

4 Ottumwa Daily Courier, a daily newspaper published in the city of
5 Ottumwa, Iowa.

House File No. 292. Approved March 6, 1934.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier and Fort Madison Evening Democrat, March 8, 1934.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 25

BEER AND MALT LIQUORS

H. F. 336

AN ACT to amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136) of the Code of Iowa, 1931, all relating to intoxicating liquors, and to repeal chapter thirty-eight (38), acts of the Forty-fifth General Assembly and to amend chapter thirty-seven (37), acts of the Forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the state of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof.

Be it enacted by the General Assembly of the State of Iowa:

Chapter thirty-seven (37), acts of the Forty-fifth General Assembly of the state of Iowa, is amended as follows:

Strike sections one to forty as amended, inclusive, and insert in lieu thereof the following:

1 SECTION 1. That section one thousand nine hundred twenty-three
2 (1923) of the Code of Iowa, 1931, be and the same is hereby amended
3 by striking the period after the word "whatever" in line 6 thereof
4 and inserting in lieu the following:

5 "provided, however, that the words 'liquor' or 'intoxicating liquor'
6 wherever used in title six (6) of the Code of Iowa, 1931, shall not
7 be construed to include beer, ale, porter, stout, or any other malt
8 liquor containing not more than four (4) per centum of alcohol
9 by weight."

1 SEC. 2. That section twenty hundred seventy-two (2072) of the
2 Code of Iowa, 1931, is hereby amended by striking out the words
3 "except malt liquors" appearing in the fourth line thereof.

1 SEC. 3. That section twenty-one hundred thirty (2130) of the
2 Code of Iowa, 1931, is hereby amended by striking out the words
3 "not including malt liquors" appearing in the fifth line thereof.

1 SEC. 4. That section twenty-one hundred thirty-six (2136) of the
2 Code of Iowa, 1931, is hereby amended by striking out all of the last
3 paragraph of subsection twelve (12) thereof.

1 SEC. 5. It shall be unlawful for any person to manufacture for
2 sale or sell beer unless a permit is first obtained as provided for in
3 this act.

1 SEC. 6. The term "person" as used in this act shall include cor-
2 poration, firm, copartnership and association.

3 a. "Brewer" shall mean any person, firm or corporation who
4 shall manufacture beer for the purpose of sale, barter, exchange or
5 transportation.

6 b. "Bottler" shall mean any person, firm or corporation other
7 than a brewer who shall place in bottles, beer for the purpose of
8 sale, barter, exchange, offering for sale at wholesale or having in
9 possession with intent to sell at wholesale. A bottler shall be re-
10 quired to hold a class "A" permit under the provisions of this act.

11 c. "Wholesaler" shall mean any person, firm or corporation, other
12 than a brewer or bottler, who shall sell, barter, exchange, offer for
13 sale, have in possession with intent to sell, deal or traffic in, beer,
14 provided, however, that no wholesaler shall be permitted to sell for
15 consumption upon the premises.

16 d. "Retailer" shall mean any person, who shall sell, barter, ex-
17 change, offer for sale or have in possession with intent to sell any
18 beer for consumption on the premises where sold.

19 e. "Dealer" shall mean any person, firm or corporation, other
20 than a brewer, bottler, wholesaler or retailer, who shall sell, barter,
21 exchange, offer for sale, have in possession with intent to sell, deal
22 or traffic in beer not to be consumed in or upon the premises where
23 sold.

24 f. "Permit" shall mean an authorization issued by the treasurer
25 of state or by the city or town council of any city or town or by the
26 board of supervisors of any county.

27 g. "Application" shall mean a formal written request for the
28 issuance of a permit supported by a verified statement of facts.

29 h. "Regulation" shall mean any reasonable rule or ordinance
30 adopted by the council or board of any city, town or county and not
31 in conflict with the provisions of any of the statutes of the state of
32 Iowa.

33 i. "Beer" for the purpose of this act shall mean any liquid capa-
34 ble of being used for beverage purposes made by the fermentation of
35 an infusion in potable water of barley, malt and hops, with or with-
36 out unmalted grains or decorticated and degerminated grains con-
37 taining not more than four (4) per centum of alcohol by weight.

