

**House File 648 - Introduced**

HOUSE FILE 648  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 198)

**A BILL FOR**

1 An Act relating to sports gambling and wagering, by providing  
2 for fantasy sports contests and sports betting, providing  
3 for taxes and fees, making penalties applicable, and  
4 including implementation and effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

LICENSED SPORTS BETTING

1  
2  
3 Section 1. Section 99D.7, subsection 23, Code 2019, is  
4 amended to read as follows:

5 23. To establish a process to allow a person to be  
6 voluntarily excluded from advance deposit wagering as defined  
7 in section 99D.11, from an internet fantasy sports contest as  
8 defined in section 99E.1, from advance deposit sports betting  
9 wagering as defined in section 99F.9, from the wagering area  
10 of a racetrack enclosure and from the gaming floor and sports  
11 betting wagering area, as defined in [section 99F.1](#), of all  
12 other licensed facilities under [this chapter](#) and [chapter 99F](#)  
13 as provided in [this subsection](#). The process shall provide  
14 that an initial request by a person to be voluntarily excluded  
15 shall be for a period of five years or life and any subsequent  
16 request following any five-year period shall be for a period  
17 of five years or life. The process established shall require  
18 that licensees be provided electronic access to names and  
19 social security numbers of persons voluntarily excluded  
20 through a secured interactive internet site maintained by  
21 the commission and information regarding persons voluntarily  
22 excluded shall be disseminated to all licensees under this  
23 chapter and [chapter 99F](#). The names, social security numbers,  
24 and information regarding persons voluntarily excluded shall  
25 be kept confidential unless otherwise ordered by a court or by  
26 another person duly authorized to release such information.  
27 The process established shall also require a person requesting  
28 to be voluntarily excluded be provided information compiled  
29 by the Iowa department of public health on gambling treatment  
30 options. The state and any licensee under [this chapter](#) or  
31 chapter 99F shall not be liable to any person for any claim  
32 which may arise from this process. In addition to any other  
33 penalty provided by law, any money or thing of value that has  
34 been obtained by, or is owed to, a voluntarily excluded person  
35 as a result of wagers made by the person after the person has

1 been voluntarily excluded shall be forfeited by the person and  
2 shall be credited to the general fund of the state.

3 Sec. 2. Section 99F.1, subsection 1, Code 2019, is amended  
4 to read as follows:

5 1. "*Adjusted gross receipts*" means the gross receipts less  
6 winnings paid to wagerers on gambling games. However, "*adjusted*  
7 *gross receipts*" does not include promotional play receipts  
8 received after the date in any fiscal year that the commission  
9 determines that the wagering tax imposed pursuant to section  
10 99F.11 on all licensees in that fiscal year on promotional  
11 play receipts exceeds twenty-five million eight hundred twenty  
12 thousand dollars.

13 Sec. 3. Section 99F.1, Code 2019, is amended by adding the  
14 following new subsections:

15 NEW SUBSECTION. 2A. "*Authorized sporting event*" means a  
16 professional sporting event, a collegiate sporting event, or an  
17 international team or individual sporting event governed by the  
18 international olympic committee in which no participant in the  
19 sporting event is under eighteen years of age.

20 NEW SUBSECTION. 23. "*Sports betting*" means the acceptance  
21 of wagers on an authorized sporting event by any system of  
22 wagering as authorized by the commission. "*Sports betting*"  
23 does not include wagering on a race as defined in section 99D.2  
24 or entering an internet fantasy sports contest as defined in  
25 section 99E.1.

26 NEW SUBSECTION. 24. "*Sports betting net receipts*" means  
27 the gross receipts less winnings paid to wagerers on sports  
28 betting.

29 NEW SUBSECTION. 25. "*Sports betting wagering area*" means an  
30 area, as designated by the commission, in which sports betting  
31 is conducted.

32 Sec. 4. Section 99F.1, subsection 17, Code 2019, is amended  
33 to read as follows:

34 17. "*Licensee*" means any person licensed under section 99F.7  
35 or 99F.7A.

1     Sec. 5. Section 99F.3, Code 2019, is amended to read as  
2 follows:

3     **99F.3 Gambling games and sports betting authorized.**

4     The system of wagering on a gambling game and sports betting  
5 as provided by [this chapter](#) is legal, when conducted ~~on an~~  
6 ~~excursion gambling boat, gambling structure, or racetrack~~  
7 ~~enclosure at authorized locations~~ by a licensee as provided in  
8 this chapter.

9     Sec. 6. Section 99F.4, subsections 3 and 22, Code 2019, are  
10 amended to read as follows:

11     3. To adopt standards under which all excursion gambling  
12 boat operations shall be held and standards for the facilities  
13 within which the gambling operations are to be held. The  
14 commission may authorize the operation of gambling games on an  
15 excursion gambling boat and sports betting in a sports betting  
16 wagering area which is also licensed to sell or serve alcoholic  
17 beverages, wine, or beer as defined in [section 123.3](#).

18     22. To establish a process to allow a person to be  
19 voluntarily excluded from advance deposit wagering as defined  
20 in section 99D.11, from an internet fantasy sports contest as  
21 defined in section 99E.1, from advance deposit sports betting  
22 wagering as defined in section 99F.9, from the gaming floor  
23 and sports betting wagering area of an excursion gambling  
24 boat, from the wagering area, as defined in [section 99D.2](#),  
25 and from the gaming floor and sports betting wagering area  
26 of all other licensed facilities under [this chapter](#) and  
27 chapter 99D as provided in [this subsection](#). The process shall  
28 provide that an initial request by a person to be voluntarily  
29 excluded shall be for a period of five years or life and any  
30 subsequent request following any five-year period shall be for  
31 a period of five years or life. The process established shall  
32 require that licensees be provided electronic access to names  
33 and social security numbers of persons voluntarily excluded  
34 through a secured interactive internet site maintained by  
35 the commission and information regarding persons voluntarily

1 excluded shall be disseminated to all licensees under this  
 2 chapter and **chapter 99D**. The names, social security numbers,  
 3 and information regarding persons voluntarily excluded shall  
 4 be kept confidential unless otherwise ordered by a court or by  
 5 another person duly authorized to release such information.  
 6 The process established shall also require a person requesting  
 7 to be voluntarily excluded be provided information compiled  
 8 by the Iowa department of public health on gambling treatment  
 9 options. The state and any licensee under **this chapter** or  
 10 chapter 99D shall not be liable to any person for any claim  
 11 which may arise from this process. In addition to any other  
 12 penalty provided by law, any money or thing of value that has  
 13 been obtained by, or is owed to, a voluntarily excluded person  
 14 as a result of wagers made by the person after the person has  
 15 been voluntarily excluded shall be forfeited by the person and  
 16 shall be credited to the general fund of the state.

