERATION TRESPASS>
- 12 5. Page 12, line 34, after <trespass> by inserting <as
- 13 provided in section 716.7A>
- 14 6. Page 13, line 2, after <trespass> by inserting <as
- 15 provided in section 716.7A>
- 16 7. Page 13, by striking lines 3 and 4.
- 17 8. By striking page 13, line 7, through page 18, line 29.
- 18 9. Title page, by striking lines 1 through 5 and inserting
- 19 <An Act relating to agriculture and food, including the
- 20 powers and duties of the department of agriculture and land
- 21 stewardship, providing penalties, making penalties applicable,
- 22 and including effective date provisions.>
- 23 10. By renumbering as necessary.

By KEN ROZENBOOM

S-5109 FILED JUNE 5, 2020

ADOPTED

SENATE FILE 2413

S-5110

1 Amend the amendment, S-5109, to Senate File 2413, as
2 follows:

3 1. Page 1, before line 3 by inserting:

4 <<DIVISION ____
5 ANIMAL HEALTH AND CARE

6 Sec. ____ . Section 162.2, Code 2020, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 12A. "*Dog day care*" means a commercial
9 kennel or a boarding kennel, designed and operated as a
10 facility that allows a dog to mingle and interact with other
11 compatible dogs, including in one or more playgroups.

12 Sec. ____ . NEW SECTION. 162.10E **Special requirements for**
13 **dog day cares.**

14 The department may adopt rules pursuant to chapter 17A that
15 require a dog day care to provide adequate space for dogs in
16 a manner that allows the dogs to become socialized through
17 interaction with other compatible dogs as part of a safe
18 playgroup. The rules shall require the play area for dogs to
19 allow adequate space to prevent crowding and to allow freedom
20 of movement that is reasonable under the circumstances, taking
21 into account factors including but not limited to the maximum
22 number of dogs in a play area, the breed and size of dogs in a
23 play area, and the condition of the facility.>

24 3. By renumbering as necessary.

By ROBERT M. HOGG

S-5110 FILED JUNE 5, 2020

LOST



[SF 2411](#) – Sports Wagering Debt Setoff (LSB5605SZ)

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Fiscal Note Version – New

Description

[Senate File 2411](#) requires that all winnings reported on Internal Revenue Service (IRS) Form W-2G be applied to the full amount of debt owed by the individual who wins money on a wager at a racetrack, excursion gambling boat, or gambling structure. The Bill prohibits participants in an Internet fantasy sports contest from making any payments by credit card and prohibits gambling game licensees from accepting a credit card for sports wagering. The Bill also amends provisions pertaining to qualified sponsoring organizations licensed to conduct or operate gambling games by providing that the inclusion of a member of the city council or a member of the county board of supervisors as an ex officio member of the board of directors is at the option of the city or county. The Bill also provides for the procedure if a vacancy occurs for any ex officio, nonvoting member.

Background

Iowa Code section [8A.504](#) permits the Department of Administrative Services to recover delinquent payments owed to State and political subdivisions by withholding payments that would otherwise be paid to individuals and vendors. The Department then applies the moneys toward the debt the individual owes to the State of Iowa or local governments, after charging a \$7 administrative fee for costs incurred to the agency requesting placement of the debt into the setoff program. The administrative fee, which is deducted from the gross proceeds collected through the program, covers salaries, supplies, equipment, and system modification and development costs, and indirect costs such as office space, security, and utility costs. Some of the debt types recovered are child support, court fees and restitution, State individual income taxes, and fees for traffic citations.

Under Iowa Code sections [99D.28](#) and [99F.19](#), a debtor who wins money on a wager at a racetrack, excursion gambling boat, or gambling structure in the State is subject to a setoff from those winnings in the amount of debt owed if the winnings are equal to or greater than \$1,200. However, the requirements to file IRS Form W-2G correspond to several winning threshold amounts and wager types, and the Bill requires debtors to be subject to the setoff if the winnings are required to be reported on the form.

Gambling winnings are required to be reported on the form if:

1. The winnings (not reduced by the wager) are \$1,200 or more from a bingo game or slot machine.
2. The winnings (reduced by the wager) are \$1,500 or more from a keno game.
3. The winnings (reduced by the wager or buy-in) are more than \$5,000 from a poker tournament.
4. The winnings (except winnings from bingo, slot machines, keno, and poker tournaments) reduced, at the option of the payer, by the wager are:
 - a. \$600 or more; and
 - b. At least 300 times the amount of the wager.

- The winnings are subject to federal income tax withholding (either regular gambling withholding or backup withholding).

State tax receipts from sports wagering for FY 2020, as deposited into the Sports Wagering Receipts Fund, are estimated at \$3.2 million. As this is the first year of legal sports wagering and fantasy sports in the State, debt has not yet been recovered from this form of wagering winnings.

The following tables show the amount of debt recovered through the setoff procedure at Iowa casinos in FY 2019. Other State agencies recovering debt include Iowa Workforce Development, the Department of Inspections and Appeals, the judicial districts, the Department of Commerce, and the Attorney General.

Table 1 — Setoff Debt Recovered by Entity in FY 2019

Entity	Debt Recovered
Judicial Branch	\$ 1,668,315
Department of Revenue	1,433,430
Department of Human Services	1,061,163
Other State Agencies/Political Subdivisions	373,827
	\$ 4,536,735

Table 2 — Setoff Debt Recovered by Other State Agencies and Political Subdivisions in FY 2019

Entity	Debt Recovered
Other State Agencies	\$ 149,378
Cities	105,551
Community Colleges	68,361
Municipal Utilities	26,651
Universities	23,282
Housing Authorities	604
	\$ 373,827

Assumptions

- Approximately \$4.6 million in setoff funds, or 9.0% of funds collected through the setoff program, is collected by the 19 licensed Iowa casinos.
- Iowa casinos are responsible for checking claimants' winnings money on wagers at the facility against the State debt database.
- State General Fund revenue, in addition to city and county revenue, could increase as the setoff threshold is removed and sports wagering winnings are added to the debt collection pool.
- The amount of debt recovered from wagering winnings and placed in the setoff program cannot be less than \$50.

Fiscal Impact

While the fiscal impact cannot be estimated at this time, the Bill is expected to increase collections through the State Offset Program as sports wagering winnings are included and the number of taxable gambling events, and the eligible amount won from those taxable events, is expanded. There is no estimated fiscal impact as a result of language in the Bill pertaining to qualified sponsoring organizations.

Sources

Department of Administrative Services
Iowa Racing and Gaming Commission
Iowa Gaming Association

/s/ Holly M. Lyons

June 5, 2020

Doc ID 1136903

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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