38 No beer shall be sold in this state after July 1, 1934, unless made
39 from sixty-six and two-thirds (66%) per cent or more of barley
40 malt.

1 SEC. 7. Permits for the manufacture and sale, or sale of beer
2 shall be divided into three (3) classes, and shall be known as either
3 class "A", "B" or "C" permits, except as otherwise provided in this
4 act. A class "A" permit shall allow the holder thereof to manufac-
5 ture and/or sell at wholesale, beer as defined in this act; provided,
6 however, that nothing herein contained shall prohibit the holder of
7 a class "A" permit from manufacturing beer of a higher alcoholic
8 content for shipment outside this state. A class "B" permit shall
9 allow the holder thereof to sell at retail beer for consumption on or

10 off the premises. A class "C" permit shall allow the holder thereof
11 to sell at retail beer for consumption off the premises.

1 SEC. 8. Power is hereby granted to the treasurer of state to
2 issue the class "A" permit, provided for in this act, and to revoke
3 the same for causes herein stated. Power is hereby granted to
4 cities and towns, including cities under special charter to issue the
5 class "B" permits and class "C" permits within their respective
6 limits and to revoke same for the causes herein stated, or in the
7 event the place of business of the permit holder is conducted in a
8 disorderly manner. Power is hereby granted to boards of super-
9 visors to issue, at their discretion, class "B" and "C" permits in
10 their respective counties in villages platted prior to January 1,
11 1934, and to revoke same for causes herein provided, or in the event
12 the place of business of the permit holder is conducted in a dis-
13 orderly manner.

1 SEC. 9. All permits provided for in this act shall expire at the
2 end of one (1) year from the date of issuance, and may be renewed
3 for a like period upon application being made therefor to the proper
4 authorities as in this act provided. Permits hereunder defined shall be
5 issued only to persons who are citizens of the state of Iowa, who are
6 of good moral character and repute, provided, however, that in the
7 case of a corporation the word "citizen" as used in this section shall
8 be construed to mean a corporation organized and existing or per-
9 mitted and authorized to do business under the laws of this state.

1 SEC. 10. It shall be unlawful for any person or persons to be
2 either directly or indirectly interested in more than one (1) class
3 of permit.

1 SEC. 11. A class "A" permit shall be issued by the authority so
2 empowered in this act to any person who:

3 1. Submits a written application for a permit, which application
4 shall state under oath:

5 a. The name and place of residence of the applicant and the
6 length of time he has lived at such place of residence.

7 b. That he is a citizen of the state of Iowa.

8 c. The place of birth of the applicant, and if the applicant is a
9 naturalized citizen, the time and place of such naturalization.

10 d. The location of the place or building where the applicant in-
11 tends to operate.

12 e. The name of the owner of the building and if such owner is
13 not the applicant, that such applicant is the actual lessee of the
14 premises.

15 2. Establishes:

16 a. That he is a person of good moral character.

17 b. That the place or building where he intends to operate con-
18 forms to all laws, health and fire regulations, applicable thereto, and
19 is a safe and proper place or building.

20 3. Furnishes a bond in the form prescribed and to be furnished
21 by the treasurer of state, with good and sufficient sureties to be
22 approved by the treasurer of state conditioned upon the faithful
23 observance of this act, in the sum of five thousand (5,000) dollars.

1 SEC. 12. Except as otherwise provided in this act a class "B"
2 permit shall be issued by the authority so empowered in this act to
3 any person who:

4 1. Submits a written application for a permit, which application
5 shall state under oath:

6 a. The name and place of residence of the applicant, and the
7 length of time he has lived at such place of residence.

8 b. That he is a citizen of the state of Iowa.

9 c. The place of birth of the applicant, and if the applicant is a
10 naturalized citizen, the time and place of such naturalization.

11 d. The location of the place or building where the applicant in-
12 tends to operate.

13 e. The name of the owner of the building and if such owner is
14 not the applicant, that such applicant is the actual lessee of the
15 premises.

