

Reprinted 3/88

FILED FEB 24 1988

SENATE FILE 2201  
BY COMMITTEE ON STATE GOVERNMENT  
(formerly 558 2186)  
*Approved (p. 480)*

Passed Senate, Date 3/8/88 (p. 675) Passed House, Date 3/31/88 (p. 1267)  
Vote: Ayes 47 Nays 0 Vote: Ayes 92 Nays 5

Approved April 14, 1988

*Motion to reconsider (p. 692)*  
*" w/25 3/11 (p. 762)*

A BILL FOR

1 An Act to remove the bond required for class "A", "B", "C", and  
2 "D" liquor control licenses and retail wine and beer permits.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2201

S-5232

1 Amend Senate File 2201 as follows:  
2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Section 1. Section 123.3, subsection 12,  
5 paragraph a, Code 1987, is amended to read as follows:  
6 a. The person has such financial standing and good  
7 reputation as will satisfy the administrator that the  
8 person will comply with this chapter and all laws,  
9 ordinances, and regulations applicable to the person's  
10 operations under this chapter. However, the  
11 administrator shall not require the person to post a  
12 bond to meet the requirements of this paragraph.  
13 2. By renumbering as required.

SF 2201

S-5232  
Filed March 7, 1988  
*Adopted 3/8 (p. 675)*

BY JOE J. WELSH

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5232

1 Section 1. Section 123.30, subsection 1, unnumbered  
2 paragraph 1, Code Supplement 1987, is amended by striking the  
3 paragraph.

4 Sec. 2. Section 123.30, subsection 1, unnumbered paragraph  
5 2, Code Supplement 1987, is amended to read as follows:

6 A liquor control license may be issued to any person who,  
7 or whose officers in the case of a club or corporation, or  
8 whose partners in the case of a partnership, are of good moral  
9 character as defined by this chapter. As a further condition  
10 for issuance of a liquor control license, the applicant must  
11 give consent to members of the fire, police, and health  
12 departments and the building inspector of cities; the county  
13 sheriff, deputy sheriff, and state agents, and any official  
14 county health officer to enter upon the premises without a  
15 warrant to inspect for violations of ~~the provisions of~~ this  
16 chapter or ordinances and regulations that cities and boards  
17 of supervisors may adopt. As a further condition for the  
18 issuance of a class "E" liquor control license, the applicant  
19 shall post a bond in a sum of not less than five thousand nor  
20 more than fifteen thousand dollars as determined on a sliding  
21 scale established by the division; however, a bond shall not  
22 be required if all purchases of alcoholic liquor from the  
23 division by the licensee are made by cash payment or by means  
24 that ensure that the division will receive full payment in  
25 advance of delivery of the alcoholic liquor.

26 Sec. 3. Section 123.32, subsections 1, 2, and 3, Code  
27 1987, are amended to read as follows:

28 1. FILING OF APPLICATION. An application for a class "A",  
29 class "B", class "C", or class "E" liquor control license, for  
30 a retail beer permit as provided in sections 123.128 and  
31 123.129, or for a class "B" retail wine permit as provided in  
32 section 123.176, accompanied by the required necessary fee and  
33 bond, if required, shall be filed with the appropriate city  
34 council if the premises for which the license or permit is  
35 sought are located within the corporate limits of a city, or

1 with the board of supervisors if the premises for which the  
2 license or permit is sought are located outside the corporate  
3 limits of a city. An application for a class "D" liquor  
4 control license and for a class "A" beer or class "A" wine  
5 permit, accompanied by the required necessary fee and bond, if  
6 required, shall be filed with the division, which shall  
7 proceed in the same manner as in the case of an application  
8 approved by local authorities.

9 2. ACTION BY LOCAL AUTHORITIES. The local authority shall  
10 either approve or disapprove the issuance of a liquor control  
11 license, retail wine permit, or retail beer permit, shall  
12 endorse its approval or disapproval on the application and  
13 shall forward the application along with the required  
14 necessary fee and bond, if required, to the division. Upon  
15 the initial application for a liquor control license, retail  
16 wine permit, or retail beer permit, the fact that the local  
17 authority determines that no liquor control license, retail  
18 wine permit, or retail beer permit shall be issued shall not  
19 be held to be arbitrary, capricious, or without reasonable  
20 cause. There is no limit upon the number of liquor control  
21 licenses, retail wine permits, or retail beer permits which  
22 may be approved for issuance by local authorities.