17 Sec. 7. Section 99F.4, Code 2019, is amended by adding the  
 18 following new subsection:

19 NEW SUBSECTION. 27. To adopt standards under which all  
 20 sports betting is conducted, including the scope and type of  
 21 wagers allowed, to identify occupations within sports betting  
 22 which require licensing, and to adopt standards for licensing  
 23 and background qualifications for occupations including  
 24 establishing fees for the occupational license. In considering  
 25 standards regarding the scope and type of wagers allowed for  
 26 sports betting, the commission shall consult with interested  
 27 professional and collegiate sports leagues and, if interested,  
 28 the international olympic committee. All revenue received by  
 29 the commission under this chapter from license fees shall be  
 30 deposited in the general fund of the state and shall be subject  
 31 to the requirements of section 8.60. All revenue received by  
 32 the commission from regulatory fees shall be deposited into the  
 33 gaming regulatory revolving fund established in section 99F.20.

34 Sec. 8. NEW SECTION. **99F.7A Sports betting — license —**  
 35 **terms and conditions — fees.**

1 1. The commission shall, upon payment of an initial  
2 license fee of fifteen thousand dollars and submission of an  
3 application to the commission consistent with the requirements  
4 of section 99F.6, issue a license to conduct sports betting  
5 to a licensee authorized to conduct gambling games at a  
6 pari-mutuel racetrack enclosure or a licensee authorized to  
7 operate an excursion gambling boat or gambling structure,  
8 subject to the requirements of this chapter. The annual  
9 renewal fee for a license to conduct sports betting shall be  
10 fifteen thousand dollars.

11 2. A licensee under this section shall do all of the  
12 following:

13 a. Include on the internet site or mobile application used  
14 by the licensee to conduct advance deposit sports betting  
15 wagering as authorized in section 99F.9 the statewide telephone  
16 number authorized by the Iowa department of public health to  
17 provide problem gambling information and extensive responsible  
18 gaming features in addition to those described in section  
19 99F.4, subsection 22.

20 b. Establish, subject to commission approval, sports betting  
21 wagering rules that specify the amounts to be paid on winning  
22 sports betting wagers, the effect of changes in the scheduling  
23 of an authorized sporting event subject to sports betting, and  
24 the source of the information used to determine the outcome  
25 of a sports betting wager. The sports betting wagering rules  
26 shall be displayed in the licensee's sports betting wagering  
27 area, posted on the internet site or mobile application used by  
28 the licensee to conduct advance deposit sports betting wagering  
29 as authorized in section 99F.9, and included in the terms and  
30 conditions of the licensee's advance deposit account sports  
31 betting wagering system.

32 3. A licensee issued a license to conduct sports betting  
33 under this section shall employ commercially reasonable steps  
34 to prohibit coaches, athletic trainers, officials, players, or  
35 other individuals who participate in an authorized sporting

1 event that is the subject of sports betting from sports betting  
2 under this chapter. In addition, a licensee shall employ  
3 commercially reasonable steps to prohibit persons who are  
4 employed in a position with direct involvement with coaches,  
5 players, athletic trainers, officials, players, or participants  
6 in an authorized sporting event that is the subject of sports  
7 betting from sports betting under this chapter.

8 Sec. 9. Section 99F.8, Code 2019, is amended to read as  
9 follows:

10 **99F.8 Bond of licensee.**

11 A licensee licensed under [section 99F.7](#) shall post a bond  
12 to the state of Iowa before the license is issued in a sum  
13 as the commission shall fix, with sureties to be approved by  
14 the commission. The bond shall be used to guarantee that the  
15 licensee faithfully makes the payments, keeps its books and  
16 records and makes reports, and conducts its gambling games and  
17 sports betting in conformity with [this chapter](#) and the rules  
18 adopted by the commission. The bond shall not be canceled by  
19 a surety on less than thirty days' notice in writing to the  
20 commission. If a bond is canceled and the licensee fails to  
21 file a new bond with the commission in the required amount on  
22 or before the effective date of cancellation, the licensee's  
23 license shall be revoked. The total and aggregate liability  
24 of the surety on the bond is limited to the amount specified in  
25 the bond.

26 Sec. 10. Section 99F.9, subsection 1, Code 2019, is amended  
27 to read as follows:

28 1. Except as permitted in [this section](#), the licensee  
29 shall not permit ~~ne~~ sports betting or any form of wagering on  
30 gambling games.

31 Sec. 11. Section 99F.9, Code 2019, is amended by adding the  
32 following new subsection:

33 NEW SUBSECTION. 3A. a. For the purposes of this section,  
34 unless the context otherwise requires:

35 (1) "*Advance deposit sports betting wagering*" means a method

1 of sports betting in which an eligible individual may, in an  
2 account established with a licensee under section 99F.7A,  
3 deposit moneys into the account and use the account balance to  
4 pay for sports betting.

5 (2) "*Advance deposit sports betting wagering operator*" means  
6 an advance deposit sports betting wagering operator licensed  
7 by the commission who has entered into an agreement with a  
8 licensee under section 99F.7A to provide advance deposit sports  
9 betting wagering.

10 (3) "*Eligible individual*" means an individual who is at  
11 least twenty-one years of age or older who is located within  
12 this state.

13 b. The commission may authorize a licensee under section  
14 99F.7A to conduct advance deposit sports betting wagering. An  
15 advance deposit sports betting wager may be placed in person  
16 in the sports wagering area, or from any other location via  
17 a telephone-type device or any other electronic means. The  
18 commission may also issue an advance deposit sports betting  
19 wagering operator license to an entity who complies with this  
20 subsection and section 99F.6 and may require the advance  
21 deposit sports wagering operator to conduct an audit consistent  
22 with the requirements of section 99F.13.

23 c. An unlicensed person taking or receiving sports betting  
24 wagers from residents of this state is guilty of a class "D"  
25 felony.

26 Sec. 12. Section 99F.9, subsection 4, Code 2019, is amended  
27 to read as follows:

28 4. A person under the age of twenty-one years shall not make  
29 or attempt to make a wager pursuant to subsection 3A or on an  
30 excursion gambling boat, gambling structure, or in a racetrack  
31 enclosure and shall not be allowed on the gaming floor of  
32 an excursion gambling boat or gambling structure or in the  
33 wagering area, as defined in [section 99D.2](#), or on the gaming  
34 floor of a racetrack enclosure. However, a person eighteen  
35 years of age or older may be employed to work on the gaming



1 floor of an excursion gambling boat or gambling structure or  
2 in the wagering area or on the gaming floor of a racetrack  
3 enclosure. A person who violates this subsection with respect  
4 to making or attempting to make a wager commits a scheduled  
5 violation under section 805.8C, subsection 5, paragraph "a".

