

Senate Amendment 3102

Amendment Text

PAG LIN

1 1 Amend [Senate File 163](#) as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 "Section 1. Section [142B.6](#), unnumbered paragraph
1 5 3, Code 1997, is amended by striking the unnumbered
1 6 paragraph.
1 7 Sec. 2. Section [453A.13](#), subsection 3, Code 1997,
1 8 is amended to read as follows:
1 9 3. FEES - EXPIRATION. All permits provided for
1 10 in this division shall expire on June 30 of each year.
1 11 A permit shall not be granted or issued until the
1 12 applicant has paid for the period ending June 30 next,
1 13 to the department or the city or county granting the
1 14 permit, the fees provided for in this division.
1 15 a. The annual state permit fee for a distributor,
1 16 cigarette vendor, and wholesaler is one hundred
1 17 dollars when the permit is granted during the months
1 18 of July, August, or September. However, whenever a
1 19 state permit holder operates more than one place of
1 20 business, a duplicate state permit shall be issued for
1 21 each additional place of business on payment of five
1 22 dollars for each duplicate state permit, but refunds
1 23 as provided in this division do not apply to any
1 24 duplicate permit issued.
1 25 b. The annual state fee for retail permits is as
1 26 follows when the permit is granted during the months
1 27 of July, August, or September:
1 28

~~a.~~
- (1) In places outside any city, fifty dollars.
1 29

~~b.~~
- (2) In cities of less than fifteen thousand
1 30 population, seventy-five dollars.
1 31

~~c.~~
- (3) In cities of fifteen thousand or more
1 32 population, one hundred dollars.
1 33 c. If any permit is granted during the months of
1 34 October, November, or December, the fee shall be
1 35 three-fourths of the

~~above maximum schedule~~
- annual
1 36 fee; if granted during the months of January,
1 37 February, or March, one-half of the

~~maximum schedule~~
-
1 38 annual fee, and if granted during the months of April,
1 39 May, or June, one-fourth of the

~~maximum schedule~~
-

1 40 annual fee.
1 41 d. A city or county may establish a local retail
1 42 permit fee in addition to the annual state retail
1 43 permit fee. A local retail permit fee shall be
1 44 retained by the city or county imposing the fee and
1 45 shall be used by the city or county exclusively for
1 46 the purpose of enforcing section 453A.2."
1 47 #2. Page 1, line 3, by inserting after the number
1 48 "6." the following: "Unless otherwise provided in
1 49 this subsection, any sales of cigarettes or tobacco
1 50 products shall be made in a direct, face-to-face
2 1 exchange."
2 2 #3. Page 1, line 4, by inserting after the word
2 3 "machine" the following: "or through a self-service
2 4 display".
2 5 #4. Page 1, line 7, by inserting after the word
2 6 "machine" the following: "or through a self-service
2 7 display".
2 8 #5. Page 1, line 26, by inserting after the word
2 9 "

~~permit~~

- " the following: "or self-service displays".
2 10 #6. Page 1, line 35, by inserting after the word
2 11 "machine" the following: "or through a self-service
2 12 display".
2 13 #7. Page 2, line 1, by inserting after the word
2 14 "machine" the following: "or self-service display".
2 15 #8. Page 2, line 7, by inserting after the word
2 16 "permit." the following: "A city or county may
2 17 directly enforce this subsection. Notwithstanding
2 18 chapter 602, any fines collected as a result of
2 19 enforcement of this subsection by a city or county
2 20 shall be retained by the city or county."
2 21 #9. Page 2, by inserting after line 7 the
2 22 following:
2 23 "Sec. _____. Section 453A.56, Code 1997, is
2 24 repealed."
2 25 #10. Title page, line 1, by striking the words
2 26 "the sale of".
2 27 #11. Title page, line 2, by striking the words
2 28 "through vending machines".
2 29 #12. By renumbering as necessary.
2 30
2 31
2 32 _____
2 33 COMMITTEE ON HUMAN RESOURCES
2 34 NANCY BOETTGER, Chairperson
2 35 SF 163.701 77
2 36 pf/sc/28