23 3. ACTION BY ADMINISTRATOR AND DEPARTMENT OF INSPECTIONS  
24 AND APPEALS. Upon receipt of an application having been  
25 disapproved by the local authority, the administrator shall  
26 disapprove the application, so notify the applicant by  
27 registered mail, and return the fee and any bond to the  
28 applicant. Upon receipt of an application having been  
29 approved by the local authority, the department of inspections  
30 and appeals shall make such investigation as the administrator  
31 deems necessary and may require the applicant to appear before  
32 the department of inspections and appeals and be examined  
33 under oath regarding any matters pertinent to the application,  
34 in which case a record shall be made of all testimony or  
35 evidence and the same shall become a part of the application.

1 If the application is approved by the administrator, the  
2 license or permit applied for shall be issued. If the  
3 application is disapproved by the administrator, the applicant  
4 and the appropriate local authority shall be so notified by  
5 restricted certified mail, and the fee and any bond returned  
6 to the applicant.

7 Sec. 4. Section 123.35, unnumbered paragraph 2, Code 1987,  
8 is amended to read as follows:

9 Such application, accompanied by the required necessary fee  
10 and bond, if required, shall be filed in the same manner as is  
11 provided for filing the initial application.

12 Sec. 5. Section 123.50, subsection 2, Code 1987, is  
13 amended to read as follows:

14 2. The conviction of any liquor control licensee, wine  
15 permittee, or beer permittee for a violation of any of the  
16 provisions of section 123.49, subject to subsection 3 of this  
17 section, is grounds for the suspension or revocation of the  
18 license or permit by the division or the local authority.  
19 However, if any liquor control licensee is convicted of any  
20 violation of subsection 2, paragraphs "a", "d" or "e", of that  
21 section, or any wine or beer permittee is convicted of a  
22 violation of paragraph "a" or "e" of that section, the liquor  
23 control license, wine permit, or beer permit shall be revoked  
24 and shall immediately be surrendered by the holder, and the  
25 bond, if any, of the license or permit holder shall be  
26 forfeited to the division.

27 Sec. 6. Section 123.122, Code 1987, is amended to read as  
28 follows:

29 123.122 PERMIT OR LICENSE REQUIRED.

30 No A person shall not manufacture for sale or sell beer at  
31 wholesale or retail unless a permit is first obtained as  
32 provided in this division or, a liquor control license  
33 authorizing the retail sale of beer is first obtained as  
34 provided in division I of this chapter. No A liquor control  
35 license holder ~~shall be~~ is not required to hold a separate

1 class "B" beer permit ~~or-to-poss-a-separate-bond.~~

2 Sec. 7. Section 123.128, subsection 3, Code 1987, is  
3 amended by striking the subsection.

4 Sec. 8. Section 123.129, subsection 3, Code 1987, is  
5 amended by striking the subsection.

6 Sec. 10. Section 123.176, subsection 3, Code 1987, is  
7 amended by striking the subsection.

8 EXPLANATION

9 This bill eliminates the bond requirement for class "A",  
10 "B", "C", and "D" liquor control licenses and retail wine and  
11 beer permits.

12 SUCCESSOR TO SSB 2186 (LSB 7059SC)

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1 Section 1. Section 123.3, subsection 12, paragraph a, Code  
2 1987, is amended to read as follows:

3 a. The person has such financial standing and good  
4 reputation as will satisfy the administrator that the person  
5 will comply with this chapter and all laws, ordinances, and  
6 regulations applicable to the person's operations under this  
7 chapter. However, the administrator shall not require the  
8 person to post a bond to meet the requirements of this  
9 paragraph.

10 Sec. 2. Section 123.30, subsection 1, unnumbered paragraph  
11 1, Code Supplement 1987, is amended by striking the paragraph.

