

**CHAPTER 1020**  
**OPEN CONTAINERS OF WINE**  
*H.F. 2069*

**AN ACT** prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty.

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

Section 1. Section 123.28, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

A person driving a motor vehicle shall not knowingly possess in a motor vehicle upon a public street or highway an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage, wine, or beer with the intent to consume the alcoholic beverage, wine, or beer while the motor vehicle is upon a public street or highway. Evidence that an open or unsealed receptacle containing an alcoholic beverage, wine, or beer was found during an authorized search in the glove compartment, utility compartment, console, front passenger seat, or any unlocked portable device and within the immediate reach of the driver while the motor vehicle is upon a public street or highway is evidence from which the court or jury may infer that the driver intended to consume the alcoholic beverage, wine, or beer while upon the public street or highway if the inference is supported by corroborative evidence. However, an open or unsealed receptacle containing an alcoholic beverage, wine, or beer may be transported at any time in the trunk of the motor vehicle or in some other area of the interior of the motor vehicle not designed or intended to be occupied by the driver and not readily accessible to the driver while the motor vehicle is in motion. A person convicted of a violation of this paragraph is guilty of a simple misdemeanor.

Approved March 18, 1986

**CHAPTER 1021**  
**PUBLIC EMPLOYEE'S LEAVE OF ABSENCE**  
*S.F. 199*

**AN ACT** relating to leaves of absence for a public employee who is a candidate for elective public office.

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

Section 1. Section 19A.18, unnumbered paragraph 8, Code 1985, is amended by striking the paragraph.

Sec. 2. Chapter 55, Code 1985, is amended by adding the following new section:

**NEW SECTION. LEAVE OF ABSENCE FOR PUBLIC EMPLOYEE.**

Any public employee who becomes a candidate for any elective public office shall, upon request of the employee and commencing any time within thirty days prior to a contested primary, special, or general election and continuing until after the day following that election, automatically be given a period of leave. If the employee is under chapter 19A, the employee may choose to use accrued vacation leave, accrued compensatory leave or leave without pay to cover these periods. The appointing authority may authorize other employees to use accrued vacation leave or accrued compensatory leave instead of leave without pay to cover these periods. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.