16 f. That the place of business for which the permit is sought is
17 and will continue to be equipped with sufficient tables and seats to
18 accommodate twenty-five (25) persons at one time, and is not within
19 two hundred (200) feet of a building used for school purposes. Pro-
20 vided, however, such area limitation shall not apply to permits in
21 force on March 5, 1934, nor to renewals or transfers thereof, nor
22 to permits in places located within areas now or hereafter zoned as
23 business districts.

24 2. Establishes:

25 a. That he is a person of good moral character.

26 b. That the place or building where he intends to operate con-
27 forms to all laws, health and fire regulations applicable thereto, and
28 is a safe and proper place or building.

29 3. Furnishes a bond in the form prescribed and to be furnished
30 by the treasurer of state with good and sufficient sureties to be
31 approved by the authorities to which application is submitted, con-
32 ditioned upon the faithful observance of this act, in the sum of one
33 thousand (1,000) dollars.

1 SEC. 13. Except as otherwise provided in this act, a class "C"
2 permit shall be issued by the authority so empowered in this act to
3 any person who:

4 1. Submits a written application for a permit, which application
5 shall state under oath:

6 a. The name and place of residence of the applicant and the
7 length of time he has lived at such place of residence.

8 b. That he is a citizen of the state of Iowa.

9 c. The place of birth of the applicant and if the applicant is a
10 naturalized citizen, the time and place of such naturalization.

11 d. The location of the place or building where the applicant
12 intends to operate.

13 e. The name of the owner of the building and if such owner is
14 not the applicant that such applicant is the actual lessee of the
15 premises.

16 2. Establishes:

17 a. That he is a person of good moral character.

18 b. That the place or building where he intends to operate con-

19 forms to all laws, health and fire regulations applicable thereto and
20 is a safe and proper place or building.

21 3. Furnishes a bond in the form prescribed and to be furnished
22 by the treasurer of state, with good and sufficient sureties to be
23 approved by the authorities to which such application is submitted,
24 conditioned upon the faithful observance of this act, in the sum of
25 one thousand (1,000) dollars.

1 SEC. 14. Any person holding a class "A" permit issued by the
2 treasurer of state, as in this act provided, shall be authorized to
3 manufacture and sell, or sell at wholesale, beer for consumption off
4 the premises, such sale or sales within the state of Iowa to be made
5 only to persons holding subsisting class "A", "B" or "C" permits
6 issued in accordance with the provisions of this act.

1 SEC. 15. Subject to the provisions of this act, any person holding
2 a class "B" permit, issued as herein provided, shall be authorized
3 to sell beer for consumption on or off the premises; provided, how-
4 ever, that unless otherwise provided in this act, no sale of beer shall
5 be made for consumption on the premises unless food is served and
6 consumed therewith, and unless such place where such service is
7 made is equipped with tables and seats sufficient to accommodate
8 not less than twenty-five (25) persons at one time. It shall be
9 unlawful for any licensee hereunder to give away beer, or to pro-
10 mote the sale of beer by the gift of any lunch, meal, or articles of
11 food except pretzels, cheese or crackers.

1 SEC. 16. Any person holding a class "C" permit issued as herein
2 provided, shall be allowed to sell beer for consumption off the prem-
3 ises, provided, however, that such sales when made shall be in
4 original containers only.

1 SEC. 17. Subject to the provisions of this act, any dining car
2 company, sleeping car company, railroad company or railway com-
3 pany may make application to the treasurer of state of the state of
4 Iowa for a special class "B" permit, and the treasurer of state of
5 the state of Iowa may issue a permit to any such company which
6 shall authorize the holder thereof to keep for sale and sell on any
7 dining car, sleeping car, buffet car or observation car operated by
8 such applicant in, through or across the state of Iowa, beer con-
9 taining no greater content of alcohol by weight than is lawful under
10 this act for consumption in such cars. The application for such per-
11 mit shall be in such form and contain such information as may be
12 required by the treasurer of state of the state of Iowa. Each such
13 permit shall be good throughout the state as a state permit. Only
14 one such permit shall be required for all cars operated in this state
15 by such applicant, but a duplicate of such permit issued, as herein
16 provided, shall be posted in each car in which such beverages are
17 sold; and no further permit shall be required or tax levied for the
18 privilege of selling beverages for consumption in such cars. As a
19 condition precedent to the issuing of any permit hereunder, the
20 applicant shall give bond to the treasurer of state of the state of
21 Iowa, with good and sufficient sureties thereon to be approved by

22 the treasurer of state, conditioned upon the faithful performance
23 of this act in the penal sum of one thousand (1,000) dollars.

