

APR 4 1978

HOUSE FILE 2388

Place On Calendar

By COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(Formerly Study Bill 419)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to liquor and beer control, repealing the pre-
 2 requisite for Sunday sales of beer and liquor, that fifty
 3 percent or more of the gross receipts of the licensed prem-
 4 ises be from the sale of goods and services other than
 5 alcoholic liquor or beer, and extending the hours for the
 6 sale or dispensing of alcoholic liquor and beer on Sunday
 7 and Monday.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2388

1 Section 1. Section one hundred twenty-three point thirty-
2 six (123.36), subsection six (6), Code 1977, as amended by
3 Acts of the Sixty-seventh General Assembly, 1977 Session,
4 chapter seventy-two (72), section one (1), is amended to read
5 as follows:

6 6. Any club, hotel, motel, or commercial establishment
7 holding a liquor control license ~~for whom the sale of goods~~
8 ~~and services other than alcoholic liquor or beer constitutes~~
9 ~~fifty percent or more of the gross receipts from the licensed~~
10 ~~premises~~, subject to the provisions of section 123.49,
11 subsection 2, paragraph "b", may sell and dispense alcoholic
12 liquor to patrons on Sunday for consumption on the premises
13 only, and beer for consumption on or off the premises between
14 the hours of noon ~~and ten p.m.~~ on Sunday and one a.m. on the
15 following Monday. For the privilege of selling beer and
16 alcoholic liquor on the premises on Sunday the liquor control
17 license fee of the applicant shall be increased by twenty
18 percent of the regular fee prescribed for the license pursuant
19 to this section, and the privilege shall be noted on the
20 liquor control license in the manner prescribed by the
21 department. ~~The department shall prescribe the nature and~~
22 ~~the character of the evidence which shall be required of the~~
23 ~~applicant under this subsection.~~

24 Sec. 2. Section one hundred twenty-three point forty-nine
25 (123.49), subsection two (2), paragraph b, Code 1977, as
26 amended by Acts of the Sixty-seventh General Assembly, 1977
27 Session, chapter seventy-two (72), section three (3), is
28 amended to read as follows:

29 b. Sell or dispense any alcoholic beverage or beer on
30 the premises covered by the license or permit, or permit the
31 consumption thereon between the hours of two a.m. and six
32 a.m. on any weekday, and between the hours of two a.m. on
33 Sunday and six a.m. on the following Monday, however, a holder
34 of a liquor control license or retail beer permit granted
35 the privilege of selling alcoholic liquor or beer on Sunday

1 may sell or dispense such liquor or beer between the hours
 2 of noon ~~and ten p.m.~~ on Sunday and one a.m. on the following
 3 Monday.

4 Sec. 3. Section one hundred twenty-three point one hundred
 5 thirty-four (123.134), subsection five (5), Code 1977, as
 6 amended by Acts of the Sixty-seventh General Assembly, 1977
 7 Session, chapter seventy-two (72), section four (4), is amended
 8 to read as follows:

9 5. Any club, hotel, motel, or commercial establishment
 10 holding a class "B" beer permit ~~for whom the sale of goods~~
 11 ~~and services other than beer constitutes fifty percent or~~
 12 ~~more of the gross receipts from the licensed premises,~~ subject
 13 to the provisions of section 123.49, subsection 2, paragraph
 14 "b", may sell and dispense beer to patrons on Sunday for
 15 consumption on the premises and for consumption of beer off
 16 the premises between the hours of noon ~~and ten p.m.~~ on Sunday
 17 and one a.m. on the following Monday. Any class "C" beer
 18 permittee may sell beer for consumption off the premises
 19 between the hours of noon ~~and ten p.m.~~ on Sunday and one a.m.
 20 on the following Monday. For the privilege of selling beer
 21 on Sunday the beer permit fees of the applicant shall be
 22 increased by twenty percent of the regular fees prescribed
 23 for the permit pursuant to this section and the privilege
 24 shall be noted on the beer permit in a manner prescribed by
 25 the department. ~~The department shall prescribe the nature~~
 26 ~~and character of the evidence which shall be required of the~~
 27 ~~applicant under this subsection.~~

28 EXPLANATION

29 This bill repeals the prerequisite for Sunday sales of
 30 beer and liquor that fifty percent or more of the gross
 31 receipts of the licensed premises be from the sale of goods
 32 and services other than alcoholic liquor or beer.

33 The bill also extends the hours for Sunday sales of beer
 34 and liquor from the present hours of noon to ten p.m. to noon
 35 to one a.m. the following Monday.

LSB 3448H

rn/sd/14

HOUSE FILE 2383

H-6158

1 Amend House File 2383 as follows:

2 1. Page 1, by striking lines 7 through 10 and
3 inserting in lieu thereof the following: "holding
4 a liquor control license for whom the sale of goods
5 and services other than alcoholic liquor or beer
6 constitutes fifty percent or more of the gross receipts
7 from the licensed premises, subject to the provisions
8 of section 123.49,".

9 2. Page 1, by striking lines 14 and 15 and
10 inserting in lieu thereof the following: "the hours
11 of noon and ten p.m. on Sunday. For the privilege
12 of selling beer and".

13 3. Page 1, line 17, by striking the word "twenty"
14 and inserting in lieu thereof the words "twenty
15 thirty".

16 4. Page 2, by striking lines 2 and 3 and insert-
17 ing in lieu thereof the following: "of noon and ten
18 p.m. on Sunday."

19 5. Page 2, by striking lines 10 through 12 and
20 inserting in lieu thereof the following: "holding
21 a class "B" beer permit for whom the sale of goods
22 and services other than beer constitutes fifty percent
23 or more of the gross receipts from the licensed
24 premises, subject".

25 6. Page 2, by striking lines 16 and 17 and insert-
26 ing in lieu thereof the following: "the premises
27 between the hours of noon and ten p.m. Any class
28 "C" beer".

29 7. Page 2, by striking lines 19 and 20 and insert-
30 ing in lieu thereof the following: "between the hours
31 of noon and ten p.m. For the privilege of selling
32 beer".

33 8. Page 2, line 22, by striking the word "twenty"
34 and inserting in lieu thereof the words "twenty
35 thirty".

H-6158 FILED
APRIL 20, 1973

BY DIELEMAN of Marion