

State Govt. 3/20 To Pass H/27 (p. 1357)

SENATE FILE 290 *4/7*

State Government
Kelly, Chairperson
Carr
Slater

Reprinted 5/77

SENATE FILE 290

By CALHOON and CARR

FILED MAR 29 1977

Amended Page 2 March 4/27

Passed Senate, Date 5-5-77 (p. 1356) Passed House, Date _____

Vote: Ayes 27 Nays 18 Vote: Ayes _____ Nays _____

Approved 7/12/77

A BILL FOR

1 An Act relating to the sale of beer on Sunday.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

S.F. 290

SENATE FILE 290

S-3373

- 1 Amend Senate File 290 as follows:
- 2 1. Page 2, by inserting after line 11 the following:
- 3 "Any class "C" beer permittee may sell beer for
- 4 consumption off the premises between the hours of noon
- 5 and ten p.m.".
- 6 2. Page 2, Line 12, by striking the words "on the
- 7 premises".
- 8 3. Page 2, Line 13, by striking the words "class "B"
- 9 and by inserting in lieu thereof the words "class "B".

S-3373 FILED - *Adopted 5/5 (1356)* BY JAMES CALHOON
APRIL 19, 1977

1 Section 1. Section one hundred twenty-three point thirty-
2 six (123.36), subsection six (6), Code 1977, is amended to
3 read as follows:

4 6. Any club, hotel, motel, or commercial establishment
5 holding a liquor control license for whom the sale of goods
6 and services other than alcoholic liquor or beer constitutes
7 fifty percent or more of the gross receipts from the licensed
8 premises, subject to the provisions of section 123.49, sub-
9 section 2, paragraph "b", may sell and dispense alcoholic
10 liquor ~~and beer~~ to patrons on Sunday for consumption on the
11 premises only, and beer for consumption on or off the premises
12 between the hours of noon and ten p.m. on Sunday. For ~~this~~
13 the privilege of selling beer and alcoholic liquor on the
14 premises on Sunday the liquor control license fee of the
15 applicant shall be increased by twenty percent of the regular
16 fee prescribed for the license pursuant to this section, and
17 the privilege shall be noted on the liquor control license.
18 The department shall prescribe the nature and the character
19 of the evidence which shall be required of the applicant under
20 this subsection.

21 Sec. 2. Section one hundred twenty-three point thirty-
22 six (123.36), subsection seven (7), Code 1977, is amended
23 by striking unnumbered paragraphs one (1) and two (2).

24 Sec. 3. Section one hundred twenty-three point forty-nine
25 (123.49), subsection two (2), paragraph b, Code 1977, is
26 amended to read as follows:

27 b. Sell or dispense any alcoholic beverage or beer on
28 the premises covered by the license or permit, or permit the
29 consumption thereon between the hours of two a.m. and six
30 a.m. on any weekday, and between the hours of two a.m. on
31 Sunday and six a.m. on the following Monday, however, a holder
32 of a liquor control license or ~~class-"B"~~ retail beer permit
33 granted the privilege of selling alcoholic liquor or beer
34 on Sunday may sell or dispense such liquor or beer between
35 the hours of noon and ten p.m. on Sunday.

SENATE FILE 2377

By CALHOON and CARR

(AS AMENDED AND PASSED BY THE SENATE MAY 3, 1977)

Passed Senate, Date 5-5-77 (7.1356) Passed House, Date 5-20-77 (p.2539)

Vote: Ayes 27 Nays 18 Vote Ayes 52 Nays 41

Approved 7/12/77

A BILL FOR

1 An Act relating to the sale of beer on Sunday.

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

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

~~_____~~ = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. Section one hundred twenty-three point thirty-
2 six (123.36), subsection six (6), Code 1977, is amended to
3 read as follows:

