

Red Tape Review Rule Report

(Due: September 1, 20 26)

Department Name:	Iowa Racing and Gaming Commission	Date:	7/15/26	Total Rule Count:	6 rules in chapter 5
IAC #:	491	Chapter/ SubChapter/ Rule(s):	5	Iowa Code Section Authorizing Rule:	99D.4, 99D.6, 99D.7, 99D.8, 99D.8A, 99D.9, 99D.11, 99D.19, 99D.20, 99F.1, 99F.3, 99F.4, 99F.4B, 99F.4D, 99F.5, 99F.7, 99F.7A, 99F.12, 99F.13
Contact Name:	Barb Blake	Email:	barb.blake@iowa.gov	Phone:	515-281-7355

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Chapter 5 establishes uniform responsibilities for Iowa casino and racetrack licensees. These include (but are not limited to) physical facility requirements, some personnel requirements, base security requirements, additional details about statutorily required audits, and requirements for submission of contracts to receive Commission approval. The benefit of the chapter is to establish expectations and compliance metrics for facilities' operations.

Is the benefit being achieved? Please provide evidence.

Yes. Almost every meeting agenda includes contracts submitted for Commission approval in compliance with rules in chapter 5. (Commission meeting information is available at <https://irgc.iowa.gov/general-information/meetings>). Each facility submits audits to the Commission and discusses those audits at a meeting each April.

Facilities also regularly submit incident reports as required by chapter 5, which may lead to a Commission investigation if warranted or may be retained as informational only. And, facilities regularly submit tax information and revenue as well.

What are the costs incurred by the public to comply with the rule?

Public compliance costs are minimal to nonexistent. Instead, costs of compliance are borne by the licensees. Their compliance with chapter 5 is a condition of obtaining and maintaining a license.

What are the costs to the agency or any other agency to implement/enforce the rule?

The primary cost to the agency to implement and enforce chapter 5 is the personnel cost for staff whose duties include oversight of the relevant areas.

Do the costs justify the benefits achieved? Please explain.

Yes. With respect to submitted audits, tax information, ownership information, and security reports, chapter 5 ensures the Commission maintains oversight into licensees' operations so that any lapses in integrity can be discovered and rectified.

Are there less restrictive alternatives to accomplish the benefit? ☒ YES ☐ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

One specific area that could be less restrictive is the Commission's approval of certain licensee transactions and contracts. The threshold requiring Commission approval (\$100,000 paid in any one year) was established in 2002 and has not increased since that time. It could be less restrictive to require approval of fewer individual contracts by raising the threshold. The Commission's proposed re-promulgation of chapter 5 would do exactly that.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

Some language is duplicative of a statute. These areas have been proposed for removal. In addition, one portion of chapter 5 addresses taxes on promotional play receipts, which has been superseded by statute. This subparagraph is also proposed for removal.

In addition, current rule 5.6 setting standards for excursion boats and cruises is largely outdated. There are no remaining excursion gambling boats that cruise. Some of the definitions in this section are proposed to be moved into a standalone Definitions rule at the beginning of the chapter, with the remaining portions of current rule 5.6 proposed for removal. The chapter will still contain a new rule 5.6 after renumbering.

RULES PROPOSED FOR REPEAL (list rule number[s]):

5.2(8)—duplicative of statute, proposed for removal
5.4(4)(b)—outdated language referring to excursion boats cruising, propose consolidating into 5.4(4).
5.4(10)(c)—obsolete / superseded by statute (99F.11(3)) that eliminates taxes on promotional play
5.6—outdated as there are no remaining excursions

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

All other rules in chapter 5.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1, plus 3 additional subrules or subparagraphs
Proposed word count reduction after repeal and/or re-promulgation	1287 (7734 current word count; 6447 after repeal and re-promulgation)
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	42 “shall”; 6 “require”; 8 “must”

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

None related to chapter 5.