12 Sec. 3. Section 123.30, subsection 1, unnumbered paragraph  
13 2, Code Supplement 1987, is amended to read as follows:

14 A liquor control license may be issued to any person who,  
15 or whose officers in the case of a club or corporation, or  
16 whose partners in the case of a partnership, are of good moral  
17 character as defined by this chapter. As a further condition  
18 for issuance of a liquor control license, the applicant must  
19 give consent to members of the fire, police, and health  
20 departments and the building inspector of cities; the county  
21 sheriff, deputy sheriff, and state agents, and any official  
22 county health officer to enter upon the premises without a  
23 warrant to inspect for violations of ~~the provisions of~~ this  
24 chapter or ordinances and regulations that cities and boards  
25 of supervisors may adopt. As a further condition for the  
26 issuance of a class "E" liquor control license, the applicant  
27 shall post a bond in a sum of not less than five thousand nor  
28 more than fifteen thousand dollars as determined on a sliding  
29 scale established by the division; however, a bond shall not  
30 be required if all purchases of alcoholic liquor from the  
31 division by the licensee are made by cash payment or by means  
32 that ensure that the division will receive full payment in  
33 advance of delivery of the alcoholic liquor.

34 Sec. 4. Section 123.32, subsections 1, 2, and 3, Code  
35 1987, are amended to read as follows:

1 1. FILING OF APPLICATION. An application for a class "A",  
2 class "B", class "C", or class "E" liquor control license, for  
3 a retail beer permit as provided in sections 123.128 and  
4 123.129, or for a class "B" retail wine permit as provided in  
5 section 123.176, accompanied by the required necessary fee and  
6 bond, if required, shall be filed with the appropriate city  
7 council if the premises for which the license or permit is  
8 sought are located within the corporate limits of a city, or  
9 with the board of supervisors if the premises for which the  
10 license or permit is sought are located outside the corporate  
11 limits of a city. An application for a class "D" liquor  
12 control license and for a class "A" beer or class "A" wine  
13 permit, accompanied by the required necessary fee and bond, if  
14 required, shall be filed with the division, which shall  
15 proceed in the same manner as in the case of an application  
16 approved by local authorities.

17 2. ACTION BY LOCAL AUTHORITIES. The local authority shall  
18 either approve or disapprove the issuance of a liquor control  
19 license, retail wine permit, or retail beer permit, shall  
20 endorse its approval or disapproval on the application and  
21 shall forward the application along with the required  
22 necessary fee and bond, if required, to the division. Upon  
23 the initial application for a liquor control license, retail  
24 wine permit, or retail beer permit, the fact that the local  
25 authority determines that no liquor control license, retail  
26 wine permit, or retail beer permit shall be issued shall not  
27 be held to be arbitrary, capricious, or without reasonable  
28 cause. There is no limit upon the number of liquor control  
29 licenses, retail wine permits, or retail beer permits which  
30 may be approved for issuance by local authorities.

31 3. ACTION BY ADMINISTRATOR AND DEPARTMENT OF INSPECTIONS  
32 AND APPEALS. Upon receipt of an application having been  
33 disapproved by the local authority, the administrator shall  
34 disapprove the application, so notify the applicant by  
35 registered mail, and return the fee and any bond to the

1 applicant. Upon receipt of an application having been  
2 approved by the local authority, the department of inspections  
3 and appeals shall make such investigation as the administrator  
4 deems necessary and may require the applicant to appear before  
5 the department of inspections and appeals and be examined  
6 under oath regarding any matters pertinent to the application,  
7 in which case a record shall be made of all testimony or  
8 evidence and the same shall become a part of the application.  
9 If the application is approved by the administrator, the  
10 license or permit applied for shall be issued. If the  
11 application is disapproved by the administrator, the applicant  
12 and the appropriate local authority shall be so notified by  
13 restricted certified mail, and the fee and any bond returned  
14 to the applicant.

15 Sec. 5. Section 123.35, unnumbered paragraph 2, Code 1987,  
16 is amended to read as follows:

17 Such application, accompanied by the required necessary fee  
18 and bond, if required, shall be filed in the same manner as is  
19 provided for filing the initial application.

20 Sec. 6. Section 123.50, subsection 2, Code 1987, is  
21 amended to read as follows:

22 2. The conviction of any liquor control licensee, wine  
23 permittee, or beer permittee for a violation of any of the  
24 provisions of section 123.49, subject to subsection 3 of this  
25 section, is grounds for the suspension or revocation of the  
26 license or permit by the division or the local authority.  
27 However, if any liquor control licensee is convicted of any  
28 violation of subsection 2, paragraphs "a", "d" or "e", of that  
29 section, or any wine or beer permittee is convicted of a  
30 violation of paragraph "a" or "e" of that section, the liquor  
31 control license, wine permit, or beer permit shall be revoked  
32 and shall immediately be surrendered by the holder, and the  
33 bond, if any, of the license or permit holder shall be  
34 forfeited to the division.