4 6. Any club, hotel, motel, or commercial establishment
5 holding a liquor control license for whom the sale of goods
6 and services other than alcoholic liquor or beer constitutes
7 fifty percent or more of the gross receipts from the licensed
8 premises, subject to the provisions of section 123.49, sub-
9 section 2, paragraph "b", may sell and dispense alcoholic
10 liquor ~~and beer~~ to patrons on Sunday for consumption on the
11 premises only, and beer for consumption on or off the premises
12 between the hours of noon and ten p.m. on Sunday. For ~~this~~
13 the privilege of selling beer and alcoholic liquor on the
14 premises on Sunday the liquor control license fee of the
15 applicant shall be increased by twenty percent of the regular
16 fee prescribed for the license pursuant to this section, and
17 the privilege shall be noted on the liquor control license.
18 The department shall prescribe the nature and the character
19 of the evidence which shall be required of the applicant under
20 this subsection.

21 Sec. 2. Section one hundred twenty-three point thirty-
22 six (123.36), subsection seven (7), Code 1977, is amended
23 by striking unnumbered paragraphs one (1) and two (2).

24 Sec. 3. Section one hundred twenty-three point forty-nine
25 (123.49), subsection two (2), paragraph b, Code 1977, is
26 amended to read as follows:

27 b. Sell or dispense any alcoholic beverage or beer on
28 the premises covered by the license or permit, or permit the
29 consumption thereon between the hours of two a.m. and six
30 a.m. on any weekday, and between the hours of two a.m. on
31 Sunday and six a.m. on the following Monday, however, a holder
32 of a liquor control license or ~~class-"B"~~ retail beer permit
33 granted the privilege of selling alcoholic liquor or beer
34 on Sunday may sell or dispense such liquor or beer between
35 the hours of noon and ten p.m. on Sunday.

AN ACT

RELATING TO THE SALE OF BEER ON SUNDAY.

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

Section 1. Section one hundred twenty-three point thirty-six (123.36), subsection six (6), Code 1977, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license for whom the sale of goods and services other than alcoholic liquor or beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to the provisions of section 123.49, subsection 2, paragraph "b", may sell and dispense alcoholic liquor ~~and beer~~ to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of noon and ten p.m. on Sunday. For ~~this~~ the privilege of selling beer and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license. The department shall prescribe the nature and the character of the evidence which shall be required of the applicant under this subsection.

Sec. 2. Section one hundred twenty-three point thirty-six (123.36), subsection seven (7), Code 1977, is amended by striking unnumbered paragraphs one (1) and two (2).

Sec. 3. Section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph b, Code 1977, is amended to read as follows:

b. Sell or dispense any alcoholic beverage or beer on the premises covered by the license or permit, or permit the consumption thereon between the hours of two a.m. and six a.m. on any weekday, and between the hours of two a.m. on

Sunday and six a.m. on the following Monday, however, a holder of a liquor control license or ~~class-"B"~~ retail beer permit granted the privilege of selling alcoholic liquor or beer on Sunday may sell or dispense such liquor or beer between the hours of noon and ten p.m. on Sunday.

Sec. 4. Section one hundred twenty-three point one hundred thirty-four (123.134), subsection five (5), Code 1977, is amended to read as follows:

5. Any club, hotel, motel, or commercial establishment holding a class "B" beer permit for whom the sale of goods and services other than beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to the provisions of section 123.49, subsection 2, paragraph "b", may sell and dispense beer to patrons on Sunday for consumption on the premises ~~only~~ and for consumption of beer off the premises between the hours of noon and ten p.m. Any class "C" beer permittee may sell beer for consumption off the premises between the hours of noon and ten p.m. For ~~this~~ the privilege of selling beer on Sunday the ~~class-"B"~~ beer permit fees of the applicant shall be increased by twenty percent of the regular fees prescribed for the permit pursuant to this section and the privilege shall be noted on the beer permit. The department shall prescribe the nature and character of the evidence which shall be required of the applicant under this subsection.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 290, Sixty-seventh General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved 7/12, 1977

ROBERT D. RAY
Governor