

Senate File 589

H-1269

1 Amend Senate File 589, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 12, line 13, after <felony> by inserting <or in a  
4 case where the defendant establishes good cause>

5 2. Page 17, after line 23 by inserting:

6

<DIVISION \_\_\_\_

7 SECOND AND SUBSEQUENT ALCOHOLIC BEVERAGE CONVICTIONS

8 Sec. \_\_\_\_ . Section 123.91, Code 2019, is amended to read as  
9 follows:

10 **123.91 Second and subsequent conviction.**

11 Any person who has been convicted, in a criminal action,  
12 in any court of record, of a violation of a provision of this  
13 chapter except for a violation of section 123.46, a provision  
14 of the prior laws of this state relating to alcoholic liquors,  
15 wine, or beer which was in force prior to the enactment of  
16 this chapter, or a provision of the laws of the United States  
17 or of any other state relating to alcoholic liquors, wine, or  
18 beer, and who is thereafter convicted of a subsequent criminal  
19 offense against any provision of **this chapter** is guilty of the  
20 following offenses:

21 1. For the second conviction, a serious misdemeanor.

22 2. For the third and each subsequent conviction, an  
23 aggravated misdemeanor.>

24 3. By renumbering as necessary.

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HITE of Mahaska