6 Sec. 13. Section 99F.11, subsection 3, unnumbered paragraph  
7 1, Code 2019, is amended to read as follows:

8 The taxes imposed by this section on adjusted gross receipts  
9 from gambling games authorized under this chapter shall be paid  
10 by the licensee to the treasurer of state within ten days after  
11 the close of the day when the wagers were made and shall be  
12 distributed as follows:

13 Sec. 14. Section 99F.11, Code 2019, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 4. A tax is imposed on the sports betting  
16 net receipts received each fiscal year by a licensed operator  
17 from sports betting authorized under this chapter at the rate  
18 of six and three-quarters percent. The taxes imposed by this  
19 subsection for sports betting authorized under this chapter  
20 shall be paid by the licensed operator to the treasurer of  
21 state as determined by the commission and shall be credited as  
22 provided in section 8.57, subsection 5.

23 Sec. 15. Section 99F.12, subsection 2, Code 2019, is amended  
24 to read as follows:

25 2. a. The licensee shall furnish to the commission reports  
26 and information as the commission may require with respect to  
27 the licensee's activities.

28 b. A licensee under section 99F.7A shall promptly report  
29 to the commission any criminal or disciplinary proceedings  
30 commenced against the licensee or its employees in connection  
31 with the licensee conducting sports betting including advance  
32 deposit sports betting wagering, any abnormal wagering activity  
33 or patterns that may indicate a concern about the integrity  
34 of an authorized sporting event or events, and any other  
35 conduct with the potential to corrupt a wagering outcome of

1 an authorized sporting event for purposes of financial gain,  
2 including but not limited to match fixing, and suspicious or  
3 illegal wagering activities, including the use of funds derived  
4 from illegal activity, wagers to conceal or launder funds  
5 derived from illegal activity, use of agents to place wagers,  
6 or use of false identification. The commission is required to  
7 share any information received pursuant to this paragraph with  
8 any law enforcement entity, sports team, sports governing body,  
9 or regulatory agency the commission deems appropriate.

10 c. The gross receipts and adjusted gross receipts from  
11 gambling shall be separately handled and accounted for from  
12 all other moneys received from operation of an excursion  
13 gambling boat or from operation of a racetrack enclosure or  
14 gambling structure licensed to conduct gambling games. The  
15 commission may designate a representative to board a licensed  
16 excursion gambling boat or to enter a racetrack enclosure or  
17 gambling structure licensed to conduct gambling games. The  
18 representative shall have full access to all places within the  
19 enclosure of the boat, the gambling structure, or the racetrack  
20 enclosure and shall directly supervise the handling and  
21 accounting of all gross receipts and adjusted gross receipts  
22 from gambling. The representative shall supervise and check  
23 the admissions. The compensation of a representative shall be  
24 fixed by the commission but shall be paid by the licensee.

25 Sec. 16. Section 99F.15, subsection 1, paragraph c, Code  
26 2019, is amended to read as follows:

27 c. Acting, or employing a person to act, as a shill or  
28 decoy to encourage participation in a gambling game or sports  
29 betting.

30 Sec. 17. Section 99F.15, subsection 4, paragraphs d, h, and  
31 i, Code 2019, are amended to read as follows:

32 d. Cheats at a gambling game, including but not limited to  
33 committing any act which alters the outcome of the game, or  
34 cheats at sports betting.

35 h. Claims, collects, or takes, or attempts to claim,

1 collect, or take, money or anything of value in or from the  
2 gambling games or sports betting, with intent to defraud,  
3 without having made a wager contingent on winning a gambling  
4 game or sports betting wager, or claims, collects, or takes an  
5 amount of money or thing of value of greater value than the  
6 amount won.

7 *i.* Knowingly entices or induces a person to go to any place  
8 where a gambling game or sports betting is being conducted or  
9 operated in violation of the provisions of **this chapter** with  
10 the intent that the other person plays or participates in that  
11 gambling game or sports betting.

12 Sec. 18. Section 99F.20, subsection 1, Code 2019, is amended  
13 to read as follows:

14 1. A gaming regulatory revolving fund is created in  
15 the state treasury under the control of the department of  
16 inspections and appeals. The fund shall consist of fees  
17 collected and deposited into the fund paid by licensees  
18 pursuant to **section 99D.14, subsection 2**, paragraph "c", fees  
19 paid by licensees pursuant to section 99E.5, subsection 5,  
20 paragraph "c", regulatory fees paid by licensees pursuant  
21 to section 99F.4, subsection 27, and fees paid by licensees  
22 pursuant to section 99F.10, subsection 4, paragraph "c". All  
23 costs relating to racetrack, excursion boat, and gambling  
24 structure regulation shall be paid from the fund as provided in  
25 appropriations made for this purpose by the general assembly.  
26 The department shall provide quarterly reports to the  
27 department of management and the legislative services agency  
28 specifying revenues billed and collected and expenditures  
29 from the fund in a format as determined by the department  
30 of management in consultation with the legislative services  
31 agency.

32 Sec. 19. EMERGENCY RULES. The state racing and gaming  
33 commission created under section 99D.5 may adopt emergency  
34 rules under section 17A.4, subsection 3, and section 17A.5,  
35 subsection 2, paragraph "b", to implement the provisions of

1 this division of this Act and the rules shall be effective  
2 immediately upon filing unless a later date is specified in the  
3 rules. Any rules adopted in accordance with this section shall  
4 also be published as a notice of intended action as provided  
5 in section 17A.4.

6 Sec. 20. IMPLEMENTATION. The racing and gaming commission  
7 shall not implement this division of this Act until the date  
8 the commission has adopted rules pursuant to chapter 17A  
9 providing for such implementation and such rules have become  
10 effective.

11 Sec. 21. EFFECTIVE DATE. This division of this Act, being  
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION II

14 INTERNET FANTASY SPORTS CONTESTS

15 Sec. 22. Section 80.25A, Code 2019, is amended to read as  
16 follows:

17 **80.25A ~~Pari-mutuel and gambling game~~ Gaming operations —**  
18 **investigation and enforcement.**

19 The commissioner of public safety shall direct the chief  
20 of the division of criminal investigation to establish a  
21 subdivision to be the primary criminal investigative and  
22 enforcement agency for the purpose of enforcement of chapters  
23 99D, 99E, and 99F. The commissioner of public safety shall  
24 appoint or assign other agents to the division as necessary to  
25 enforce chapters 99D, 99E, and 99F. All enforcement officers,  
26 assistants, and agents of the division are subject to section  
27 80.15 except clerical workers.

28 Sec. 23. NEW SECTION. 99E.1 Definitions.

29 As used in this chapter, unless the context otherwise  
30 requires:

31 1. "*Applicant*" means an internet fantasy sports contest  
32 service provider applying for a license to conduct internet  
33 fantasy sports contests under this chapter.

34 2. "*Commission*" means the state racing and gaming commission  
35 created under section 99D.5.

1     3. *"Fantasy sports contest"* includes any fantasy or  
2 simulated game or contest in which the fantasy sports contest  
3 operator is not a participant in the game or contest, the value  
4 of all prizes and awards offered to winning participants are  
5 established and made known to the participants in advance  
6 of the contest, all winning outcomes reflect the relative  
7 knowledge and skill of the participants and shall be determined  
8 by accumulated statistical results of the performance of  
9 individuals, including athletes in the case of sporting events,  
10 and no winning outcome is based on the score, point spread, or  
11 any performance or performances of any single actual team or  
12 solely on any single performance of an individual athlete or  
13 player in any single actual event.

