

Senate File 2023

S-5107

1 Amend Senate File 2023 as follows:

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

4 <Section 1. NEW SECTION. **453A.13A Inspections of**  
5 **violations of retailers — use or consumption of products on**  
6 **premises.**

7 As a condition for issuance of a permit to, and the continued  
8 holding of a valid permit by, a retailer, as defined in  
9 sections 453A.1 and 453A.42, of products regulated under this  
10 chapter that are used or consumed on the retailer's premises,  
11 the permit applicant or holder must give consent to health  
12 departments and official county health officers, police, the  
13 county sheriff or deputy sheriff, members of the department  
14 of public safety, and certified peace officers to enter upon  
15 areas of the premises where such products are stored, sold,  
16 used, or consumed without a warrant during business hours  
17 of the retailer to inspect for violations of this chapter  
18 or ordinances and regulations that cities and boards of  
19 supervisors may adopt. However, a warrant is required for  
20 inspection of private records, a private business office,  
21 or attached living quarters. Persons who are not certified  
22 peace officers shall limit the scope of their inspections of  
23 permitted premises to the regulatory authority under which  
24 the inspection is conducted. All persons who enter upon a  
25 permitted premises to conduct an inspection shall present  
26 appropriate identification to the retailer or an employee of  
27 the retailer who appears to be in charge of the premises prior  
28 to commencing an inspection; however, this provision does not  
29 apply to undercover criminal investigations conducted by peace  
30 officers.>

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DAN DAWSON