

January 21, 1965  
Judiciary.

*Calendar 2/10*

*Pass 2/3*

House File 27  
By SCOTT, RENDA, KENNEDY, OEHLSEN,  
GREGERSON, DOYLE and HOUSTON.

Passed House, Date *2-18-65* Passed Senate, Date *3-9-65*

Vote: Ayes *114* Nays *4* Vote: Ayes *48* Nays *3*

Approved *March 18, 1965*

*Deferred & on Calendar 2/11*

*Passed on file 2/19*

*Substitutes 5.7.161 3/9*

## A BILL FOR

An Act relating to the possession of beer or liquor by persons under twenty-one years of age.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter one hundred twenty-five (125), Code 1962,

2 is hereby amended by adding thereto the following section:

3 "Any person or persons under the age of twenty-one years who

4 shall individually or jointly have in his or their possession or

5 control beer as defined in section one hundred twenty-four point

6 two (124.2) of the Code or liquor shall be subject to a fine of

7 not more than one hundred dollars or imprisonment in the county

8 jail for not more than thirty days. The provisions of this

9 section shall not apply to any person under the age of twenty-one

10 years:

11 1. Who is provided liquor as permitted in section one hundred

12 twenty-three point forty-three (123.43) of the Code.

13 2. Who is a regular employee of a class "C" permit holder as

14 defined in chapter one hundred twenty-four (124) of the Code

15 while performing regular duties during the course of employment.

16 "Chapter two hundred thirty-two (232) of the Code shall have

17 no application in the prosecution of offenses committed in viola-

18 tion of this section."

EXPLANATION OF HOUSE FILE 27

Peace officers are experiencing a great deal of difficulty enforcing the Liquor Control Act with respect to minors unless the officers actually catch these people drinking the beer or liquor, because law only forbids minors to use beer.

This proposed bill would make it a misdemeanor for minors to have beer or liquor in their possession, thus allowing more effective enforcement of the Liquor Control Act.

The prosecution for possession of beer or liquor by a minor, by this bill, can not be transferred from police or justice of the peace court to the juvenile court.

HOUSE FILE 27

- 1 Amend House File 27, section one (1), as follows:
- 2 1. By inserting in line ten (10) after the word "years" *adopted 2/17*
- 3 the word "who".
- 4 2. By striking from lines eleven (11) and thirteen (13)
- 5 the words "Who is" and inserting in lieu thereof the word "Is".

Filed  
February 5, 1965.

OEHLESEN of Hardin.

HOUSE FILE 27

- 1 Amend House File 27 by inserting after the word "class" *adopted 2/17*
- 2 in line thirteen (13) the following: "A", "B" or".

Filed  
February 8, 1965.

DOYLE of Woodbury.

HOUSE FILE 27

- 1 Amend House File 27 as follows:
- 2 1. Amend section one (1), line three (3), *Lost 2/17*
- 3 by striking the word "twenty-one" and inserting
- 4 in lieu thereof the following word, "eighteen".

Filed  
February 11, 1965.

HUTCHINS of Benton.

HOUSE FILE 27

- 1 Amend House File 27 by adding the following section: *adopted 2/18*
- 2 Sec. 2. Section one hundred twenty-three point forty-three
- 3 (123.43), Code 1962, is hereby amended by striking from line three
- 4 (3) the words "by parent or guardian" and inserting in lieu thereof
- 5 the following:
- 6 "within a private home and with the knowledge and consent of *Lost 2/17*
- 7 the parent or guardian".

Filed  
February 11, 1965.

SCOTT of Pottawattamie.  
OEHLESEN of Hardin.

HOUSE FILE 27

- 1 Amend House File 27, section one (1), subsection two (2), *adopted 2/18*
- 2 by striking lines four (4), five (5) and six (6).

Filed  
February 18, 1965.

KEMPTER of Jackson.