1 SEC. 18. Cities and towns, including cities under special charter,
2 shall upon proper application, issue to a club within their respective
3 limits a class "B" permit for the sale of beer for consumption on
4 the premises subject to the provisions of this act. The board of
5 supervisors of any county shall issue class "B" permits to clubs
6 located in such counties outside of the limits of cities and incor-
7 porated towns.

1 SEC. 19. No club shall be granted a class "B" permit under this
2 act:

3 a. If the buildings occupied by such club are not wholly within
4 the territorial limits of the city, town or special charter city to which
5 such application is made; provided, however, that a golf or country
6 club whose buildings are located outside the territorial limits of the
7 city, town or special charter city, may be issued a class "B" permit
8 by the local board of supervisors, and further provided, that all of
9 the permit fees authorized under this paragraph shall be collected
10 and retained by the county in which such golf or country club is
11 located and credited to the general fund of said county and provided,
12 further, that such golf or country club shall comply with the restric-
13 tions contained in the succeeding paragraphs of this section.

14 b. If it is a proprietary club, or operated for pecuniary profit.
15 c. Unless it is incorporated under the laws of the state of Iowa,
16 and its charter is in full force and effect, and/or excepting regularly
17 chartered branches of nationally incorporated organizations.

18 d. Unless such club has a permanent local membership of not
19 less than fifty (50) adult members.

20 e. Unless the application for such permit is approved by a ma-
21 jority of the bona fide members of such club who are present at a
22 regular meeting, or a special meeting called to consider the same.

23 f. Unless it was in operation as a club on the first day of Janu-
24 ary, A. D., 1934, or being thereafter formed, was in continuous
25 operation as a club for at least two (2) years immediately prior to
26 the date of its application for a class "B" permit.

1 SEC. 20. Every club desirous of obtaining a class "B" permit
2 shall make a written application therefor, executed by its president
3 and attested by its secretary or other similar officers performing
4 the duties usually performed by a president or secretary which appli-
5 cation shall state under oath:

6 a. The name of the club and the location of the premises occupied
7 by it.

8 b. The names of the officers of said club.

9 c. That the buildings occupied by said club are wholly within
10 the corporate limits of the city or town to which such application
11 is made.

12 d. The purposes for which such club was formed and is main-
13 tained, and the number of the bona fide members thereof regularly
14 paying dues.

15 e. That the application for such permit was approved by a ma-
16 jority of the bona fide members of such club present at a regular
17 meeting or at a special meeting called to consider the same.

1 SEC. 21. Every club making application for a class "B" permit
2 shall furnish a bond with good and sufficient sureties to be approved
3 by the authorities issuing the permit, conditioned upon the faithful
4 observance of this act. Such bond shall be in the sum of one thou-
5 sand (1,000) dollars.

1 SEC. 22. Hotels holding class "B" permits may serve beer to
2 their guests either in the dining room or dining rooms or to any
3 guests duly registered at such hotel in the rooms of such guests.

1 SEC. 23. No holder of a permit under the provisions of this act
2 shall exhibit or display or permit to be exhibited or displayed on
3 the premises any signs or posters containing the words "bar", "bar-
4 rooms", "saloon" or words of like import. No person, except parent
5 or guardian, shall furnish to any minor under twenty-one (21)
6 years of age, by gift, sale or otherwise, any beer.

7 Nor shall any such beer be sold or delivered to any person between
8 the hours of twelve o'clock midnight on Saturday and seven o'clock
9 of the following Monday morning.

