

Sec. 45. Section 907.3, subsection 1, paragraph g, Code 1985, is amended to read as follows:
 g. The offense is a violation of section ~~321.281~~ 321J.2 and, within the previous six years, the person has been convicted of a violation of that section or the person's driver's license has been revoked pursuant to ~~that section or chapter 321B~~ section 321J.4, 321J.9, or 321J.12.

Sec. 46. Section 912.1, subsection 4, Code 1985, is amended to read as follows:

4. "Crime" means conduct that occurs or is attempted in this state, poses a substantial threat of personal injury or death, and is punishable as a felony, an aggravated misdemeanor, or a serious misdemeanor, or would be so punishable but for the fact that the person engaging in the conduct lacked the capacity to commit the crime under the laws of this state. "Crime" does not include conduct arising out of the ownership, maintenance, or use of a motor vehicle, motorcycle, motorized bicycle, train, boat, or aircraft except for violations of section ~~321.281~~ 321J.2 or when the intention is to cause personal injury or death. A plea or verdict of guilty of a charge under section ~~321.281~~ 321J.2 or a license revocation under section ~~321B.13~~ 321J.9 or ~~321B.16~~ 321J.12 shall be considered by the department as evidence of a violation of section ~~321.281~~ 321J.2 for the purposes of this chapter.

Sec. 47. Section 321.281, Code Supplement 1985, is repealed.

Sec. 48. Section 321.282, Code 1985, is repealed.

Sec. 49. Section 321.283, Code Supplement 1985, is repealed.

Sec. 50. Chapter 321B, Code 1985 and Code Supplement 1985, is repealed.

Sec. 51. References in chapter 321J to actions which occurred previously under "this chapter" or "this section" include the preceding Code chapter or section which covers the same or substantially similar actions.

Sec. 52. This Act applies to any judicial or administrative action which arises due to violation of a section of this Act or an implementing rule, and which occurs after the effective date of this Act. This Act also applies to any judicial or administrative action which arose prior to the effective date of this Act due to a violation of a preceding Code section or implementing rule which was the same or substantially similar to a section in this Act, or an implementing rule if the defendant or defendant's counsel requests that the action proceed under this Act.

Approved May 27, 1986

CHAPTER 1221
LEGAL DRINKING AGE
S.F. 97

AN ACT establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

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

Section 1. Chapter 123, Code 1985, is amended by adding the following new section:
NEW SECTION. 123.47A PERSONS AGE NINETEEN AND TWENTY.

A person shall not sell, give, or otherwise supply alcoholic liquor, wine, or beer to any person knowing or having reasonable cause to believe that the person is age nineteen or twenty. A person age nineteen or twenty shall not purchase or possess alcoholic liquor, wine, or beer. However, a person age nineteen or twenty may possess alcoholic liquor, wine, or beer given to the person within a private home with the knowledge and consent of the person's parent or guardian, and a person age nineteen or twenty may handle alcoholic liquor, wine, and

beer during the course of the person's employment by a liquor control licensee, or wine or beer permittee. A person, other than a licensee or permittee, who violates this section commits a scheduled violation of section 805.8, subsection 10. A licensee or permittee who violates this section is guilty of a simple misdemeanor punishable by a fine of not more than fifty dollars. The penalty provided under this section against a licensee or permittee who violates this section is the only penalty which shall be imposed against a licensee or permittee who violates this section.

Sec. 2. Section 1 of this Act does not apply to persons born on or before September 1, 1967.

Sec. 3. Section 805.8, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 10. ALCOHOLIC BEVERAGE VIOLATIONS. For violations of section 123.47A, the scheduled fine is fifteen dollars.

Sec. 4. If 23 U.S.C. § 158 is declared unconstitutional by the appellate court of the eighth circuit or by the supreme court of the United States, or if 23 U.S.C. § 158 is repealed by congress or otherwise invalidated, section 1 of this Act is repealed and section 123.3, subsection 33, Code 1985, is re-enacted to read as it did prior to the effective date of this Act.

Approved May 27, 1986

CHAPTER 1222

FALSE USE OF FINANCIAL INSTRUMENTS

H.F. 2067

AN ACT relating to the false use of financial instruments and providing penalties.

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

Section 1. Section 715.1, subsection 3, Code 1985, is amended to read as follows:

3. Any letter, credit card, debit card or access device used to engage in an electronic transfer of funds through a satellite terminal as defined in section 527.2, subsection 1, charge plate, or other device which is designed to identify the person tendering such device as one to whom credit may be extended, or as one to whom goods or services may be furnished and charged to the account of another.

Sec. 2. Section 715.6, unnumbered paragraph 2, Code 1985, is amended to read as follows:

False use of a financial instrument as defined in section 715.1, subsection 2, 3, or 4, is false use of a financial instrument in the first degree. False use of a financial instrument as defined in section 715.1, subsection 1, to obtain property exceeding one hundred dollars ~~or more~~ in value, is false use of a financial instrument in the first degree. False use of a financial instrument in the first degree is a class "D" felony.

Approved May 27, 1986