HOUSE FILE 785
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 210)

(COMPANION TO SF 345 BY DAWSON)

(As Amended and Passed by the House March 25, 2021)
ALL New Language by the House

A BILL FOR

An Act relating to amusement concessions.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 99B.1, subsection 1, Code 2021, is amended to read as follows:

1. *"Amusement concession"* means a game of skill or game of chance with an instant win possibility where, if the participant completes a task, the participant wins a prize. *"Amusement concession"* includes but is not limited to carnival-style games that are conducted by a person for profit. *"Amusement concession"* does not include casino-style games, nudge games, swap games, or amusement devices required to be registered pursuant to section 99B.53.

Sec. 2. Section 99B.1, Code 2021, is amended by adding the following new subsections:

NEW SUBSECTION. 24A. *"Nudge game"* means any game or phase of a game in which a participant spins reels or simulated reels and may choose to nudge one or more reels in any direction to complete a winning combination or pattern.

NEW SUBSECTION. 28. *"Swap game"* means any game or phase of a game in which a participant spins reels or simulated reels and may choose to swap, move, or substitute one or more icons or symbols to create a winning combination or pattern.

Sec. 3. Section 99B.31, subsection 1, paragraph k, Code 2021, is amended to read as follows:

k. The amusement concession is not designed or adapted with any control device to permit manipulation of the amusement concession by the operator in order to prevent a ~~player~~ participant from winning or to predetermine who the winner will be.

Sec. 4. Section 99B.31, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. An electronic or computerized game with a video display screen may be licensed by the department as an amusement concession if all of the following requirements are met:

a. Except as otherwise provided by this subsection, the game complies with all requirements of subsection 1 and all

applicable rules promulgated by the department.

b. The game is conducted through continuous gameplay. For the purposes of this paragraph, "*continuous gameplay*" means play on a single video screen that is not refreshed, updated, or renewed through the expenditure of additional money, tokens, or credits by a game participant. The game may allow two or more persons to participate in the same continuous gameplay at the same time.

c. Prizes shall be awarded based solely upon a participant's successful completion of a required skill or task in the course of the game's play. A person shall actively participate in the game's play by directing or otherwise manipulating a game function or operation in order to complete the required skill or task. Participant skill shall be necessary to influence the outcome of the game's play but is not required to be the predominant factor in determining whether a prize is awarded.

d. The game is not a nudge game, swap game, or a mechanical or electrical device that displays spinning reels or simulated reels.

e. The game may be programmed to ensure a set payout percentage to participants of at least eighty percent. If a game is programed with a set payout percentage, the operator shall prominently post in a manner visible to all playing positions the percentage applicable to the game's play.

f. The game may be programmed to award prizes by allowing a player to complete tasks or use skills at variable frequency or difficulty. The game may not be programmed to prevent the completion of any advertised or offered skills or tasks.