35 Sec. 7. Section 123.122, Code 1987, is amended to read as

1 follows:

2 123.122 PERMIT OR LICENSE REQUIRED.

3 No A person shall not manufacture for sale or sell beer at  
4 wholesale or retail unless a permit is first obtained as  
5 provided in this division or, a liquor control license  
6 authorizing the retail sale of beer is first obtained as  
7 provided in division I of this chapter. No A liquor control  
8 license holder ~~shall be~~ is not required to hold a separate  
9 class "B" beer permit ~~or to post a separate bond~~.

10 Sec. 8. Section 123.128, subsection 3, Code 1987, is  
11 amended by striking the subsection.

12 Sec. 9. Section 123.129, subsection 3, Code 1987, is  
13 amended by striking the subsection.

14 Sec. 10. Section 123.176, subsection 3, Code 1987, is  
15 amended by striking the subsection.

16 SUCCESSOR TO SSB 2186 (LSB 7059SC)

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SSB 2186

Welsh, CH.  
Rife  
Horn

SSB 2186

STATE GOVERNMENT

Now LSB

STATE GOVERNMENT: Welsh, Chair: Rife and Horn

SENATE FILE 2201

BY (PROPOSED COMMITTEE ON STATE GOVERNMENT BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act to remove the bond required for class "A", "B", "C", and  
2 "D" liquor control licenses and retail wine and beer permits.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 123.30, subsection 1, unnumbered  
2 paragraph 1, Code Supplement 1987, is amended by striking the  
3 paragraph.

4 Sec. 2. Section 123.30, subsection 1, unnumbered paragraph  
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7 or whose officers in the case of a club or corporation, or  
8 whose partners in the case of a partnership, are of good moral  
9 character as defined by this chapter. As a further condition  
10 for issuance of a liquor control license, the applicant must  
11 give consent to members of the fire, police, and health  
12 departments and the building inspector of cities; the county  
13 sheriff, deputy sheriff, and state agents, and any official  
14 county health officer to enter upon the premises without a  
15 warrant to inspect for violations of ~~the provisions of~~ this  
16 chapter or ordinances and regulations that cities and boards  
17 of supervisors may adopt. As a further condition for the  
18 issuance of a class "E" liquor control license, the applicant  
19 shall post a bond in a sum of not less than five thousand nor  
20 more than fifteen thousand dollars as determined on a sliding  
21 scale established by the division; however, a bond shall not  
22 be required if all purchases of alcoholic liquor from the  
23 division by the licensee are made by cash payment or by means  
24 that ensure that the division will receive full payment in  
25 advance of delivery of the alcoholic liquor.

26 Sec. 3. Section 123.32, subsections 1, 2, and 3, Code  
27 1987, are amended to read as follows:

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29 class "B", class "C", or class "E" liquor control license, for  
30 a retail beer permit as provided in sections 123.128 and  
31 123.129, or for a class "B" retail wine permit as provided in  
32 section 123.176, accompanied by the required necessary fee and  
33 bond, if required, shall be filed with the appropriate city  
34 council if the premises for which the license or permit is  
35 sought are located within the corporate limits of a city, or

1 with the board of supervisors if the premises for which the  
2 license or permit is sought are located outside the corporate  
3 limits of a city. An application for a class "D" liquor  
4 control license and for a class "A" beer or class "A" wine  
5 permit, accompanied by the required necessary fee and bond, if  
6 required, shall be filed with the division, which shall  
7 proceed in the same manner as in the case of an application  
8 approved by local authorities.

9 2. ACTION BY LOCAL AUTHORITIES. The local authority shall  
10 either approve or disapprove the issuance of a liquor control  
11 license, retail wine permit, or retail beer permit, shall  
12 endorse its approval or disapproval on the application and  
13 shall forward the application along with the required  
14 necessary fee and bond, if required, to the division. Upon  
15 the initial application for a liquor control license, retail  
16 wine permit, or retail beer permit, the fact that the local  
17 authority determines that no liquor control license, retail  
18 wine permit, or retail beer permit shall be issued shall not  
19 be held to be arbitrary, capricious, or without reasonable  
20 cause. There is no limit upon the number of liquor control  
21 licenses, retail wine permits, or retail beer permits which  
22 may be approved for issuance by local authorities.

