

February 26, 1965.  
Place on Calendar.

**House File 404**  
By JUDICIARY COMMITTEE.

Passed House, Date 5/21  
Vote: Ayes 73 Nays 41

Passed Senate, Date 5/29  
Vote: Ayes 33 Nays 10

Approved.....

*passed house as amended 6/1 (80-25)*

*passed on file 5/24  
judiciary 5/24*

# A BILL FOR

*motion to reconsider tabled 6/1*

*passed 5/28  
prevailed to*

An Act relating to the time when beer may be sold.

*passed senate as amended  
6/1 (36-15)*

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

1 Section 1. Section one hundred twenty-four point twenty  
 2 (124.20), Code 1962, is hereby amended by striking the words  
 3 "twelve o'clock midnight on Saturday" in line four (4) of  
 4 paragraph two (2) and inserting in lieu thereof the following:  
 5 "one o'clock a.m. on Sunday".

1 Sec. 2. Section one hundred twenty-four point thirty-four  
 2 (124.34), Code 1962, is hereby amended by striking in line  
 3 fifty-two (52) the words "one a.m." and inserting in lieu  
 4 thereof the following: "two a.m.".

1 Sec. 3. Section one hundred twenty-four point thirty-five  
 2 (124.35), Code 1962, is hereby amended by striking from line  
 3 six (6) the words "one a.m." and inserting in lieu thereof  
 4 the following "two a.m.".

### EXPLANATION OF HOUSE FILE 404

This amendment gives statutory authority to the extra hour of legal sale gained in effect by licensees under the non-statutory day light savings time of last summer. It is still up to local authorities to regulate or shorten the statutory time by ordinance or resolution if they wish. In checking with local enforcement officers, there appeared no special problems in running the extra hour.

HOUSE FILE 404

1 Amend House File 404 by striking everything after the enacting  
clause

2 and inserting in lieu thereof the following:

3 Section 1. Section one hundred twenty-four point twenty  
4 (124.20), Code 1962, is hereby amended by striking the words  
5 "twelve o'clock midnight on Saturday" in line four (4) of para-  
6 graph two (2) and inserting in lieu thereof the following: "one  
7 o'clock a.m. on Sunday".

8 Sec. 2. Section one hundred twenty-four point thirty-four  
9 (124.34), Code 1962, is hereby amended by striking all after the  
10 comma (,) in line forty-two (42) through line fifty-six (56) and  
11 inserting in lieu thereof the following: "subject to the express  
12 provisions of section one hundred twenty-four point twenty (124.20),  
13 Code 1962, for the fixing of the hours during which beer may be sold  
14 and consumed in the place of business of class "B" permittees, no  
15 sale or consumption of beer shall be allowed on the premises of a  
16 class "B" permittee between the hours of two (2) a.m. and seven  
17 (7) a.m. City and town councils are empowered to adopt ordinances  
18 for the location of the premises of class "B" permittees; and are  
19 empowered to adopt ordinances, not in conflict with the provisions  
20 of this chapter and that do not diminish the hours during which  
21 beer may be sold or consumed, governing".

22 Sec. 3. Section one hundred twenty-four point thirty-five  
23 (124.35), Code 1962, is hereby amended by striking all of lines six  
24 (6) through lines fifteen (15) and inserting in lieu thereof the  
25 following: "two (2) a.m. and seven (7) a.m. Boards of supervisors  
26 are authorized and empowered to adopt rules and regulations for the  
27 prohibiting or regulation of dancing in places where beer is sold;  
28 and are empowered to adopt rules and regulations, not in conflict  
29 with the provisions of this chapter and that do not diminish the  
30 hours during which beer may be sold or consumed, governing any  
31 other activities".

Filed  
May 12, 1965.

FISHER of Greene.  
LOSS of Kossuth.  
MILLER of Des Moines.  
JACKSON of Clinton.  
KLUEVER of Cass.

*adopted 5/21*

HOUSE FILE 404

1 Amend House File 404 by adding at the end thereof a  
2 new section as follows:

3 Sec. 4. This Act being deemed of immediate importance  
4 shall be in full force and effect from and after its  
5 passage and publication in the Burlington Labor News,  
6 a newspaper published in Burlington, Iowa, and in the  
7 Scranton Journal, a newspaper published in Scranton,  
8 Iowa.

Filed  
May 12, 1965.

FISHER of Greene.  
MILLER of Des Moines.

