

Ways and Means: Lageschulte, Chair; Lorenzen and Cochran.

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SENATE FILE 2343

By COMMITTEE ON ENERGY

(FORMER SSB 2269)

Approved 3/13 (p 910)

Passed Senate, Date 3-20-80 (p 977) Passed House, Date 4/15/80 (p 1004)

Vote: Ayes 40 Nays 0 Vote: Ayes 95 Nays 0

Approved May 23, 1980

A BILL FOR

1 An Act exempting holders of federal permits to produce
 2 alcohol for use as fuel from obtaining a manufacturer's
 3 permit under chapter one hundred twenty-three (123)
 4 of the Code.

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

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1 Section 1. Section one hundred twenty-three point three
2 (123.3), subsection eight (8), Code 1979, is amended to read
3 as follows:

4 8. "Alcoholic liquor", "alcoholic beverage" or
5 "intoxicating liquor" includes the three varieties of liquor
6 defined in subsections 5, 6, and 7, except beer as defined
7 in subsection 9 but including all beverages made as described
8 in such subsection which contain more than four percent of
9 alcohol by weight, and every liquid or solid, patented or
10 not, containing alcohol, spirits, or wine, and susceptible
11 of being consumed by a human being, for beverage purposes.
12 Alcohol manufactured in this state for use as fuel pursuant
13 to an experimental distilled spirits plant permit or its
14 equivalent issued by the federal bureau of alcohol, tobacco
15 and firearms is not an "alcoholic liquor".

16 Sec. 2. Section one hundred twenty-three point forty-one
17 (123.41), Code 1979, is amended to read as follows:

18 123.41 MANUFACTURER'S LICENSE.

19 1. Upon application in the prescribed form and accompanied
20 by a fee of three hundred fifty dollars, the director may
21 in accordance with this chapter grant and issue a license,
22 valid for a one-year period after date of issuance, to a
23 manufacturer which shall allow the manufacture, storage, and
24 wholesale disposition and sale of alcoholic liquors to the
25 department and to customers outside of the state.

26 2. A person who holds an experimental distilled spirits
27 plant permit or its equivalent issued by the federal bureau
28 of alcohol, tobacco and firearms may produce alcohol for use
29 as fuel without obtaining a manufacturer's license from the
30 department.

31 Sec. 3. This Act, being deemed of immediate importance,
32 takes effect from and after its publication in the Osceola
33 Sentinel, a newspaper published in Osceola, Iowa, and in the
34 Urbandale News, a newspaper published in Urbandale, Iowa.

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EXPLANATION

1 This bill exempts a person who has obtained an experimental
2 distilled spirits plant permit from the federal bureau of
3 alcohol, tobacco and firearms to produce alcohol for use as
4 fuel from obtaining a manufacturer's license from the Iowa
5 beer and liquor control department.

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SENATE FILE 2343

AN ACT

EXEMPTING HOLDERS OF FEDERAL PERMITS TO PRODUCE ALCOHOL FOR USE AS FUEL FROM OBTAINING A MANUFACTURER'S PERMIT UNDER CHAPTER ONE HUNDRED TWENTY-THREE (123) OF THE CODE.

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

Section 1. Section one hundred twenty-three point three (123.3), subsection eight (8), Code 1979, is amended to read as follows:

8. "Alcoholic liquor", "alcoholic beverage" or "intoxicating liquor" includes the three varieties of liquor defined in subsections 5, 6, and 7, except beer as defined in subsection 9 but including all beverages made as described in such subsection which contain more than four percent of alcohol by weight, and every liquid or solid, patented or not, containing alcohol, spirits, or wine, and susceptible of being consumed by a human being, for beverage purposes. Alcohol manufactured in this state for use as fuel pursuant to an experimental distilled spirits plant permit or its equivalent issued by the federal bureau of alcohol, tobacco and firearms is not an "alcoholic liquor".

Sec. 2. Section one hundred twenty-three point forty-one (123.41), Code 1979, is amended to read as follows:

123.41 MANUFACTURER'S LICENSE.

1. Upon application in the prescribed form and accompanied by a fee of three hundred fifty dollars, the director may in accordance with this chapter grant and issue a license, valid for a one-year period after date of issuance, to a manufacturer which shall allow the manufacture, storage, and wholesale disposition and sale of alcoholic liquors to the department and to customers outside of the state.

2. A person who holds an experimental distilled spirits plant permit or its equivalent issued by the federal bureau of alcohol, tobacco and firearms may produce alcohol for use as fuel without obtaining a manufacturer's license from the department.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in the Osceola Sentinel, a newspaper published in Osceola, Iowa, and in the Urbandale News, a newspaper published in Urbandale, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2343, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved 5/23, 1980

ROBERT D. RAY
Governor

S.F. 2343