

10 for by the treasurer of state, who shall keep such moneys in a separate  
 11 fund, to be known as the fund of the board of architectural examiners  
 12 and shall not be used for any purposes other than the purposes of this  
 13 chapter. Any balance remaining in such fund at the end of each fiscal  
 14 year in excess of fifteen thousand dollars or the expenses of the board  
 15 of such fiscal year, whichever sum is the larger, shall be paid into the  
 16 general fund of the state carried forward and be subject to expenditure  
 17 by the board in the next fiscal year.

1 SEC. 3. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in The  
 3 Waverly Democrat, a newspaper published in Waverly, Iowa, and in  
 4 The Woodbine Twiner, a newspaper published in Woodbine, Iowa.

Approved April 18, 1973.

I hereby certify that the foregoing Act, House File 242, was published in The Waverly Democrat, Waverly, Iowa, April 26, 1973, and in The Woodbine Twiner, Woodbine, Iowa, April 26, 1973.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 163

### BEER AND LIQUOR SALES ON SUNDAY

S. F. 144

AN ACT relating to the hours during which alcoholic beverages and beer may be sold and to the fees required for the issuance of certain liquor control licenses and beer permits.

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

1 SECTION 1. Section one hundred twenty-three point thirty-six  
 2 (123.36), Code 1973, is amended by adding the following new subsec-  
 3 tion:

4 NEW SUBSECTION. Any club, hotel, motel, or commercial establish-  
 5 ment holding a liquor control license for whom the sale of goods and  
 6 services other than alcoholic liquor or beer constitutes fifty percent or  
 7 more of the gross receipts from the licensed premises, subject to the  
 8 provisions of section one hundred twenty-three point forty-nine  
 9 (123.49), subsection two (2), paragraph b of this chapter, may sell  
 10 and dispense alcoholic liquor and beer to patrons on Sunday for con-  
 11 sumption on the premises only. For this privilege the liquor control  
 12 license fee of the applicant shall be increased by twenty percent of the  
 13 regular fee prescribed for the license pursuant to this section, and the  
 14 privilege shall be noted on the liquor control license. The department  
 15 shall prescribe the nature and the character of the evidence which  
 16 shall be required of the applicant under this subsection.

1 SEC. 2. Section one hundred twenty-three point thirty-six (123.36),  
 2 unnumbered paragraph two (2), Code 1973, is amended to read as fol-  
 3 lows:

4 The department shall credit all fees to the beer and liquor control  
 5 fund and shall remit to the appropriate local authority, a sum equal  
 6 to sixty-five percent of the fees collected for each class "A", class "B",  
 7 or class "C" license covering premises located within their respective

8 jurisdictions. *However, that amount remitted to the appropriate local*  
9 *authority out of the fee collected for the privilege authorized under*  
10 *section one (1) of this Act shall be deposited in the county mental health*  
11 *and institutions fund to be used only for the care and treatment of*  
12 *persons admitted or committed to the alcoholic treatment center at*  
13 *Oakdale or any facilities as provided in chapter one hundred twenty-*  
14 *three B (123B) of the Code.*

1 SEC. 3. Section one hundred twenty-three point forty-nine  
2 (123.49), subsection two (2), paragraph b, Code 1973, is amended to  
3 read as follows:

4 b. Sell or dispense any alcoholic beverage or beer on the premises  
5 covered by the license or permit; or permit the consumption thereon  
6 between the hours of two a.m. and six a.m. on any weekday, and  
7 between the hours of ~~one~~ two a.m. on Sunday and six a.m. on the  
8 following Monday, *however, a holder of a liquor control license or*  
9 *class "B" beer permit granted the privilege of selling alcoholic liquor*  
10 *or beer on Sunday may sell or dispense such liquor or beer between the*  
11 *hours of noon and ten p.m. on Sunday.*

1 SEC. 4. Section one hundred twenty-three point one hundred thirty-  
2 four (123.134), Code 1973, is amended by adding the following new  
3 subsection:

4 NEW SUBSECTION. Any club, hotel, motel, or commercial establish-  
5 ment holding a class "B" beer permit for whom the sale of goods and  
6 services other than beer constitutes fifty percent or more of the gross  
7 receipts from the licensed premises, subject to the provisions of section  
8 one hundred twenty-three point forty-nine (123.49), subsection two  
9 (2), paragraph b of this chapter, may sell and dispense beer to patrons  
10 on Sunday for consumption on the premises only. For this privilege  
11 the class "B" beer permit fees of the applicant shall be increased by  
12 twenty percent of the regular fees prescribed for the permit pursuant  
13 to this section and the privilege shall be noted on the beer permit. The  
14 department shall prescribe the nature and character of the evidence  
15 which shall be required of the applicant under this subsection.

