

MAR 11 1999

JUDICIARY

HOUSE FILE 653  
BY WELTER, WARNSTADT, and  
WHITEAD

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

**A BILL FOR**

1 An Act concerning the manufacture of beer, wine, cider, or mead  
2 for family or personal use and subjecting violators to a  
3 penalty.

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

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HF 653

1 Section 1. NEW SECTION. 123.56A MANUFACTURE OF BEER,  
2 WINE, CIDER, OR MEAD FOR PERSONAL OR FAMILY USE -- EXEMPTION.

3 1. A person who is not prohibited from possessing  
4 alcoholic beverages and who manufactures beer, wine, cider, or  
5 mead in the person's residence for personal or family use, and  
6 not for sale, in the amounts provided in this section shall be  
7 exempt from the requirements of this chapter governing the  
8 manufacture and sale of beer or wine.

9 2. The aggregate amount of beer, wine, cider, or mead  
10 permitted to be manufactured with respect to any person's  
11 residence shall be as follows:

12 a. An amount not in excess of two hundred gallons per  
13 calendar year if there are two or more persons not prohibited  
14 from possessing alcoholic beverages in the residence.

15 b. An amount not in excess of one hundred gallons per  
16 calendar year if there is only one person not prohibited from  
17 possessing alcoholic beverages in the residence.

18 3. Any personal or family manufacture of beer, wine,  
19 cider, or mead in excess of the amounts permitted in this  
20 section or any sale of alcoholic beverages shall not be exempt  
21 from the requirements of this chapter governing the  
22 manufacture and sale of beer or wine.

23 4. Beer, wine, cider, or mead manufactured under the  
24 provisions of this section may be removed from the premises if  
25 made for personal or family use, including use at organized  
26 affairs, exhibitions, or competitions. Beer used as provided  
27 in this subsection shall not be sold or offered for sale.

28 5. Beer, wine, mead, honey-based beer, or cider  
29 manufactured under the provisions of this section may be given  
30 as a gift in any quantity not exceeding twenty gallons to a  
31 person of legal age for noncommercial use or consumption.

32 EXPLANATION

33 This bill provides an exemption from the requirements of  
34 Code chapter 123 governing alcoholic beverages concerning  
35 beer, wine cider, or mead manufactured for personal or family

1 use and not for sale. The bill provides for limits on the  
2 total amount of beer, wine, cider, or mead that can be brewed  
3 at a person's residence based upon the number of persons in  
4 the residence permitted to possess alcohol. The bill provides  
5 that a person is not exempt from the requirements of Code  
6 chapter 123 if the person manufactures beer, wine, cider, or  
7 mead in an amount that exceeds the limits specified in the  
8 bill. The bill also provides that the beer, wine, cider, or  
9 mead can be removed from the place of manufacture for personal  
10 or family use, including use at organized exhibitions or  
11 competitions or given as a gift to a person of legal age in  
12 quantities of 20 gallons or less.

13 A violation of the manufacturing of beer and wine  
14 provisions of Code chapter 123 is a serious misdemeanor  
15 punishable by a fine of at least \$250 but not more than  
16 \$1,500. An imprisonment of not more than one year may also be  
17 imposed.

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