14     4. *"Internet fantasy sports contest"* means a method of  
15 entering a fantasy sports contest by which a person may  
16 establish an account with an internet fantasy sports contest  
17 service provider, deposit money into the account, and use  
18 the account balance for entering a fantasy sports contest by  
19 utilizing electronic communication.

20     5. *"Internet fantasy sports contest adjusted revenues"* means,  
21 for each internet fantasy sports contest, the amount equal to  
22 the total charges and fees collected from all participants  
23 entering the internet fantasy sports contest less winnings paid  
24 to participants in the contest, multiplied by the location  
25 percentage.

26     6. *"Internet fantasy sports contest player"* means a person  
27 who is at least twenty-one years of age and participates in an  
28 internet fantasy sports contest operated by an internet fantasy  
29 sports contest service provider.

30     7. *"Internet fantasy sports contest service provider"* means  
31 a person, including a licensee under chapter 99D or 99F, who  
32 conducts an internet fantasy sports contest as authorized by  
33 this chapter.

34     8. *"Licensee"* means any person licensed under section 99E.5  
35 to conduct internet fantasy sports contests.

1 9. "Location percentage" means, for each internet fantasy  
2 sports contest, the percentage, rounded to the nearest tenth of  
3 a percent, equal to the total charges and fees collected from  
4 all internet fantasy sports contest players located in this  
5 state divided by the total charges and fees collected from all  
6 participants in the internet fantasy sports contest.

7 Sec. 24. NEW SECTION. 99E.2 Internet fantasy sports  
8 contests authorized.

9 The system of entering an internet fantasy sports contest as  
10 provided by this chapter is legal when conducted by a licensed  
11 internet fantasy sports contest service provider as provided in  
12 this chapter.

13 Sec. 25. NEW SECTION. 99E.3 Commission — powers.

14 1. The commission shall have full jurisdiction over and  
15 shall supervise internet fantasy sports contests and internet  
16 fantasy sports contest service providers as governed by this  
17 chapter.

18 2. The commission shall have the following powers and shall  
19 adopt rules pursuant to chapter 17A to administer and implement  
20 this chapter:

21 a. To review and investigate applicants and determine the  
22 eligibility of applicants for a license to conduct internet  
23 fantasy sports contests, pursuant to rules adopted by the  
24 commission.

25 b. To license and regulate internet fantasy sports contest  
26 service providers subject to the requirements of this chapter.

27 c. To provide for the prevention of practices detrimental to  
28 the public and to provide for the best interests of internet  
29 fantasy sports contests.

30 d. To investigate alleged violations of this chapter  
31 or the commission rules, orders, or final decisions and to  
32 take appropriate disciplinary action against a licensee, or  
33 institute appropriate legal action for enforcement, or both.  
34 Information gathered during an investigation is confidential  
35 during the pendency of the investigation.

1 e. To assess fines and revoke or suspend licenses and to  
2 impose penalties for violations of this chapter.

3 f. To take any other action as may be reasonable or  
4 appropriate to enforce this chapter and the commission rules.

5 Sec. 26. NEW SECTION. **99E.4 Requirements of applicant —**  
6 **fee.**

7 1. An applicant for a license to conduct internet fantasy  
8 sports contests shall complete and sign an application on  
9 the form prescribed and published by the commission. The  
10 application shall include such information of the applicant  
11 that the commission deems necessary for purposes of issuing a  
12 license pursuant to this chapter.

13 2. An applicant shall submit fingerprints and information  
14 that the commission deems necessary to the commission in the  
15 manner prescribed on the application forms. The fingerprints  
16 may be submitted to the federal bureau of investigation by  
17 the department of public safety through the state criminal  
18 history repository for the purpose of a national criminal  
19 history check. The results of a criminal history record check  
20 conducted pursuant to this subsection shall be considered a  
21 confidential record under chapter 22.

22 3. Before a license is granted, the division of criminal  
23 investigation of the department of public safety shall conduct  
24 a thorough background investigation of the applicant for a  
25 license to conduct internet fantasy sports contests. The  
26 applicant shall provide information on a form as required by  
27 the division of criminal investigation.

28 4. The commission shall charge the applicant a reasonable  
29 fee set by the division of criminal investigation of the  
30 department of public safety, to defray those costs associated  
31 with the fingerprint and national criminal history check  
32 requirements of subsection 2 and background investigations  
33 conducted by agents of the division of criminal investigation  
34 as provided in subsection 3. These fees and costs are in  
35 addition to any other license fees and costs charged by the

1 commission.

2 5. The commission shall not grant a license to an applicant  
3 if there is substantial evidence that any of the following  
4 apply:

5 a. A license issued to the applicant to conduct internet  
6 fantasy sports contests in another jurisdiction has been  
7 revoked, or a request for a license to conduct internet fantasy  
8 sports contests in another jurisdiction has been denied, by  
9 an entity licensing persons to conduct such contests in that  
10 jurisdiction.

11 b. The applicant has not demonstrated financial  
12 responsibility sufficient to adequately meet the requirements  
13 of the enterprise proposed.

14 c. The applicant does not adequately disclose the true  
15 owners of the enterprise proposed.

16 d. The applicant has knowingly made a false statement of a  
17 material fact to the commission.

18 e. The applicant has failed to meet a monetary obligation in  
19 connection with conducting an internet fantasy sports contest.

20 f. The applicant is not of good repute and moral character  
21 or the applicant has pled guilty to, or has been convicted of,  
22 a felony.

23 g. Any member of the board of directors of the applicant is  
24 not twenty-one years of age or older.

25 6. A person who knowingly makes a false statement on the  
26 application is guilty of an aggravated misdemeanor.

27 7. For the purposes of this section, "applicant" includes  
28 each member of the board of directors of an internet fantasy  
29 sports contest service provider.

30 **Sec. 27. NEW SECTION. 99E.5 Licenses — fees — terms and**  
31 **conditions — revocation.**

32 1. If the commission is satisfied that the requirements  
33 of this chapter and its rules adopted under this chapter  
34 applicable to licensees have been or will be complied with, the  
35 commission shall, upon payment of an initial annual license



1 fee of five thousand dollars, issue a license for a period of  
2 not more than three years to an applicant to conduct internet  
3 fantasy sports contests in this state.

4 2. A licensee under this section shall establish, subject to  
5 commission approval, internet fantasy sports contest rules that  
6 specify the prizes and awards offered to winning participants  
7 in an internet fantasy sports contest, the effect of changes  
8 in the scheduling of an event subject to an internet fantasy  
9 sports contest, and the source of the information used to  
10 determine the outcome of an internet fantasy sports contest.  
11 The internet fantasy sports contest rules shall be displayed on  
12 the internet site or mobile application used by the licensee  
13 to conduct internet fantasy sports contests and included in  
14 the terms and conditions of the licensee's system to conduct  
15 internet fantasy sports contests.