*adopted 5/21*

HOUSE FILE 404

- 1 Amend the Fisher, et al., amendment to House File 404,  
2 filed May 12, 1965, as follows:  
3 1. By adding the following after the word "Sunday" in section 1:  
4 "and by adding at the end of said paragraph two (2) the  
5 following:  
6 "Provided, however, that city and town councils by  
7 ordinance and county boards of supervisors by resolution  
8 may establish hours during which beer may be sold and  
9 consumed on Sunday between the hours of one (1) p.m. and  
10 twelve (12) o'clock midnight in establishments whose  
11 business of selling beer and alcoholic liquor as defined  
12 in chapter one hundred twenty-three (123) of the Code does  
13 not constitute more than fifty (50) percent of the gross  
14 business transacted therein."  
15 2. By adding the following new section:  
16 "Section 4. Chapter one hundred twenty-four (124), Code  
17 1962, is hereby amended by adding the following two (2) new  
18 sections:  
19 1. Establishments selling beer or alcoholic liquor  
20 between the hours of one (1) p.m. Sunday and twelve (12)  
21 o'clock midnight, where permitted by the city or town council  
22 or the county board of supervisors shall pay annually to said  
23 city or town council or county board of supervisors the sum  
24 of two hundred fifty (250) dollars for a permit to sell  
25 or dispense beer or alcoholic liquor between such hours.  
26 No permit shall be issued under the provisions of this  
27 section unless such establishment is licensed to sell beer  
28 and alcoholic liquor.  
29 2. Beer or alcoholic beverages sold between the hours  
30 of one (1) p.m. Sunday and twelve (12) o'clock midnight  
31 shall only be served to those seated at a table and it shall  
32 be unlawful for any person to consume beer or alcoholic  
33 beverages in such establishment during such hours unless  
34 seated at a table."

Filed  
May 12, 1965.

*withdrawn 5/21*  
JACKSON of Clinton.  
COFFMAN of Iowa.

HOUSE FILE 404

- 1 Amend the Fisher, et al., amendment to House File 404, filed  
2 May 12, 1965, as follows:  
3 1. By striking all of sections two (2) and three (3).

Filed  
May 13, 1965.

*withdrawn 5/21*  
UBAN of Black Hawk.

HOUSE FILE 404

- 1 Amend the Fisher, et al., amendment to House File 404, filed  
2 May 12, 1965, as follows:  
3 1. By striking in line sixteen (16) the word and figure "two  
4 (2) and inserting in lieu thereof the word and figure "one (1)".  
5 2. By striking in line twenty-five (25) the word and figure  
6 "two (2)" and inserting in lieu thereof the word and figure "one  
7 (1)".

Filed  
May 14, 1965.

*lost 5/21 (38-78)*  
UBAN of Black Hawk.

HOUSE FILE 404

- 1 Amend the Jackson, Cohen amendment to House File 404 filed  
2 May 18, 1965, by inserting after the period "." in line nine (9) the  
3 following: "Application for such permission shall be submitted  
4 to the commission and local law enforcement authority fifteen  
5 (15) days prior to the date requested."

Filed  
May 20, 1965.

*withdrawn 5/21*  
JACKSON of Black Hawk.  
COHEN of Black Hawk.  
KEMPTER of Jackson.

HOUSE FILE 404

1 Amend House File 404 by adding thereto the following sections:  
2 1. "Section sixteen (16) of chapter one hundred fourteen (114),  
3 Acts of the Sixtieth General Assembly, is hereby amended by insert-  
4 ing after line forty-three (43) the following paragraph:  
5 (Notwithstanding the provisions of paragraph 6 of this sub-  
6 section, the holder of a liquor control license may lease the  
7 licensed premises on Sunday to a private party or parties provided  
8 he has first secured permission from the commission and the local  
9 law enforcement authority. Liquor shall not be sold by either the  
10 lessor or lessee, but the lessee may serve liquor gratuitously  
11 to his guests during the period covered by the rental agreement.  
12 The lessee shall not purchase liquor from the lessor, but shall  
13 transfer his own liquor to the premises to serve his guests gratui-  
14 tously. Any person violating the provisions of this paragraph  
15 shall be termed a bootlegger under the provisions of section one  
16 hundred twenty-three point fifty-nine (123.59) of the Code and  
17 shall be punished as provided therein."  
18 2. "Section thirty (30) of chapter one hundred fourteen (114),  
19 Acts of the Sixtieth General Assembly, is amended by inserting in  
20 line thirteen (13) after the word 'place' the words 'or premises  
21 leased by a liquor control license holder to a private party under  
22 the provisions of section one hundred twenty-three point forty-six  
23 (123.46) of the Code."  
24 Further amend the title by inserting after the word "beer" the  
25 words "and liquor".

Filed  
May 18, 1965.

JACKSON of Black Hawk  
COHEN of Black Hawk.

HOUSE FILE 404

1 Amend House File 404 as follows:  
2 1. By inserting a period (.) after the word "chapter"  
3 in line 18 and by striking the balance of the  
4 sentence.  
5 2. By inserting a period (.) after the word "chapter"  
6 in line 27 and by striking the balance of the  
7 sentence.

Filed and lost  
May 29, 1965.

By HILL.

HOUSE FILE 404

1 Amend House File 404 by striking lines 3 through 7  
2 of section 2 and inserting in lieu thereof the following:  
3 "word 'chapter' in line forty-two (42) through line  
4 fifty-six (56) and inserting in lieu thereof the following:  
5 ". Subject to the express provisions of section one hundred  
6 twenty-four point twenty (124.20), Code 1962, no'."

Filed and adopted  
June 1, 1965.

By STANLEY and McNALLY.