

# House Amendment 8415

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1 1 Amend Senate File 2346, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 35 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 123.50, subsection 1, Code  
1 6 2005, is amended to read as follows:  
1 7 1. ~~Any~~ A person who violates any of the provisions  
1 8 of section 123.49, except subsection 2, paragraph "h",  
1 9 ~~shall be guilty of or who fails to affix upon sale,~~  
1 10 ~~defaces, or fails to record a keg identification~~  
1 11 ~~sticker or produce a record of keg identification~~  
1 12 ~~stickers pursuant to section 123.138, commits a simple~~  
1 13 misdemeanor. A person who violates section 123.49,  
1 14 subsection 2, paragraph "h", commits a simple  
1 15 misdemeanor punishable as a scheduled violation under  
1 16 section 805.8C, subsection 2.>  
1 17 #2. Page 3, by inserting after line 3 the  
1 18 following:  
1 19 <Sec. \_\_\_\_\_. Section 123.138, Code 2005, is amended  
1 20 to read as follows:  
1 21 123.138 BOOKS OF ACCOUNT REQUIRED.  
1 22 1. Each class "A" or special class "A" permittee  
1 23 shall keep proper books of account and records showing  
1 24 the amount of beer sold by the permittee, and these  
1 25 books of account shall be at all times open to  
1 26 inspection by the administrator and to other persons  
1 27 pursuant to section 123.30, subsection 1. Each class  
1 28 "B" and class "C" permittee shall keep proper books of  
1 29 account and records showing each purchase of beer made  
1 30 by the permittee, and the date and the amount of each  
1 31 purchase and the name of the person from whom each  
1 32 purchase was made, which books of account and records  
1 33 shall be open to inspection pursuant to section  
1 34 123.30, subsection 1, during normal business hours of  
1 35 the permittee.  
1 36 2. Each class "B", "C", or special class "C"  
1 37 ~~liquor control licensee and class "B" or "C" beer~~  
1 38 ~~permittee who sells beer for off-premises consumption~~  
1 39 ~~shall affix to each keg of beer an identification~~  
1 40 ~~sticker provided by the administrator. For the~~  
1 41 ~~purposes of this section, "keg" means all durable and~~  
1 42 ~~disposable containers with a liquid capacity of five~~  
1 43 ~~gallons or more. Each class "B", "C", or special~~  
1 44 ~~class "C" liquor control licensee and class "B" or "C"~~  
1 45 ~~beer permittee shall also keep a record of the~~  
1 46 ~~identification sticker number of each keg of beer sold~~  
1 47 ~~by the licensee or permittee with the name and address~~  
1 48 ~~of the purchaser and the number of the purchaser's~~  
1 49 ~~driver's license, nonoperator's identification card,~~  
1 50 ~~or military identification card, if the military~~  
2 1 ~~identification card contains a picture and signature.~~  
2 2 ~~This information shall be retained by the licensee or~~  
2 3 ~~permittee for a minimum of ninety days. The records~~  
2 4 ~~kept pursuant to this section shall be available for~~  
2 5 ~~inspection by any law enforcement officer during~~  
2 6 ~~normal business hours.~~  
2 7 3. The division shall provide the keg  
2 8 identification stickers described in subsection 2.  
2 9 Each sticker shall contain a number and the following  
2 10 statement: "It is unlawful to sell, give, or  
2 11 otherwise supply any alcoholic beverage, wine, or beer  
2 12 to any person under legal age. Any person who defaces  
2 13 this sticker shall be guilty of criminal mischief  
2 14 punishable pursuant to section 716.6 and shall cause  
2 15 the forfeiture of any deposit, if applicable." The  
2 16 identification sticker shall be placed on the keg at  
2 17 the time of retail sale. The licensee or permittee  
2 18 shall purchase the stickers referred to in this  
2 19 section from the division and shall remit to the  
2 20 division deposits forfeited pursuant to this  
2 21 subsection due to defacement. The cost of the  
2 22 stickers to licensees and permittees shall not exceed  
2 23 the division's cost of producing and distributing the  
2 24 stickers. The moneys collected by the division

~~2 25 relating to the sale of stickers and forfeited~~  
~~2 26 deposits shall be credited to the beer and liquor~~  
~~2 27 control fund.~~  
2 28 4. Enforcement of this section shall be  
2 29 implemented uniformly throughout the state. For  
2 30 purposes of uniform implementation, a county or  
2 31 municipality shall not set requirements or establish a  
2 32 penalty which is higher or more stringent than the  
2 33 requirements or penalties enumerated in this section,  
2 34 section 123.50, and section 716.6. The division shall  
2 35 establish by rule procedures relating to the  
2 36 forfeiture and remittance of deposits pursuant to  
2 37 subsection 3.>  
2 38 #3. Title page, line 3, by inserting after the  
2 39 word <age,> the following: <providing for an  
2 40 identification number on kegs of beer,>.  
2 41 #4. By renumbering as necessary.  
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2 45 HUNTER of Polk  
2 46 SF 2346.303 81  
2 47 dea/cf/3268