1 SEC. 24. No person engaged in the business of manufacturing,
2 bottling or wholesaling beer nor any jobber nor any agent of such
3 person shall directly or indirectly supply, furnish, give or pay for
4 any furnishings, fixtures or equipment used in the storage, handling,
5 serving or dispensing of beer or food within the place of business
6 of another permittee authorized under the provisions of this act to
7 sell beer at retail; nor shall he directly or indirectly pay for any
8 such permit, nor directly or indirectly be interested in the owner-
9 ship, conduct or operation of the business of another permittee
10 authorized under the provisions of this act to sell beer at retail.
11 Any permittee who shall permit or assent or be a party in any way
12 to any such violation or infringement of the provisions of this act
13 shall be deemed guilty of a violation of the provisions of this act.

1 SEC. 25. The authorities empowered by this act to issue permits
2 shall make a thorough investigation to determine the fitness of the
3 applicant and the truth of the statements made in and accompany-
4 ing the application, and the decision of such authority on the appli-
5 cation shall be rendered within thirty (30) days after the application
6 is received. The annual permit fee for a class "A" permit shall be
7 two hundred fifty (250) dollars. The annual permit fee for class
8 "B" permit, except class "B" permits issued to hotels, shall be one
9 hundred (100) dollars. For a golf or country club, as defined in
10 section fifteen (15), subsection (a), the license may be granted for a
11 period of six months, for which the license fee shall be fifty (50)
12 dollars. The class "B" permits to be issued under the provisions
13 of this act to hotels, shall be as follows:

14 a. Hotels, having two hundred fifty (250) guest rooms or more,
15 shall pay an annual permit fee of two hundred fifty (250) dollars.

16 b. Hotels, having more than one hundred (100) and less than
17 two hundred fifty (250) guest rooms shall pay an annual permit
18 fee of one hundred fifty (150) dollars.

19 c. Hotels, having one hundred (100) guest rooms or less shall
20 pay an annual permit fee of one hundred (100) dollars.

21 The permit fee for class "C" permits shall be twenty-five (25)
22 dollars. The annual permit fee for special class "B" permits, issued
23 under section seventeen (17) hereof, shall be one hundred (100)
24 dollars, and three (3) dollars for each duplicate thereof, which fees
25 shall be paid into the state treasury. The treasurer of state of the
26 state of Iowa, shall issue duplicates of such permits from time to
27 time as applied for by each such company.

1 SEC. 26. In addition to the annual permit fee to be paid by all
2 class "A" permittees, under the provisions of this act, there shall
3 be levied and collected from such permittees on all beer manufact-
4 tured for sale and/or sold in this state at wholesale and on all beer
5 imported into this state for sale at wholesale and sold in this state
6 at wholesale, a tax of one and 24/100 (1.24) dollars for every barrel
7 containing thirty-one (31) gallons, and at a like rate for any other
8 quantity or for the fractional parts of a barrel. Provided, however,
9 no tax shall be levied or collected on beer shipped outside this state
10 by a class "A" permittee or sold by one class "A" permittee to
11 another class "A" permittee.

1 SEC. 27. Every person holding a class "A" permit shall on or
2 before the tenth day of each calendar month commencing on the
3 tenth day of the calendar month following the month in which such
4 person is issued a permit, make a report under oath to the treasurer
5 of state upon forms to be furnished by him for such purpose show-
6 ing the exact number of barrels of beer, or fractional parts thereof,
7 sold by such permit holder during the preceding calendar month.
8 Such report shall also state the name and address of the several
9 purchasers of such beer and such other information as the treasurer
10 of state may require, and such permit holders shall at the time of
11 filing said report pay to the treasurer of state the amount of tax
12 due at the rate fixed in accordance with the provisions of this act.

13 A penalty of ten (10) per cent of the amount of the tax shall be
14 added thereto if the report is not filed and the tax paid to the
15 treasurer by said tenth day of the calendar month.