16 3. A licensed internet fantasy sports contest service  
17 provider shall use commercially reasonable methods to comply  
18 with all of the following requirements:

19 a. Prevent employees of the internet fantasy sports contest  
20 service provider and relatives living in the same household of  
21 such employees from competing in any internet fantasy sports  
22 contest on the service provider's digital platform in which the  
23 service provider offers a cash prize to the public.

24 b. Verify that an internet fantasy sports contest player  
25 located in this state is twenty-one years of age or older.

26 c. Ensure that coaches, officials, players, contestants,  
27 or other individuals who participate in a game or contest  
28 that is the subject of an internet fantasy sports contest are  
29 restricted from entering an internet fantasy sports contest in  
30 which the outcome is determined, in whole or in part, by the  
31 accumulated statistical results of a team of individuals in the  
32 game or contest in which they participate.

33 d. Allow individuals to restrict themselves from entering  
34 an internet fantasy sports contest conducted by the internet  
35 fantasy sports contest service provider upon request and take

1 reasonable steps to prevent those individuals from entering  
2 any internet fantasy sports contests conducted by the internet  
3 fantasy sports contest service provider.

4 *e.* Allow individuals to establish an account with an  
5 internet fantasy sports contest service provider by utilizing  
6 electronic communication.

7 *f.* Disclose the number of entries a single internet fantasy  
8 sports contest player may submit to each internet fantasy  
9 sports contest and take reasonable steps to prevent players  
10 from submitting more than the allowable number of entries for  
11 that internet fantasy sports contest.

12 *g.* Segregate internet fantasy sports contest player funds  
13 from operational funds or maintain a reserve in the form of  
14 cash, cash equivalents, an irrevocable letter of credit,  
15 payment processor reserves and receivables, a bond, or a  
16 combination thereof in the amount of the deposits in internet  
17 fantasy sports contest player accounts for the benefit and  
18 protection of internet fantasy sports contest player funds held  
19 in internet fantasy sports contest accounts by the internet  
20 fantasy sports contest service provider.

21 *h.* Conduct an annual audit under section 99E.9.

22 *i.* Pay the tax as provided in section 99E.6.

23 4. The annual renewal fee for a license to conduct internet  
24 fantasy sports contests shall be five thousand dollars. Moneys  
25 collected by the commission from the annual renewal fee for  
26 a license paid under this subsection shall be considered  
27 repayment receipts as defined in section 8.2.

28 5. *a.* A licensed internet fantasy sports contest service  
29 provider shall pay a regulatory fee to the commission. The  
30 regulatory fee shall be established by the commission based on  
31 the costs of administering and enforcing this chapter.

32 *b.* A licensed internet fantasy sports contest service  
33 provider shall receive a credit for the amount of the  
34 regulatory fee paid by the provider against the taxes to be  
35 paid pursuant to section 99E.6.

1     c. Notwithstanding section 8.60, the portion of the fee  
2 paid pursuant to paragraph "a" relating to the costs of the  
3 commission shall be deposited into the gaming regulatory  
4 revolving fund established in section 99F.20.

5     6. Upon a violation of any of the conditions listed in  
6 section 99E.4 or this section by a licensee, the commission  
7 shall immediately revoke the license.

8     Sec. 28. NEW SECTION. **99E.6 Internet fantasy sports contest**  
9 **tax — rate.**

10     A tax is imposed on internet fantasy sports contest adjusted  
11 revenues received each fiscal year by an internet fantasy  
12 sports contest service provider from internet fantasy sports  
13 contests authorized under this chapter at the rate of six and  
14 three-quarters percent. The taxes imposed by this section  
15 for internet fantasy sports contests authorized under this  
16 chapter shall be paid by the internet fantasy sports contest  
17 service provider to the treasurer of state as determined by the  
18 commission and shall be credited as provided in section 8.57,  
19 subsection 5.

20     Sec. 29. NEW SECTION. **99E.7 Internet fantasy sports**  
21 **contests — age restrictions.**

22     A person under the age of twenty-one years shall not enter an  
23 internet fantasy sports contest. A person who violates this  
24 section with respect to entering an internet fantasy sports  
25 contest commits a scheduled violation under section 805.8C,  
26 subsection 12.

27     Sec. 30. NEW SECTION. **99E.8 Licensees — records — reports**  
28 **— confidentiality.**

29     1. An internet fantasy sports contest service provider  
30 shall keep its books and records so as to clearly show the  
31 internet fantasy sports contest adjusted revenues for each  
32 internet fantasy sports contest subject to tax in this state.

33     2. a. The licensee shall furnish to the commission reports  
34 and information as the commission may require with respect to  
35 the licensee's activities.

1     *b.* A licensee shall promptly report to the commission any  
2 criminal or disciplinary proceedings commenced against the  
3 licensee or its employees in connection with the licensee  
4 conducting an internet fantasy sports contest, any abnormal  
5 contest activity or patterns that may indicate a concern about  
6 the integrity of an internet fantasy sports contest, and any  
7 other conduct with the potential to corrupt an outcome of an  
8 internet fantasy sports contest for purposes of financial gain,  
9 including but not limited to match fixing, and suspicious or  
10 illegal internet fantasy sports contest activities, including  
11 the use of funds derived from illegal activity, deposits of  
12 money to enter an internet fantasy sports contest to conceal  
13 or launder funds derived from illegal activity, use of agents  
14 to enter an internet fantasy sports contest, or use of false  
15 identification. The commission is authorized to share any  
16 information received pursuant to this paragraph with any law  
17 enforcement entity, sports team, sports governing body, or  
18 regulatory agency the commission deems appropriate.

19     3. Except as provided in subsection 4, the books and records  
20 kept by a licensee as provided by this section are public  
21 records and the examination, publication, and dissemination of  
22 the books and records are governed by the provisions of chapter  
23 22.

24     4. The records of the commission shall be governed by the  
25 provisions of chapter 22, provided that, in addition to records  
26 that may be kept confidential pursuant to section 22.7, the  
27 following records provided by a licensee to the commission  
28 shall be kept confidential, unless otherwise ordered by a  
29 court, by the lawful custodian of the records, or by another  
30 person duly authorized to release such information:

- 31     *a.* Patron and customer records.
- 32     *b.* Security reports and network audits.
- 33     *c.* Internal control and compliance records.
- 34     *d.* Employee records.
- 35     *e.* Marketing expenses.

1     *f.* Supplemental schedules to the certified audit, except for  
2 those books and records as described in subsection 1 of this  
3 section, that are obtained by the commission in connection with  
4 the annual audit under section 99E.9.

5     *g.* Any information specifically requested for inspection by  
6 the commission or a representative of the commission.

