

Senate File 323 - Enrolled

Senate File 323

AN ACT

RELATING TO CANNED COCKTAILS AND INCLUDING EFFECTIVE DATE  
PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 123.3, Code 2019, is amended by adding  
the following new subsections:

NEW SUBSECTION. 10A. "*Canned cocktail*" means a mixed drink  
or cocktail that is premixed and packaged in a metal can and  
contains more than six and twenty-five hundredths percent of  
alcohol by volume but not more than fifteen percent of alcohol  
by volume.

NEW SUBSECTION. 28A. "*Mixed drink or cocktail*" means an alcoholic beverage, composed in whole or in part of alcoholic liquor, that is combined with other alcoholic beverages or nonalcoholic beverages or ingredients including but not limited to ice, water, soft drinks, or flavorings.

Sec. 2. Section 123.3, subsection 5, Code 2019, is amended to read as follows:

5. "*Alcoholic liquor*" means the varieties of liquor defined in [subsections 3 and 44](#) which contain more than five percent of alcohol by weight, beverages made as described in [subsection 7](#) which beverages contain more than five percent of alcohol by weight or six and twenty-five hundredths percent of alcohol by volume but which are not wine as defined in [subsection 48](#), ~~or~~ high alcoholic content beer as defined in [subsection 20](#), or canned cocktails as defined in subsection 10A, and every other liquid or solid, patented or not, containing spirits and every beverage obtained by the process described in [subsection 48](#) containing more than seventeen percent alcohol by weight or twenty-one and twenty-five hundredths percent of alcohol by volume, and susceptible of being consumed by a human being, for beverage purposes. Alcohol manufactured in this state for use as fuel pursuant to an experimental distilled spirits plant permit or its equivalent issued by the federal bureau of alcohol, tobacco and firearms is not an "*alcoholic liquor*".

Sec. 3. NEW SECTION. 123.126A Canned cocktails — applicability.

Unless otherwise provided by this chapter, the provisions of this chapter applicable to beer shall also apply to canned cocktails.

Sec. 4. Section 123A.2, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. "*Canned cocktail*" means as defined in section 123.3.

Sec. 5. NEW SECTION. 123A.13 Canned cocktails — applicability of chapter.

The provisions of this chapter that apply to a brewer and wholesaler of beer shall apply to a manufacturer and wholesaler of canned cocktails.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

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CHARLES SCHNEIDER  
President of the Senate

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LINDA UPMEYER  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 323, Eighty-eighth General Assembly.

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W. CHARLES SMITHSON  
Secretary of the Senate

Approved \_\_\_\_\_, 2019

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KIM REYNOLDS  
Governor