

## CHAPTER 1071

### TOBACCO, TOBACCO PRODUCTS, CIGARETTES, ALTERNATIVE NICOTINE PRODUCTS, AND VAPOR PRODUCTS CONSUMED ON RETAILER'S PREMISES — INSPECTION ACCESS

H.F. 2325

**AN ACT** relating to inspections for violations relating to retailers of cigarettes, tobacco, tobacco products, alternative nicotine products, and vapor products that provide for use or consumption of regulated products on the retailer's premises.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. **453A.13A Inspections of violations of retailers — use or consumption of products on premises.**

As a condition for issuance of a permit to, and the continued holding of a valid permit by, a retailer, as defined in [sections 453A.1](#) and [453A.42](#), of products regulated under [this chapter](#) that are used or consumed on the retailer's premises, the permit applicant or holder must give consent to health departments and official county health officers, police, the county sheriff or deputy sheriff, members of the department of public safety, and certified peace officers to enter upon areas of the premises where such products are stored, sold, used, or consumed without a warrant during business hours of the retailer to inspect for violations of [this chapter](#) or ordinances and regulations that cities and boards of supervisors may adopt. However, a warrant is required for inspection of private records, a private business office, or attached living quarters. Persons who are not certified peace officers shall limit the scope of their inspections of permitted premises to the regulatory authority under which the inspection is conducted. All persons who enter upon a permitted premises to conduct an inspection shall present appropriate identification to the retailer or an employee of the retailer who appears to be in charge of the premises prior to commencing an inspection; however, this provision does not apply to undercover criminal investigations conducted by peace officers.

Approved April 19, 2024