7     Sec. 31. NEW SECTION. **99E.9 Annual audit of licensee**  
8 **operations.**

9     Within ninety days after the end of the licensee's fiscal  
10 year, the licensee shall transmit to the commission an audit  
11 of the licensee's total gambling operations, including an  
12 itemization of all expenses and subsidies. Each audit shall  
13 be conducted by a certified public accountant authorized to  
14 practice in the state of Iowa under chapter 542 who is selected  
15 by the licensee and approved by the commission.

16     Sec. 32. NEW SECTION. **99E.10 Civil penalty.**

17     A person who willfully fails to comply with the requirements  
18 of this chapter and the rules adopted pursuant to chapter 17A  
19 under this chapter shall be liable for a civil penalty of  
20 not more than one thousand dollars for each violation, not  
21 to exceed ten thousand dollars for violations arising out of  
22 the same transaction or occurrence, which shall accrue to the  
23 state and may be recovered in a civil action brought by the  
24 commission.

25     Sec. 33. Section 99F.2, Code 2019, is amended to read as  
26 follows:

27     **99F.2 Scope of provisions.**

28     This chapter does not apply to the pari-mutuel system of  
29 wagering used or intended to be used in connection with the  
30 horse-race or dog-race meetings as authorized under chapter  
31 99D, internet fantasy sports contests authorized under chapter  
32 99E, lottery or lotto games authorized under chapter 99G, or  
33 bingo or games of skill or chance authorized under **chapter 99B.**

34     Sec. 34. Section 99F.4B, Code 2019, is amended to read as  
35 follows:

1     **99F.4B Rules.**

2     The department of inspections and appeals shall cooperate  
3 to the maximum extent possible with the division of criminal  
4 investigation in adopting rules relating to the gaming  
5 operations in this chapter and ~~chapter~~ chapters 99D and 99E.

6     Sec. 35. Section 232C.4, subsection 3, Code 2019, is amended  
7 to read as follows:

8     3. An emancipated minor shall remain subject to voting  
9 restrictions under chapter 48A, gambling restrictions under  
10 chapter 99B, 99D, 99F, 99G, or 725, internet fantasy sports  
11 contest restrictions under chapter 99E, alcohol restrictions  
12 under chapter 123, compulsory attendance requirements under  
13 chapter 299, and cigarette tobacco restrictions under chapter  
14 453A.

15     Sec. 36. Section 714B.10, subsection 1, Code 2019, is  
16 amended to read as follows:

17     1. Advertising by sponsors registered pursuant to chapter  
18 557B, licensed pursuant to chapter 99B, or regulated pursuant  
19 to chapter 99D, 99E, 99F, or 99G.

20     Sec. 37. Section 725.15, Code 2019, is amended to read as  
21 follows:

22     **725.15 Exceptions for legal gambling.**

23     Sections 725.5 through 725.10 and 725.12 do not apply to  
24 a game, activity, ticket, or device when lawfully possessed,  
25 used, conducted, or participated in pursuant to chapter 99B,  
26 99E, 99F, or 99G.

27     Sec. 38. Section 805.8C, Code 2019, is amended by adding the  
28 following new subsection:

29     NEW SUBSECTION. 12. *Internet fantasy sports contest*  
30 *violations.* For violations of legal age for entering an  
31 internet fantasy sports contest under section 99E.7, the  
32 scheduled fine is five hundred dollars. Failure to pay the  
33 fine by a person under the age of eighteen shall not result in  
34 the person being detained in a secure facility.

35     Sec. 39. **TRANSITIONAL LICENSE.** Notwithstanding any

1 provisions of chapter 99E as enacted by this Act to the  
2 contrary, a person granted a license or registration by two or  
3 more states to conduct internet fantasy sports contests may  
4 apply for and shall be granted a transitional license by the  
5 racing and gaming commission to conduct internet fantasy sports  
6 contests in this state subject to the requirements of chapter  
7 99E, as enacted by this Act. The transitional license shall  
8 be valid until the earlier of the date the racing and gaming  
9 commission grants or denies a license under section 99E.5 to  
10 the person to conduct internet fantasy sports contests, or  
11 twelve months from the date the racing and gaming commission  
12 accepts applications for issuance of a license to conduct  
13 internet fantasy sports contests under section 99E.5.

14 Sec. 40. EMERGENCY RULES. The state racing and gaming  
15 commission created under section 99D.5 may adopt emergency  
16 rules under section 17A.4, subsection 3, and section 17A.5,  
17 subsection 2, paragraph "b", to implement the provisions of  
18 this division of this Act and the rules shall be effective  
19 immediately upon filing unless a later date is specified in the  
20 rules. Any rules adopted in accordance with this section shall  
21 also be published as a notice of intended action as provided  
22 in section 17A.4.

23 Sec. 41. IMPLEMENTATION. The racing and gaming commission  
24 shall not implement this division of this Act until the date  
25 the commission has adopted rules pursuant to chapter 17A  
26 providing for such implementation and such rules have become  
27 effective.

28 Sec. 42. EFFECTIVE DATE. This division of this Act, being  
29 deemed of immediate importance, takes effect upon enactment.

30 DIVISION III

31 SOCIAL SPORTS GAMBLING

32 Sec. 43. Section 99B.41, Code 2019, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 1A. "*Social fantasy sports contest*" means  
35 any fantasy or simulated game or contest in which the value

1 of all prizes and awards offered to winning participants are  
2 established and made known to the participants in advance of  
3 the contest and do not exceed a total of one thousand dollars  
4 or equivalent consideration, all winning outcomes reflect  
5 the relative knowledge and skill of the participants and  
6 shall be determined by accumulated statistical results of  
7 the performance of individuals in events occurring over more  
8 than a twenty-four-hour period, including athletes in the case  
9 of sporting events, and no winning outcome is based on the  
10 score, point spread, or any performance or performances of  
11 any single actual team or solely on any single performance of  
12 an individual athlete or player in any single actual event.  
13 *"Social fantasy sports contest"* does not include an internet  
14 fantasy sports contest as defined in section 99E.1.

15 Sec. 44. Section 99B.45, subsection 2, Code 2019, is amended  
16 by adding the following new paragraph:

17 NEW PARAGRAPH. c. A social fantasy sports contest.

18 EXPLANATION

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

21 This bill authorizes sports gambling and wagering, including  
22 sports betting and fantasy sports contests.

23 LICENSED SPORTS BETTING. This division authorizes and  
24 licenses sports betting.

25 Code section 99F.1, concerning definitions, is amended. The  
26 bill defines "sports betting" as wagering on an authorized  
27 sporting event by any system of wagering as authorized by  
28 the racing and gaming commission (commission) and defines  
29 "authorized sporting event" to include professional and  
30 collegiate sporting events and international team and  
31 individual sporting events governed by the international  
32 olympic committee in which no participant is under 18 years  
33 of age. The definition of "licensee" is amended to include a  
34 person licensed to conduct sports betting. The bill defines  
35 "sports betting net receipts" as gross receipts less winnings



1 paid to wagerers on sports betting. "Sports betting wagering  
2 area" is defined as an area, as designated by the commission,  
3 in which sports betting is conducted.

