

123.46A Delivery of alcoholic beverages by retailers.

1. Licensees and permittees authorized to sell alcoholic liquor, wine, or beer in original unopened containers for consumption off the licensed premises may deliver alcoholic liquor, wine, or beer to a home, another licensed premises if there is identical ownership of the premises by the licensee or permittee, or other designated location in this state. Deliveries shall be limited to alcoholic beverages authorized by the licensee's or permittee's license or permit.

2. All deliveries of alcoholic liquor, wine, or beer shall be subject to the following requirements and restrictions:

a. Payment for the alcoholic liquor, wine, or beer shall be received by the licensee or permittee at the time of order.

b. Orders for deliveries may be taken by the licensee or permittee between the hours of 2:00 a.m. and 6:00 a.m. on a day other than Sunday, and orders for deliveries may be taken between the hours of 2:00 a.m. and 8:00 a.m. on a Sunday provided the licensee or permittee has been granted the privilege of selling alcoholic liquor, wine, or beer on Sunday, notwithstanding any provision of [section 123.49, subsection 2](#), paragraph "b", to the contrary.

c. Alcoholic liquor, wine, or beer delivered to a person shall be for personal use and not for resale.

d. Deliveries shall only be made to persons in this state who are twenty-one years of age or older.

e. Deliveries shall not be made to a person who is intoxicated or is simulating intoxication.

f. Deliveries shall occur between 6:00 a.m. and 10:00 p.m. Monday through Saturday, and between 8:00 a.m. and 10:00 p.m. Sunday.

g. Delivery of alcoholic liquor, wine, or beer shall be made by the licensee or permittee, or the licensee's or permittee's employee, and not by a third party.

h. Delivery personnel shall be twenty-one years of age or older.

i. Deliveries shall be made in a vehicle owned, leased, or under the control of the licensee or permittee.

j. Valid proof of the recipient's identity and age shall be obtained at the time of delivery, and the signature of a person twenty-one years of age or older shall be obtained as a condition of delivery.

k. Licensees and permittees shall maintain records of deliveries which include the quantity delivered, the recipient's name and address, and the signature of the recipient of the alcoholic liquor, wine, or beer. The records shall be maintained on the licensed premises for a period of three years.

l. Orders delivered to another licensed premises shall contain only those alcoholic beverages authorized for sale by the liquor control license or retail wine or beer permit covering the premises to receive the delivery.

m. Orders delivered to another licensed premises shall be fulfilled using the alcoholic beverages inventory owned by the licensee or permittee who received the order for delivery. If the recipient refuses or fails to pick up the delivery, or is ineligible to receive the delivery, the alcoholic beverages shall be returned to the licensee or permittee who fulfilled the order.

3. A violation of [this section](#) or any other provision of [this chapter](#) shall subject the licensee or permittee to the penalty provisions of [section 123.39](#).

4. Nothing in [this section](#) shall impact the direct shipment of wine as regulated by [section 123.187](#).

[2011 Acts, ch 30, §5; 2019 Acts, ch 113, §64 – 66, 68](#)

Referred to in [§123.49, 123.187](#)

Subsection 1 amended

Subsection 2, paragraph a amended

Subsection 2, NEW paragraph b and former paragraphs b – j redesignated as c – k

Subsection 2, NEW paragraphs 1 and m