

99B.31 Amusement concessions.

1. A person may conduct an amusement concession if all of the following conditions are met:

a. The person conducting the amusement concession has submitted a license application and a fee of fifty dollars for each amusement concession, and has been issued a license for the amusement concession, and prominently displays the license at the playing area of the amusement concession. A license is valid for a period of one year from the date of issue.

b. The rules of the amusement concession are prominently posted and visible from all playing positions.

c. The cost to play a single amusement concession does not exceed five dollars.

d. A prize is not displayed which cannot be won.

e. Cash prizes are not awarded.

f. The amusement concession is not operated on a build-up or pyramid basis.

g. A pet, as defined in [section 717E.1](#), is not awarded.

h. The actual retail value of any prize does not exceed nine hundred fifty dollars. If a prize consists of more than one item, unit, or part, the aggregate retail value of all items, units, or parts shall not exceed nine hundred fifty dollars.

i. Merchandise prizes are not repurchased from the participants. However, a participant may have the option, at no additional cost to the participant, of trading multiple smaller prizes for a single larger prize.

j. Concealed numbers or conversion charts are not used to play the amusement concession.

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 participant from winning or to predetermine who the winner will be.

l. The object of the amusement concession must be attainable and possible to perform under the rules stated from all playing positions.

m. The amusement concession is conducted in a fair and honest manner.

2. 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 programmed 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.

3. An individual other than a person conducting the amusement concession may

participate in an amusement concession, whether or not the amusement concession is conducted in compliance with [this section](#).

[C75, §99B.2, 99B.3; C77, 79, 81, §99B.3; 81 Acts, ch 44, §6]

[88 Acts, ch 1274, §31](#); [95 Acts, ch 163, §1](#); [2015 Acts, ch 99, §7, 56](#)

C2016, §99B.31

[2018 Acts, ch 1072, §1, 2](#); [2021 Acts, ch 100, §3, 4](#)

Referred to in [§99B.62](#)

Subsection 1, paragraph k amended

NEW subsection 2 and former subsection 2 renumbered as 3