

3/20/95 Referred to W. & Men

FILED MAR 9 1995

SENATE FILE 307  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 149)

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

**A BILL FOR**

1 An Act relating to public health by regulating tobacco sales and  
2 use and providing a penalty.

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

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S.F. 307

1 Section 1. Section 453A.13, subsection 3, Code 1995, is  
2 amended to read as follows:

3 3. FEES -- EXPIRATION. All permits provided for in this  
4 division shall expire on June 30 of each year. A permit shall  
5 not be granted or issued until the applicant has paid for the  
6 period ending June 30 next, to the department or the city or  
7 county granting the permit, the fees provided for in this  
8 division. The annual state permit fee for a distributor,  
9 cigarette vendor, and wholesaler is one hundred dollars when  
10 the permit is granted during the months of July, August, or  
11 September. However, whenever a state permit holder operates  
12 more than one place of business, a duplicate state permit  
13 shall be issued for each additional place of business on  
14 payment of five dollars for each duplicate state permit, but  
15 refunds as provided in this division do not apply to any  
16 duplicate permit issued.

17 The minimum fee schedule for retail permits is as follows  
18 when the permit is granted during the months of July, August,  
19 or September:

20 a. In places outside any city, fifty dollars.

21 b. In cities of less than fifteen thousand population,  
22 seventy-five dollars.

23 c. In cities of fifteen thousand or more population, one  
24 hundred dollars.

25 If any permit is granted during the months of October,  
26 November, or December, the fee shall be three-fourths of the  
27 above-maximum-schedule annual fee; if granted during the  
28 months of January, February, or March, one-half of the maximum  
29 schedule annual fee; and if granted during the months of  
30 April, May, or June, one-fourth of the maximum-schedule annual  
31 fee.

32 The city or county may establish fees not to exceed twenty-  
33 five percent above the minimum fee schedule. All retail  
34 permit fees above the minimum fee schedule shall be retained  
35 by the city or county imposing the extra fee and shall be used

1 by the city or county for the exclusive purpose of enforcing  
2 section 453A.2.

3 Sec. 2. Section 453A.56, Code 1995, is amended to read as  
4 follows:

5 453A.56 UNIFORM APPLICATION.

6 1. Enforcement of this chapter shall be implemented in an  
7 equitable manner throughout the state. For the purpose of  
8 equitable and uniform implementation, application, and  
9 enforcement of state and local laws and regulations, the  
10 provisions of this chapter shall supersede any local law or  
11 regulation which is inconsistent with or conflicts with the  
12 provisions of this chapter.

13 2. Notwithstanding subsection 1, a city or county may  
14 establish fees for retail cigarette permits which are in  
15 excess of the minimum fee schedule established pursuant to  
16 section 453A.13.

17 EXPLANATION

18 This bill authorizes city and county governments to  
19 increase retail permit fees above the existing fee schedule  
20 for the purposes of enforcing laws regarding tobacco sales to  
21 persons under legal age.

22 Section 1 modifies the current retail fee schedule to allow  
23 the city and county governments to increase fees to fund  
24 enforcement of under-aged tobacco purchase laws.

25 Section 2 amends the uniform application provision of the  
26 cigarette and tobacco taxes chapter to enable local government  
27 discretion in increasing retail permit fees.

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Neuhauser  
Boettger  
Dvorsky

SSB-149

Succeeded By Human Resources  
SF/HE 307  
SENATE FILE

BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON SZYMONIAK)

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

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