

HOUSE FILE 2105

BY KAUFMANN, WAGNER, and  
SCHULTZ

**A BILL FOR**

1 An Act to include a separate proposition relating to smoking  
2 prohibitions as part of any referendum to approve or  
3 disapprove a gambling game license applicant.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 99F.7, subsection 11, Code 2009, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *f.* Any referendum conducted under this  
4 subsection applicable to an applicant for a license with a  
5 gaming floor, shall include a separate proposition to approve  
6 or disapprove the exemption to the smoking prohibitions for  
7 gaming floors as specified in section 142D.4.

8 Sec. 2. Section 142D.4, subsection 10, Code 2009, is amended  
9 to read as follows:

10 10. Only the gaming floor of a premises licensed pursuant  
11 to chapter 99F exclusive of any bar or restaurant located  
12 within the gaming floor which is an enclosed area and subject  
13 to the prohibitions of section 142D.3. However, the exemption  
14 shall not apply to such a licensed premises if the exemption  
15 is disapproved through a separate proposition included in a  
16 referendum conducted pursuant to section 99F.7.

17 EXPLANATION

18 This bill directs that any referendum conducted regarding  
19 the approval by the county electorate of an applicant for a  
20 license with a gaming floor under Code chapter 99F (gambling  
21 boat, gambling structure, and racetrack gambling game  
22 regulation), shall include a separate proposition to approve  
23 or disapprove the exemption for gaming floors from the smoking  
24 prohibitions of Code chapter 142D. The bill also makes a  
25 corresponding change to the provision relating to the exemption  
26 for gaming floors in Code chapter 142D (the Smokefree Air Act).