

MAR 17 2003  
Place On Calendar

HOUSE FILE 589  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 347)

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

**A BILL FOR**

1 An Act providing that incident reports or violations by other  
2 licensees or permittees shall not be considered upon review of  
3 a local authority decision relating to specified liquor  
4 control, wine, or beer licenses or permits.

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

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HF 589

1 Section 1. Section 123.32, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 9. CONSIDERATIONS ON APPEAL. In an  
4 action pursuant to subsection 6 relating to an appeal of a  
5 local authority's disapproval of an application for a license  
6 or permit, or pursuant to subsection 8 relating to an appeal  
7 of a suspension, revocation, or civil penalty imposed by a  
8 local authority, the administrator or administrative law judge  
9 shall not consider, in reviewing the proposed decision of the  
10 local authority, incident reports or violations by other  
11 similar licensees or permittees, or the lack thereof, in  
12 making a decision to either affirm, reverse, or modify the  
13 proposed decision of the local authority.

14 EXPLANATION

15 This bill relates to appeals of a local authority's  
16 disapproval of an application for a license or permit, or of a  
17 suspension, revocation, or civil penalty imposed by a local  
18 authority in relation to a license or permit, in connection  
19 with liquor control licenses and retail beer and wine permits  
20 specified in Code section 123.32. The bill provides that an  
21 administrator or administrative law judge shall not consider,  
22 in reviewing the proposed decision of the local authority,  
23 incident reports or violations by other similar licensees or  
24 permittees, or the lack thereof, in making a decision to  
25 either affirm, reverse, or modify the proposed decision of the  
26 local authority.

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