23 3. ACTION BY ADMINISTRATOR AND DEPARTMENT OF INSPECTIONS  
24 AND APPEALS. Upon receipt of an application having been  
25 disapproved by the local authority, the administrator shall  
26 disapprove the application, so notify the applicant by  
27 registered mail, and return the fee and any bond to the  
28 applicant. Upon receipt of an application having been  
29 approved by the local authority, the department of inspections  
30 and appeals shall make such investigation as the administrator  
31 deems necessary and may require the applicant to appear before  
32 the department of inspections and appeals and be examined  
33 under oath regarding any matters pertinent to the application,  
34 in which case a record shall be made of all testimony or  
35 evidence and the same shall become a part of the application.

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2 license or permit applied for shall be issued. If the  
3 application is disapproved by the administrator, the applicant  
4 and the appropriate local authority shall be so notified by  
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7 Sec. 4. Section 123.35, unnumbered paragraph 2, Code 1987,  
8 is amended to read as follows:

9 Such application, accompanied by the ~~required~~ necessary fee  
10 and bond, if required, shall be filed in the same manner as is  
11 provided for filing the initial application.

12 Sec. 5. Section 123.50, subsection 2, Code 1987, is  
13 amended to read as follows:

14 2. The conviction of any liquor control licensee, wine  
15 permittee, or beer permittee for a violation of any of the  
16 provisions of section 123.49, subject to subsection 3 of this  
17 section, is grounds for the suspension or revocation of the  
18 license or permit by the division or the local authority.  
19 However, if any liquor control licensee is convicted of any  
20 violation of subsection 2, paragraphs "a", "d" or "e", of that  
21 section, or any wine or beer permittee is convicted of a  
22 violation of paragraph "a" or "e" of that section, the liquor  
23 control license, wine permit, or beer permit shall be revoked  
24 and shall immediately be surrendered by the holder, and the  
25 bond, if any, of the license or permit holder shall be  
26 forfeited to the division.

27 Sec. 6. Section 123.122, Code 1987, is amended to read as  
28 follows:

29 123.122 PERMIT OR LICENSE REQUIRED.

30 No A person shall not manufacture for sale or sell beer at  
31 wholesale or retail unless a permit is first obtained as  
32 provided in this division or, a liquor control license  
33 authorizing the retail sale of beer is first obtained as  
34 provided in division I of this chapter. No A liquor control  
35 license holder ~~shall be~~ is not required to hold a separate

1 class "B" beer permit ~~er-to-get-a-separate-bond.~~

2 Sec. 7. Section 123.128, subsection 3, Code 1987, is  
3 amended by striking the subsection.

4 Sec. 8. Section 123.129, subsection 3, Code 1987, is  
5 amended by striking the subsection.

6 Sec. 10. Section 123.176, subsection 3, Code 1987, is  
7 amended by striking the subsection.

8 EXPLANATION

9 This bill eliminates the bond requirement for class "A",  
10 "B", "C", and "D" liquor control licenses and retail wine and  
11 beer permits.

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SENATE FILE 2201

AN ACT

TO REMOVE THE BOND REQUIRED FOR CLASS "A", "B", "C", AND "D"  
LIQUOR CONTROL LICENSES AND RETAIL WINE AND BEER PERMITS.

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

Section 1. Section 123.3, subsection 12, paragraph a, Code 1987, is amended to read as follows:

a. The person has such financial standing and good reputation as will satisfy the administrator that the person will comply with this chapter and all laws, ordinances, and regulations applicable to the person's operations under this chapter. However, the administrator shall not require the person to post a bond to meet the requirements of this paragraph.

Sec. 2. Section 123.30, subsection 1, unnumbered paragraph 1, Code Supplement 1987, is amended by striking the paragraph.

