

FILED FEB 22 1996

SENATE FILE 2271  
BY HUSAK

(COMPANION TO LSB 4111HH  
BY TYRRELL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act authorizing small quantities of wine to be shipped in and  
2 out of this state for consumption or use by persons twenty-one  
3 years of age or older.

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

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S.F. 2271

1 Section 1. NEW SECTION. 123.187 RECIPROCAL SHIPMENT OF  
2 WINES.

3 1. "Equal reciprocal shipping privilege" means allowing  
4 wineries located in this state to ship into another state,  
5 wine, not for resale, but for consumption or use by a person  
6 twenty-one years of age or older.

7 2. A winery licensed or permitted pursuant to laws  
8 regulating alcoholic beverages in a state which affords this  
9 state an equal reciprocal shipping privilege may ship into  
10 this state by private common carrier, to a person twenty-one  
11 years of age or older, not more than eighteen liters of wine  
12 per calendar year, for consumption or use by the person. Such  
13 wine shall not be resold. Shipment of wine pursuant to this  
14 subsection is not subject to sales tax under section 422.43 or  
15 the wine gallonage tax under section 123.183, and does not  
16 require a refund value for beverage container control purposes  
17 under chapter 455C.

18 3. The holder of a class "A" or "B" wine permit in this  
19 state may ship out of this state by private common carrier, to  
20 a person twenty-one years of age or older, not more than  
21 eighteen liters of wine per calendar year, for consumption or  
22 use by the person.

23 EXPLANATION

24 This bill provides that a winery licensed or permitted  
25 pursuant to laws regulating alcoholic beverages in a state  
26 which affords this state an equal reciprocal shipping  
27 privilege may ship into this state by private common carrier,  
28 to a person 21 years of age or older, not more than 18 liters  
29 of wine per calendar year, for consumption or use by the  
30 person. Such wine shall not be resold. Shipment of wine  
31 pursuant to this bill is not subject to state sales tax or the  
32 wine gallonage tax and does not require a refund value for  
33 beverage container control purposes.

34 The bill provides that the holder of a class "A" or "B"  
35 wine permit in this state may ship out of this state by

1 private common carrier, to a person 21 years of age or older,  
2 not more than 18 liters of wine per calendar year, for  
3 consumption or use by the person.

4 An equal reciprocal shipping privilege means allowing  
5 wineries located in this state to ship into another state,  
6 wine, not for resale, but for consumption or use by a person  
7 21 years of age or older.

8 The bill provides that a private common carrier be used in  
9 shipping wine into this state. The United States criminal  
10 code, 18 U.S.C. § 1716, prohibits alcoholic beverages from  
11 being shipped via the United States postal service.

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