1 SEC. 28. Each class "A" permittee shall keep proper books of
2 account and records showing the amount of beer sold by him, which
3 books of account shall be at all times open to inspection by the
4 treasurer of state or his authorized representative. Each class "B"
5 and class "C" permittee shall keep proper books of account and
6 records showing each purchase of beer made by him, and the date
7 and the amount of each purchase and the name of the person from
8 whom each purchase was made, which books of account and records
9 shall be at all times open to inspection by the treasurer of state or
10 his authorized representative.

1 SEC. 29. Every class "A" permittee having more than one (1)
2 place of business shall be required to have a separate license for
3 each separate place of business maintained by such permittee
4 wherein such beer is stored, warehoused, or sold.

1 SEC. 30. Every person holding a class "B" or class "C" permit
2 having more than one (1) place of business wherein such beer is
3 sold shall be required to have a separate license for each separate
4 place of business, except as otherwise herein provided.

1 SEC. 31. If a permit holder under the provisions of this act, is
2 convicted of a felony or is convicted of a sale of beer contrary to
3 the provisions of this act or is convicted of bootlegging, his permit
4 shall be revoked by the authorities issuing same, and he shall not
5 again be allowed to secure a permit for the distribution or sale of
6 beer nor shall he be an employee of any person engaged in the
7 manufacture, distribution or sale of beer.

1 SEC. 32. It shall be unlawful for the holder of any class "B"
2 or class "C" permit issued under the provisions of this act to sell
3 beer, except beer purchased from a person holding a subsisting
4 class "A" permit issued in accordance with the provisions of this
5 act, and/or on which the tax provided in section twenty-six (26)
6 has been paid.

7 Provided, however, the provisions of this section shall not apply
8 to the holders of special class "B" permits issued under section
9 seventeen (17) hereof for sales in cars engaged in interstate com-
10 merce.

11 It shall be unlawful for any person not holding a class "A" permit
12 to import beer into this state for the purpose of sale or resale.

1 SEC. 33. The revenues obtained from permit fees and the barrel
2 tax collected under the provisions of this act shall be distributed
3 as follows:

4 a. In all counties in which there is a city having a population
5 of more than ten thousand (10,000), permit fees collected under
6 the provisions of this act by any municipality shall be retained by
7 such municipality and allocated to its general fund; in all other
8 counties fifty per cent of the permit fees collected under the provi-
9 sions of this act by any municipality shall be retained by it and
10 allocated to its general fund, and fifty per cent shall be paid to the
11 county treasurer and accrue to the general fund of such county.

12 b. All license fees and taxes collected by the treasurer of state
13 of the state of Iowa shall accrue to the state sinking fund for public
14 deposits as created in chapter three hundred fifty-two-A one
15 (352-A1) of the 1931 Code of Iowa.

1 SEC. 34. Cities and towns, including cities under special charter,
2 are hereby empowered to enact ordinances for the enforcement of
3 this act in conformity with the provisions of this act.

1 SEC. 35. Any person who violates any of the provisions of this
2 act, or who manufactures for sale or sells beer without a permit as
3 provided herein, or who makes a false statement concerning any
4 material fact in submitting any application for a permit, or for a
5 renewal of a permit, or in any hearing concerning the revocation
6 thereof, shall be punished by a fine of not less than three hundred
7 (300) dollars, nor more than one thousand (1,000) dollars, or by
8 imprisonment in the county jail for not less than three (3) months,

9 nor more than one (1) year, or by both such fine and imprisonment.
10 It is hereby made unlawful for any person to use or consume beer
11 upon the public streets or highways, or in automobiles or other
12 vehicles on said streets or highways, and any person violating this
13 provision of this act shall be fined not to exceed one hundred (100)
14 dollars or imprisonment in the county jail, not to exceed thirty
15 (30) days.

1 SEC. 36. All bottles, kegs, barrels or other original containers
2 in which beer is sold in this state shall bear a label on the outside
3 thereof, stating as follows: "This beer does not contain more than
4 four (4) per centum of alcohol by weight." The label on any bottle,
5 keg, barrel or other container, in which beer is offered for sale in
6 this state, representing the alcoholic content of such beer as being
7 in excess of four (4) per centum by weight shall be conclusive
8 evidence as to the alcoholic content of the beer contained therein.