Sec. 3. Section 123.30, subsection 1, unnumbered paragraph 2, Code Supplement 1987, is amended to read as follows:

A liquor control license may be issued to any person who, or whose officers in the case of a club or corporation, or whose partners in the case of a partnership, are of good moral character as defined by this chapter. As a further condition for issuance of a liquor control license, the applicant must give consent to members of the fire, police, and health departments and the building inspector of cities; the county sheriff, deputy sheriff, and state agents, and any official county health officer to enter upon the premises without a warrant to inspect for violations of the provisions of this chapter or ordinances and regulations that cities and boards of supervisors may adopt. As a further condition for the issuance of a class "E" liquor control license, the applicant shall post a bond in a sum of not less than five thousand nor more than fifteen thousand dollars as determined on a sliding scale established by the division; however, a bond shall not be required if all purchases of alcoholic liquor from the division by the licensee are made by cash payment or by means that ensure that the division will receive full payment in advance of delivery of the alcoholic liquor.

Sec. 4. Section 123.32, subsections 1, 2, and 3, Code 1987, are amended to read as follows:

1. FILING OF APPLICATION. An application for a class "A", class "B", class "C", or class "E" liquor control license, for a retail beer permit as provided in sections 123.128 and 123.129, or for a class "B" retail wine permit as provided in section 123.176, accompanied by the required necessary fee and bond, if required, shall be filed with the appropriate city council if the premises for which the license or permit is sought are located within the corporate limits of a city, or with the board of supervisors if the premises for which the license or permit is sought are located outside the corporate limits of a city. An application for a class "D" liquor control license and for a class "A" beer or class "A" wine permit, accompanied by the required necessary fee and bond, if

required, shall be filed with the division, which shall proceed in the same manner as in the case of an application approved by local authorities.

2. ACTION BY LOCAL AUTHORITIES. The local authority shall either approve or disapprove the issuance of a liquor control license, retail wine permit, or retail beer permit, shall endorse its approval or disapproval on the application and shall forward the application along with the required necessary fee and bond, if required, to the division. Upon the initial application for a liquor control license, retail wine permit, or retail beer permit, the fact that the local authority determines that no liquor control license, retail wine permit, or retail beer permit shall be issued shall not be held to be arbitrary, capricious, or without reasonable cause. There is no limit upon the number of liquor control licenses, retail wine permits, or retail beer permits which may be approved for issuance by local authorities.

3. ACTION BY ADMINISTRATOR AND DEPARTMENT OF INSPECTIONS AND APPEALS. Upon receipt of an application having been disapproved by the local authority, the administrator shall disapprove the application, so notify the applicant by registered mail, and return the fee and any bond to the applicant. Upon receipt of an application having been approved by the local authority, the department of inspections and appeals shall make such investigation as the administrator deems necessary and may require the applicant to appear before the department of inspections and appeals and be examined under oath regarding any matters pertinent to the application, in which case a record shall be made of all testimony or evidence and the same shall become a part of the application. If the application is approved by the administrator, the license or permit applied for shall be issued. If the application is disapproved by the administrator, the applicant and the appropriate local authority shall be so notified by restricted certified mail, and the fee and any bond returned to the applicant.

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Such application, accompanied by the required necessary fee and bond, if required, shall be filed in the same manner as is provided for filing the initial application.

Sec. 6. Section 123.50, subsection 2, Code 1987, is amended to read as follows:

2. The conviction of any liquor control licensee, wine permittee, or beer permittee for a violation of any of the provisions of section 123.49, subject to subsection 3 of this section, is grounds for the suspension or revocation of the license or permit by the division or the local authority. However, if any liquor control licensee is convicted of any violation of subsection 2, paragraphs "a", "d" or "e", of that section, or any wine or beer permittee is convicted of a violation of paragraph "a" or "e" of that section, the liquor control license, wine permit, or beer permit shall be revoked and shall immediately be surrendered by the holder, and the bond, if any, of the license or permit holder shall be forfeited to the division.

Sec. 7. Section 123.122, Code 1987, is amended to read as follows:

123.122 PERMIT OR LICENSE REQUIRED.

No A person shall not manufacture for sale or sell beer at wholesale or retail unless a permit is first obtained as provided in this division or, a liquor control license authorizing the retail sale of beer is first obtained as provided in division I of this chapter. No A liquor control license holder shall be is not required to hold a separate class "B" beer permit or-to-post-a-separate-bond.

Sec. 8. Section 123.128, subsection 3, Code 1987, is amended by striking the subsection.

Sec. 9. Section 123.129, subsection 3, Code 1987, is amended by striking the subsection.

Sec. 10. Section 123.176, subsection 3, Code 1987, is amended by striking the subsection.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2201, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 14, 1988

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TERRY E. BRANSTAD  
Governor

**SF 2201**