1 SEC. 5. Section one hundred twenty-three point forty-nine  
2 (123.49), Code 1973, is amended by adding the following new subsec-  
3 tion:

4 NEW SUBSECTION. No privilege of selling alcoholic liquor or beer  
5 on Sunday as provided in sections one (1) and four (4) of this Act  
6 shall be granted to a club or other organization which places restric-  
7 tions on admission or membership in the club or organization on the  
8 basis of sex, race, religion, or national origin. However, the privilege  
9 may be granted to a club or organization which places restrictions on  
10 membership on the basis of sex, if the club or organization has an  
11 auxiliary organization open to persons of the other sex.

12 This subsection shall be effective July 1, 1974.

1 SEC. 6. Section one hundred twenty-three point one hundred forty-  
2 three (123.143), subsection one (1), Code 1973, is amended to read as  
3 follows:

4 1. All retail beer permit fees collected by any local authority at the  
5 time application for the permit is made, and remitted with the permit  
6 application to the department, shall be refunded by the department to

7 the local authority at the time the permit is issued. *Those amounts*  
 8 *refunded to the appropriate local authority out of the fee collected for*  
 9 *the privilege authorized under section four (4) of this Act shall be*  
 10 *deposited in the county mental health and institutions fund to be used*  
 11 *only for the care and treatment of persons admitted or committed to*  
 12 *the alcoholic treatment center at Oakdale or any facilities as provided*  
 13 *in chapter one hundred twenty-three B (123B) of the Code.*

1 SEC. 7. Chapter one hundred twenty-three (123), Code 1973, is  
 2 amended by adding the following new section:

3 NEW SECTION. Holders of liquor control licenses and beer permits  
 4 may sell alcoholic beverages or beer on Sunday pursuant to sections  
 5 one (1) through four (4) of this Act only if the governing body of the  
 6 city or town in which the premises covered by the license or permit are  
 7 located, or the board of supervisors if the premises so covered are not  
 8 located in a city or town, specifically approves authority to sell on  
 9 Sunday in the area subject to its jurisdiction.

10 The governing body or board of supervisors at any time may repeal  
 11 the authorization to sell on Sunday. Any license or permit for which  
 12 the increased fee for Sunday sales has been paid and which is in effect  
 13 at the time of such repeal shall remain effective until its date of expira-  
 14 tion under section one hundred twenty-three point thirty-four (123.34)  
 15 of the Code, unless sooner suspended or revoked.

Approved June 26, 1973.

## CHAPTER 164

### LIQUOR CONTROL

#### H. F. 127

AN ACT relating to class "A" liquor control licenses of clubs which are branches of chartered veterans organizations.

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

1 SECTION 1. Section one hundred twenty-three point thirty-six  
 2 (123.36), subsection two (2), Code 1973, is amended to read as fol-  
 3 lows:

4 2. Class "A" liquor control licenses, the sum of six hundred dollars,  
 5 except that for class "A" licenses in towns of less than two thousand  
 6 population, and for clubs of less than two hundred fifty members, the  
 7 license fee shall be four hundred dollars; however, the fee shall be  
 8 two hundred dollars for any club which is a post, branch, or chapter  
 9 of a veterans organization chartered by the Congress of the United  
 10 States, if such club does not sell or permit the consumption of alco-  
 11 holic beverages *or beer* on the premises more than one day in any  
 12 week, and if the application for a license states that such club does  
 13 not and will not sell or permit the consumption of alcoholic beverages  
 14 *or beer* on the premises more than one day in any week.

Approved June 29, 1973.