1 SEC. 37. If any section, subsection, clause, sentence or phrase
2 of this act is for any reason held to be unconstitutional and invalid,
3 such decision shall not affect the validity of the remaining portions
4 of this act. The legislature hereby declares that it would have
5 passed this act and each section, subsection, sentence, clause or
6 phrase thereof irrespective of the fact that any one or more of the
7 sections, subsections, sentences, clauses or phrases be declared un-
8 constitutional.

1 SEC. 38. That chapter thirty-eight (38), acts of the Forty-fifth
2 General Assembly be and is hereby repealed.

1 SEC. 39. The title of chapter thirty-seven (37), acts of the
2 Forty-fifth General Assembly, is hereby stricken and the following
3 inserted in lieu thereof:

4 An act to amend sections nineteen hundred twenty-three (1923),
5 twenty hundred seventy-two (2072), twenty-one hundred thirty
6 (2130) and twenty-one hundred thirty-six (2136) of the Code
7 of Iowa, 1931, all relating to intoxicating liquors, and to repeal
8 chapter thirty-eight (38), acts of the Forty-fifth General Assembly,
9 and to amend chapter thirty-seven (37), acts of the Forty-fifth
10 General Assembly, relating to the manufacture, sale and distribution
11 of beer; defining beer; providing for the regulation of the manu-
12 facture, sale and distribution of beer; providing revenue for the
13 state of Iowa and certain of its municipal subdivisions, including
14 cities and towns under special charter, by taxation of and from
15 permits to manufacture and/or sell beer and providing for issuance
16 of permits therefor and by providing penalties for the violation of
17 the provisions hereof.

1 SEC. 40. Permits issued prior to the taking effect of this act
2 under the provisions of chapter thirty-seven (37), acts of the Forty-
3 fifth General Assembly, shall be in force and effect until the time
4 of expiration as shown by the permits.

1 SEC. 41. All acts or parts of acts in conflict herewith are hereby
2 repealed.

1 **SEC. 42.** This act, being deemed of immediate importance, shall
 2 be in full force and effect from and after its publication in the
 3 Bloomfield Democrat, a newspaper published in the city of Bloom-
 4 field, Iowa, and the Harrison County Herald, a newspaper published
 5 in the city of Logan, Iowa.

House File No. 336. Approved March 10, 1934.

I hereby certify that the foregoing act was published in the Bloomfield Democrat
 and Harrison County Herald, March 15, 1934.

Mrs. ALEX MILLER, *Secretary of State.*

CHAPTER 26

BEER AND MALT LIQUORS

S. F. 108

AN ACT to amend chapter thirty-seven (37), acts Forty-fifth General Assembly, relating to the sale of beer, and to prohibit the sale of beer after July 1, 1934, unless sixty-six and two-thirds (66 $\frac{2}{3}$) per cent or more of the grain used in its manufacture consists of barley malt.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1.** Chapter thirty-seven (37), acts Forty-fifth General
 2 Assembly, is hereby amended by adding thereto the following, to wit:
 3 “No beer shall be sold in this state after July 1, 1934, unless made
 4 from sixty-six and two-thirds (66%) per cent or more of barley
 5 malt.”

Senate File No. 108. Approved March 2, 1934.

CHAPTER 27

INTOXICATING LIQUORS. CONDEMNED LIQUOR FOR SCIENTIFIC PURPOSES

S. F. 97

AN ACT to amend section nineteen hundred ninety (1990), Code, 1931, relative to the condemnation of intoxicating liquors.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1.** Section nineteen hundred ninety (1990), Code, 1931,
 2 is amended by striking the period at the end of paragraph two (2)
 3 and adding thereto the following, to wit:
 4 “, or to any reputable educational institution within the state for
 5 scientific purposes.”

1 **SEC. 2.** This act, being deemed of immediate importance, shall be
 2 in full force and effect after its passage and publication in the
 3 Washington Evening Journal, a newspaper published at Washing-