

February 4, 1963.

Passed on File.

*Manufacturing 2/4
No recommendation 2/20*

Passed Senate, Date *2-25-63*

Vote: Ayes *36* Nays *12*

Senate File 126

By HANSEN, SHAFF, SCHROEDER,
O'MALLEY and NOLAN.

Passed House, Date *5-13-63*

Vote: Ayes *83* Nays *19*

Approved *5-16-63*

*Amended by House 5/13
Concurred by Senate 5/13*

*aye 41 nays 2
Reconsider Vote 5/13*

*Motor Vehicle Tax 3/22
Pass 3/22*

A BILL FOR

An Act relating to the use of vending machines in the sale of
cigarettes and providing for the licensing of such machines.

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

1 Section 1. Section ninety-eight point one (98.1), Code 1962,
2 is hereby amended by adding thereto the following new
3 subsections:

4 "1. 'Cigarette vending machine' means any self-service device
5 offered for public use which, upon insertion of a coin, coins,
6 paper currency, or by other means, dispenses cigarettes without
7 the necessity of replenishing the device between each vending
8 operation.

9 "2. 'Cigarette vendor' means any person who by contract,
10 agreement, or ownership takes responsibility for furnishing,
11 installing, servicing, operating, or maintaining one or more
12 cigarette vending machines for the purpose of selling cigarettes
13 at retail."

1 Sec. 2. Section ninety-eight point thirty-six (98.36), Code
2 1962, is hereby amended as follows:

3 1. By striking subsection six (6) of such section.

4 2. By adding thereto the following new subsection:

5 "Any sales of cigarettes made through a cigarette vending
6 machine shall be subject to rules, regulations, and penalties
7 relative to retail sales of cigarettes provided for in this

8 chapter. No cigarettes shall be sold through any cigarette
9 vending machine unless such cigarettes shall have been properly
10 stamped or metered as provided by this chapter, and in case of
11 violation of this provision, the permit of the dealer authorizing
12 retail sales of cigarettes shall be cancelled. Payment of the
13 license fee as provided in section ninety-eight point thirteen
14 (98.13) shall authorize a cigarette vendor to sell cigarettes
15 through a vending machine or vending machines, provided that the
16 machine or machines are located in a place or places where the
17 machine or machines are under the supervision of a responsible
18 person of legal age who will be responsible for prevention of
19 purchase by minors from such machine or machines. Nothing herein
20 shall require a retail licensee to buy a cigarette vendor's per-
21 mit if the retail licensee is in fact the owner of the cigarette
22 vending machine or machines and the machine or machines are op-
23 erated in the location described in the retail permit."

1 Sec. 3. Section ninety-eight point thirteen (98.13), Code
2 1962, is hereby amended as follows:

3 1. By inserting in line two (2) of subsection one (1) of such
4 section after the word "wholesaler," the words "cigarette
5 vendor,".

6 2. By inserting in line seven (7) of subsection one (1) of
7 such section after the word "wholesaler," the words "cigarette
8 vendor,".

9 3. By inserting in line two (2) of subsection two (2) of
10 such section after the word "wholesalers," the words "cigarette
11 vendors,".

12 4. By inserting in line nine (9) of subsection three (3) of

- 13 such section after the word "distributor" the words " , cigarette
- 14 vendor,".
- 15 5. By inserting in line two (2) of subsection six (6) of
- 16 such section after the word "wholesaler," the words "cigarette
- 17 vendor,".

SENATE FILE 126

1 Amend Senate File 126 by inserting the following before
 2 the word "shall" in line 14 of section 2: "of the Code".

Filed *Adopt 2/23*
 February 22, 1963. By HANSEN.

SENATE FILE 126

1 Amend Senate File 126 by adding after the word "machines" in
 2 line nineteen (19) of section two (2) the following:
 3 "and the location where the machine or machines are placed is
 4 covered by a local retail permit".

Filed *Senate concurred 5/13 adopted 5/13*
 May 9, 1963. GOODE of Davis.