

House Study Bill 713

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE, REGULATION AND
LABOR BILL BY CHAIRPERSON
JENKINS)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning off-premises transportation and consumption of
2 resealed bottles of wine.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6436HC 81
5 ec/je/5

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1 1 Section 1. Section 123.30, Code 2005, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 4. Notwithstanding any provision of this
1 4 chapter to the contrary, a restaurant holding a license to
1 5 sell alcoholic liquors for consumption on the licensed
1 6 premises may permit a customer to remove one unsealed bottle
1 7 of wine for consumption off the premises if the customer has
1 8 purchased a meal and consumed a portion of the bottle of wine
1 9 with such meal on the licensed premises. The licensee or the
1 10 licensee's agent shall securely reseal such bottle in a bag
1 11 designed so that it is visibly apparent that the resealed
1 12 bottle of wine has not been tampered with and provide a dated
1 13 receipt for the resealed bottle of wine and the meal to the
1 14 customer. A wine bottle resealed pursuant to the requirements
1 15 of this subsection shall not be deemed an open container
1 16 subject to the requirements of sections 321.284 and 321.284A.

EXPLANATION

1 17
1 18 This bill provides that a restaurant holding a liquor
1 19 control license allowing the restaurant to sell alcohol for
1 20 on-premises consumption can permit a customer to remove one
1 21 unsealed bottle of wine for consumption off the premises if
1 22 the customer has purchased a meal and consumed a portion of
1 23 the bottle of wine with such meal on the licensed premises.
1 24 The bill provides that the restaurant shall place the bottle
1 25 in a bag with a receipt for the wine and meal of the customer.
1 26 The bill also provides that the resealed bottle of wine is not
1 27 considered an open container for purposes of those Code
1 28 sections prohibiting open containers of alcohol in vehicles.
1 29 LSB 6436HC 81
1 30 ec:nh/je/5