

House File 2780

H-8375

1 Amend House File 2780 as follows:

2 1. Page 2, after line 3 by inserting:

3 <Sec. \_\_\_\_\_. Section 123.30, subsection 5, paragraph a, Code  
4 2026, is amended by adding the following new subparagraph:

5 NEW SUBPARAGRAPH. (4) A social district, if the holder of  
6 the retail alcohol license is a participating licensee within a  
7 social district and in compliance with the ordinance adopted  
8 under section 414.34.

9 Sec. \_\_\_\_\_. Section 123.46, subsection 2, Code 2026, is  
10 amended to read as follows:

11 2. a. A person shall not use or consume alcoholic liquor,  
12 wine, or beer upon the public streets or highways. A person  
13 shall not use or consume alcoholic liquor in any public  
14 place except premises covered by a retail alcohol license.

15 A person shall not possess or consume alcoholic liquors,  
16 wine, or beer on public school property or while attending a  
17 public or private school-related function. A person shall not  
18 be intoxicated in a public place. A person violating this  
19 subsection is guilty of a simple misdemeanor.

20 b. Notwithstanding paragraph "a", a person may possess  
21 or consume alcoholic liquor, wine, or beer upon the public  
22 streets, highways, or public places within a social district  
23 if the possession or consumption complies with the ordinance  
24 adopted under section 414.34.>

25 2. Page 6, after line 32 by inserting:

26 <Sec. \_\_\_\_\_. NEW SECTION. 414.34 **Social districts.**

27 1. As used in this section:

28 *a. "Marked container"* means a nonglass container that  
29 identifies the retail alcohol licensee providing the alcoholic  
30 liquor, beer, or wine in the container to the consumer within  
31 the social district.

32 *b. "Retail alcohol licensee"* means the holder of a class "C"  
33 or special class "C" license issued under section 123.30.

34 *c. "Social district"* means a defined area in which the  
35 possession and consumption of alcoholic liquor, wine, and

1 beer is allowed on public streets, sidewalks, and other  
2 public spaces within the boundaries of the district that are  
3 consistent with this section.

4 2. A city may define an area by ordinance that designates a  
5 social district for use by retail alcohol licensees.

6 3. An ordinance adopted pursuant to this section must  
7 include all of the following:

8 a. A legal description or map of the district.

9 b. The days and hours the possession and consumption of  
10 alcoholic liquor, wine, and beer are permitted on public  
11 streets, sidewalks, and other public places within the  
12 district.

13 c. Requirements for marked container use and identification.

14 d. Participation requirements for retail alcohol licensees  
15 within the district.

16 e. Enforcement provisions and penalties for violations.

17 f. Procedures for the revocation or suspension of all of the  
18 following:

19 (1) The participation of retail alcohol licensees for  
20 violations.

21 (2) The social district itself for public safety concerns  
22 or other matters.

23 4. An ordinance adopted by a city shall not be construed to  
24 authorize any of the following:

25 a. Consumption of an alcoholic beverage in a motor vehicle  
26 or on the public streets, sidewalks, and other public spaces  
27 during the times when the ordinance is not in effect.

28 b. Possession or consumption of an alcoholic beverage in  
29 a manner contrary to the provisions of chapter 123 except as  
30 otherwise provided by an ordinance adopted pursuant to this  
31 section.

32 c. A prohibition on any participating retail alcohol  
33 licensee or other establishment located within the social  
34 district from denying entry to the premises of the licensee or  
35 establishment to persons who possess alcoholic beverages from

1 other participating retail alcohol licensees.>

2 3. Title page, line 1, by striking <control, including> and  
3 inserting <control by providing for>

4 4. Title page, line 3, after <manufacturers,> by inserting  
5 <permitting cities to create social districts for the  
6 consumption of alcoholic beverages,>

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COLLINS of Des Moines