4 Code sections 99D.7(23) and 99F.4(22), concerning persons  
5 voluntarily excluded from wagering or gaming areas, are amended  
6 to include internet fantasy sports contests, advance deposits  
7 wagering, advance deposit sports betting wagering, and the  
8 sports betting wagering area.

9 Code section 99F.3, concerning authorized wagering under  
10 Code chapter 99F, is amended to authorize sports betting.

11 Code section 99F.4, concerning racing and gaming commission  
12 powers, is amended to authorize the operation of sports betting  
13 in a sports betting wagering area on an excursion gambling  
14 boat which is also licensed to serve alcoholic beverages and  
15 grants the racing and gaming commission the authority to adopt  
16 standards under which sports betting is conducted including  
17 the scope and type of wagers allowed. The bill provides that  
18 revenue received by the commission from license fees for sports  
19 betting shall be deposited in the general fund of the state  
20 and revenue received by the commission from regulatory fees  
21 shall be deposited into the gaming regulatory revolving fund  
22 established in Code section 99F.20.

23 New Code section 99F.7A provides specific requirements  
24 relative to the licensing, operation, and fees applicable to  
25 sports betting.

26 The bill provides that the commission shall, upon payment  
27 of an initial license fee of \$15,000, issue a license to  
28 conduct sports betting to a licensee authorized to conduct  
29 gambling games at a pari-mutuel racetrack enclosure or a  
30 licensee authorized to operate an excursion gambling boat or  
31 gambling structure. The bill provides that the annual renewal  
32 fee for a license shall also be \$15,000. The bill provides  
33 that a licensee establish, and display and post, sports  
34 betting wagering rules specifying the amounts to be paid on  
35 winning wagers, the effect of changes in the scheduling of an

1 authorized sporting event, and the source of information used  
2 to determine the outcome of a wager. The new Code section also  
3 provides that a licensee shall include on the internet site  
4 or mobile application used by the licensee to conduct advance  
5 deposit sports betting wagering the statewide telephone number  
6 authorized by the Iowa department of public health to provide  
7 problem gambling information and extensive responsible gaming  
8 features. The bill also provides that a licensee issued a  
9 license to conduct sports betting shall employ commercially  
10 reasonable steps to prohibit coaches, athletic trainers,  
11 officials, players, participants, or other persons employed in  
12 a position with direct involvement with such individuals from  
13 sports betting under Code chapter 99F.

14 Code section 99F.8, concerning licensee bonding  
15 requirements, is amended to make such requirements applicable  
16 to sports betting.

17 Code section 99F.9, concerning wagering on gambling games,  
18 is amended to allow the commission to authorize gambling game  
19 licensees under Code chapter 99F to conduct advance deposit  
20 sports betting wagering. The bill also allows a licensee  
21 under Code section 99F.7A to enter into an agreement with an  
22 advance deposit sports betting wagering operator licensed  
23 by the commission to provide advance deposit sports betting  
24 wagering for the licensee and allows the commission to require  
25 the advance deposit sports betting wagering operator to  
26 conduct an audit. The bill would allow for an advance deposit  
27 sports betting wager to be placed in person at a licensed  
28 facility authorized to conduct gambling games or from any other  
29 location by telephone or other electronic means. The bill  
30 defines "advance deposit sports betting wagering" as a form  
31 of wagering where an eligible individual creates an account  
32 with a licensee, deposits money into that account, and can  
33 use the balance within the account for sports betting. The  
34 bill defines an "eligible individual" for purposes of advance  
35 deposit sports betting wagering as an individual 21 years

1 of age or older who is located within this state. The bill  
2 provides that an unlicensed person taking sports betting wagers  
3 from Iowa residents is guilty of a class "D" felony, punishable  
4 by confinement for no more than five years and a fine of at  
5 least \$750 but not more than \$7,500. The Code section is also  
6 amended to provide that a person under the age of 21 shall  
7 not make or attempt to make a wager by advance deposit sports  
8 wagering.

9 Code section 99F.11, concerning the wagering tax, is  
10 amended. The bill provides that sports betting net receipts  
11 received each fiscal year by a licensed operator from sports  
12 betting shall be taxed at the rate of six and three-quarters  
13 percent. The taxes imposed shall be paid by the licensed  
14 operator to the treasurer of state as determined by the  
15 commission and shall be credited as provided in Code section  
16 8.57, subsection 5.

17 Code section 99F.12, concerning certain required reports  
18 and records of licensees, is amended to provide that a sports  
19 betting licensee shall promptly report to the commission any  
20 criminal or disciplinary proceedings commenced against the  
21 licensee, any abnormal sports wagering activity, and any other  
22 conduct with the potential to corrupt a wagering outcome of an  
23 authorized sporting event. The bill requires the commission to  
24 share any information received with any law enforcement entity,  
25 sports team, sports governing body, or regulatory agency the  
26 commission deems appropriate.

27 Code section 99F.15, concerning certain prohibited  
28 activities and penalties, is amended to provide that current  
29 prohibitions on cheating at a gambling game, claiming anything  
30 of value from a gambling game with intent to defraud, and  
31 knowingly enticing a person to go where a gambling game is  
32 conducted in violation of Code chapter 99F also applies to  
33 sports betting.

34 Code section 99F.20, concerning the gaming regulatory  
35 revolving fund, is amended to provide that regulatory fees

1 by an internet fantasy sports contest service provider and  
2 by a licensee authorized to conduct sports wagering shall be  
3 deposited in the fund.

4 This division of the bill takes effect upon enactment.  
5 However, the bill authorizes the racing and gaming commission  
6 to adopt emergency rules to implement the bill and provides  
7 that the racing and gaming commission shall not implement  
8 this division of the bill until the date the commission has  
9 adopted rules pursuant to Code chapter 17A providing for such  
10 implementation and such rules have become effective.

11 INTERNET FANTASY SPORTS CONTESTS. This division of the bill  
12 authorizes internet fantasy sports contests and provides for  
13 the licensing, regulation, and taxation of internet fantasy  
14 sports contests.

15 Code section 80.25, concerning gaming investigation and  
16 enforcement by the division of criminal investigation of  
17 the department of public safety, is amended to provide for  
18 investigation and enforcement concerning the new Code chapter.

19 New Code section 99E.1 provides for definitions. A "fantasy  
20 sports contest" is defined as any fantasy or simulated game  
21 or contest in which all prizes and awards offered to winning  
22 participants are established and made known in advance of the  
23 contest, all winning outcomes reflect the relative knowledge  
24 and skill of the participants and are determined predominantly  
25 by accumulated statistical results of the performance of  
26 individuals, and no winning outcome is based on the score, or  
27 performance of any single actual team or combination of such  
28 teams or solely on any single performance of an individual  
29 athlete in any single actual sporting or other event. An  
30 "internet fantasy sports contest" is defined as a method of  
31 entering a fantasy sports contest by establishing an account  
32 with an internet fantasy sports contest service provider. An  
33 "internet fantasy sports contest player" is defined as a person  
34 who is at least 21 years of age who participates in an internet  
35 fantasy sports contest. The bill also defines "internet

1 fantasy sports contest adjusted revenues", "internet fantasy  
2 sports contest service provider", "licensee", and "location  
3 percentage".

