

Senate File 191

S-3136

1 Amend Senate File 191 as follows:

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

4 <Section 1. Section 123.30, subsection 3, paragraph b,
5 subparagraph (2), Code 2023, is amended by adding the following
6 new subparagraph division:

7 NEW SUBPARAGRAPH DIVISION. (0d) The holder of a special
8 class "C" retail alcohol license may also hold a special class
9 "A" beer permit for the premises licensed under a special class
10 "C" retail alcohol license for the purpose of operating a
11 brewpub pursuant to this chapter.

12 Sec. 2. Section 123.130, subsection 4, Code 2023, is amended
13 to read as follows:

14 4. a. All special class "A" premises shall be located
15 within the state. A

16 b. Except as provided in paragraph "c", a person who
17 holds a special class "A" beer permit for the same location
18 at which the person holds a class "C" or special class "C"
19 retail alcohol license for the purpose of operating as a
20 brewpub may manufacture and sell beer to be consumed on the
21 premises, may sell beer at retail at the manufacturing premises
22 for consumption off the premises, may sell beer to a class
23 "A" beer permittee for resale purposes, and may sell beer to
24 distributors outside of the state that are authorized by the
25 laws of that jurisdiction to sell beer at wholesale.

26 c. A person who holds a special class "A" beer permit
27 for the same location at which the person holds a class
28 "C" or special class "C" retail alcohol license for the
29 purpose of operating as a brewpub may manufacture beer under
30 an alternating proprietorship arrangement as provided in
31 subsection 4A. However, the person may not sell beer to be
32 consumed on the premises where manufactured or sell beer at
33 retail for consumption off the premises where manufactured
34 unless the person is also the holder of a class "C" or special
35 class "C" retail alcohol license issued for the premises of the

1 alternating proprietorship whose space and equipment is being
2 used for the purpose of manufacturing beer.

3 d. The permit issued to holders of a special class "A"
4 beer permit shall clearly state on its face that the permit is
5 limited.

6 Sec. 3. Section 123.130, Code 2023, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 4A. *a.* For purposes of this subsection,
9 "*manufacturer*" includes only those persons who hold a class "A"
10 or special class "A" beer permit and manufacture beer in Iowa.

11 *b.* Notwithstanding any provision of law to the contrary,
12 a manufacturer may use the space and equipment of another
13 manufacturer for the purpose of manufacturing beer, provided
14 that such an alternating proprietorship arrangement has been
15 approved by the alcohol and tobacco tax and trade bureau of the
16 United States department of the treasury. A separate class
17 "A" or special class "A" beer permit shall be issued to each
18 manufacturer, and each manufacturer shall be subject to the
19 provisions of this chapter and the rules of the division.

20 *c.* Notwithstanding any provision of law to the contrary,
21 not more than one class "C" retail alcohol license or special
22 class "C" retail license shall be issued to a premises with
23 alternating proprietorships as authorized by this subsection.>

24 2. Title page, line 2, after <to> by inserting <brewpubs
25 and>

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