

House File 2540

H-8044

1 Amend House File 2540 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 123.32, subsection 1, paragraph b, Code
5 2020, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (7A) A charity beer, spirits, and wine
7 event permit as provided in section 123.173B.

8 Sec. 2. NEW SECTION. 123.173B **Charity beer, spirits, and**
9 **wine event permit.**

10 1. For purposes of this section, "*authorized nonprofit*
11 *entity*" includes a nonprofit entity which has a principal office
12 in the state, a nonprofit corporation organized under chapter
13 504, or a foreign corporation as defined in section 504.141,
14 whose income is exempt from federal taxation under section
15 501(c) of the Internal Revenue Code.

16 2. Upon application to the division and receipt of a charity
17 beer, spirits, and wine event permit, an authorized nonprofit
18 entity may conduct an event at which the entity is authorized
19 to serve the event's attendees beer, spirits, and wine for
20 consumption on the premises of the event, regardless of whether
21 the entity charges an admission fee to the event or otherwise
22 collects the cost of the beer, spirits, and wine served from
23 the event's attendees and subject to the requirements of this
24 section.

25 3. An application for a charity beer, spirits, and wine
26 event permit shall include all of the following information:

27 a. The date and time when the charity beer, spirits, and
28 wine event is to be conducted and the location of the premises
29 in this state where the charity beer, spirits, and wine event
30 is to be physically conducted.

31 b. The liquor control license or wine or beer permit number
32 issued by the division for the premises where the charity beer,
33 spirits, and wine event is to be conducted.

34 c. A certification that the objective of the charity beer,
35 spirits, and wine event is to raise funds solely to be used for

1 educational, religious, or charitable purposes and that the
2 entire proceeds from the charity beer, spirits, and wine event
3 are to be expended for any of the purposes described in section
4 423.3, subsection 78.

5 4. A charity beer, spirits, and wine event shall comply with
6 all of the following requirements:

7 a. The event is to be conducted on a premises covered by a
8 valid liquor control license or wine or beer permit issued by
9 the division.

10 b. The authorized nonprofit entity shall have a written
11 agreement with the liquor control licensee or wine or beer
12 permittee covering the premises where the event is to be
13 conducted specifying that that licensee or permittee shall act
14 as the agent of the authorized nonprofit entity for the purpose
15 of providing and serving alcoholic beverages to the attendees
16 of the event.

17 c. The liquor control licensee or wine or beer permittee
18 covering the premises where the event is to be conducted shall
19 supply all alcoholic beverages served to the attendees of the
20 event.

21 d. Only those types of alcoholic beverages as are authorized
22 to be sold by the liquor control license or wine or beer permit
23 covering the premises where the event is to be conducted are to
24 be served to the attendees of the event.

25 5. An authorized nonprofit entity shall be eligible to
26 receive no more than two charity beer, spirits, and wine event
27 permits during a calendar year and each charity beer, spirits,
28 and wine event permit shall be valid for a period not to exceed
29 thirty-six consecutive hours.

30 6. Any violation of the requirements of this chapter or
31 the rules adopted pursuant to this chapter shall subject the
32 charity beer, spirits, and wine event permit holder to the
33 general penalties provided in this chapter and shall constitute
34 grounds for imposition of a civil penalty, suspension of
35 the permit, or revocation of the permit after notice and

1 opportunity for a hearing pursuant to section 123.39 and
2 chapter 17A.

3 Sec. 3. Section 123.179, Code 2020, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 7. The fee for a charity beer, spirits, and
6 wine event permit is one hundred dollars.>

LUNDGREN of Dubuque