4 New Code section 99E.2 provides that the system of entering  
5 an internet fantasy sports contest is legal when conducted by a  
6 licensed internet fantasy sports contest service provider as  
7 provided in the new Code chapter.

8 New Code section 99E.3 establishes the powers of the racing  
9 and gaming commission in relation to internet fantasy sports  
10 contests and internet fantasy sports contest service providers.  
11 Specifically, the Code section authorizes the commission  
12 to investigate and license internet fantasy sports contest  
13 service providers, assess fines and revoke or suspend licenses,  
14 impose penalties for violations of the Code chapter, and take  
15 any other action to enforce the requirements of the new Code  
16 chapter.

17 New Code section 99E.4 establishes the requirements for an  
18 applicant to be granted a license to conduct internet fantasy  
19 sports contests. The Code section allows the commission  
20 to charge the applicant a fee for the department of public  
21 safety, division of criminal investigation, to defray the  
22 costs associated with any investigation. The new Code  
23 section provides that a license shall not be issued if there  
24 is evidence that the applicant has failed to meet certain  
25 qualifying requirements. The Code section provides that a  
26 person who knowingly makes a false statement on the application  
27 is guilty of an aggravated misdemeanor.

28 New Code section 99E.5 establishes the terms and conditions  
29 of licenses issued to conduct internet fantasy sports contests.  
30 The Code section provides that a license may be issued for  
31 a period of not more than three years and provides for an  
32 initial and annual license fee of \$5,000. The Code section  
33 also provides for the payment of a regulatory fee to be set  
34 by the racing and gaming commission based on the costs of  
35 administering and enforcing the new Code chapter. The Code

1 section provides that a licensee establish, and display and  
2 post, internet fantasy sports contest rules specifying the  
3 amounts to be paid to winning participants, the effect of  
4 changes in the scheduling of an event subject to an internet  
5 fantasy sports contest, and the source of information used to  
6 determine the outcome of an internet fantasy sports contest.  
7 The Code section further provides that each licensee shall  
8 receive a credit for the amount of the regulatory fee paid  
9 against taxes to be paid pursuant to the new Code chapter. The  
10 Code section provides that a licensed internet fantasy sports  
11 contest service provider shall use commercially reasonable  
12 methods to prevent any employees and certain family members  
13 from participating in internet fantasy sports contests on the  
14 service provider's digital platform, verify that internet  
15 fantasy sports contest players located in this state are 21  
16 or older, ensure that participants in a game or contest shall  
17 not be allowed to enter an internet fantasy sports contest  
18 involving that game or contest, permit individuals to establish  
19 an account with an internet fantasy sports contest service  
20 provider by electronic communication and to restrict themselves  
21 from entering an internet fantasy sports contest, conduct an  
22 annual audit, and pay the tax imposed by the new Code chapter.

23 New Code section 99E.6 provides for a tax of six and  
24 three-quarters percent on internet fantasy sports contest  
25 adjusted revenues. The bill defines "internet fantasy sports  
26 contest adjusted revenues" as the total of fees and charges  
27 collected, less winnings, in an internet fantasy sports contest  
28 multiplied by the percentage of fees and charges paid by  
29 participants who are located in this state in that contest.  
30 The taxes imposed shall be paid by the internet fantasy  
31 sports contest service provider to the treasurer of state as  
32 determined by the commission and shall be credited as provided  
33 in Code section 8.57, subsection 5.

34 New Code section 99E.7 provides that a person under the  
35 age of 21 shall not enter an internet fantasy sports contest.

1 A person who violates this Code section commits a scheduled  
2 violation under Code section 805.8C and is subject to a \$500  
3 fine. Code section 805.8C is amended to reflect this violation  
4 and applicable fine.

5 New Code section 99E.8 requires an internet fantasy sports  
6 contest service provider to keep books and records on internet  
7 fantasy sports contest adjusted revenues and to provide the  
8 commission reports and information as the commission may  
9 require. The bill provides that a licensee promptly report  
10 to the commission any criminal or disciplinary proceedings  
11 commenced against the licensee, any abnormal fantasy sports  
12 contest activity, and any other conduct with the potential to  
13 corrupt an outcome of an internet fantasy sports contest. The  
14 bill requires the commission to share any information received  
15 with any law enforcement entity, sports team, sports governing  
16 body, or regulatory agency the commission deems appropriate.

17 New Code section 99E.9 requires a licensee to conduct an  
18 audit within 90 days after the end of the licensee's fiscal  
19 year.

20 New Code section 99E.10 establishes civil penalties. The  
21 new Code section provides that a person who willfully fails to  
22 comply with the requirements of this new Code chapter shall be  
23 liable for a civil penalty of not more than \$1,000 for each  
24 violation, not to exceed \$10,000 for violations arising out of  
25 the same transaction or occurrence.

26 The bill also makes changes to Code sections 99F.2, 99F.4B,  
27 232C.4, 714B.10, and 725.15 to provide that provisions in those  
28 Code sections that list some or all Code chapters that govern  
29 lawful gambling also list the new Code chapter provided in this  
30 division of the bill.

31 The bill provides for the issuance of a transitional license  
32 by the racing and gaming commission to a person to conduct  
33 internet fantasy sports contests in this state if the person  
34 has been granted a license or registration by two or more other  
35 states to conduct internet fantasy sports contests. The bill

1 provides that the transitional license shall be valid until the  
2 earlier of the date the commission grants or denies a license  
3 to the person or 12 months from the date the commission accepts  
4 applications for issuance of a license.

5 This division of the bill takes effect upon enactment.  
6 However, the bill authorizes the racing and gaming commission  
7 to adopt emergency rules to implement this division of the  
8 bill and provides that the racing and gaming commission shall  
9 not implement the bill until the date the commission has  
10 adopted rules pursuant to Code chapter 17A providing for such  
11 implementation and such rules have become effective.

12 SOCIAL SPORTS GAMBLING. This division concerns social  
13 gambling authorized under Code chapter 99B. Code section  
14 99B.45, concerning social gambling between individuals, is  
15 amended to authorize social gambling on social fantasy sports  
16 contests. Code section 99B.41 is amended to define "social  
17 fantasy sports contest" as a fantasy sports contest in which  
18 prizes and awards offered to winning participants do not exceed  
19 \$1,000 and winning outcomes are based on the performance of  
20 individuals in events occurring over more than a 24-hour  
21 period. Current law limits wins or losses on social gambling  
22 to \$200.