

SENATE FILE 2368  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 3140)

(COMPANION TO LSB 6381HV)

Passed Senate, Date 3-14-06 Passed House, Date \_\_\_\_\_  
Vote: Ayes 50 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved April 20, 2006

A BILL FOR

1 An Act concerning alcoholic beverage control relating to  
2 manufacturers providing free cleaning services to retailers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2368

1 Section 1. NEW SECTION. 123.45A PERMISSIBLE CLEANING  
2 SERVICES -- MANUFACTURERS.

3 Notwithstanding any provision of this chapter to the  
4 contrary, a person engaged in the business of manufacturing,  
5 bottling, or wholesaling alcoholic beverages, wine, or beer,  
6 or any jobber, representative, broker, employee, or agent of  
7 such a person may, consistent with 27 C.F.R. § 6.88, provide  
8 to a retailer without charge wine and beer coil cleaning  
9 services, including carbon dioxide filters and other necessary  
10 accessories to properly clean the coil and affix carbon  
11 dioxide filters. The manufacturer shall be responsible for  
12 paying the costs of any filters provided pursuant to this  
13 section.

14 EXPLANATION

15 This bill concerns permissible activities by manufacturers  
16 and wholesalers of alcoholic beverages as such activities  
17 relate to retailers.

18 The bill creates new Code section 123.45A permitting  
19 manufacturers to provide retailers, consistent with federal  
20 law, free wine and beer coil cleaning services, including  
21 carbon dioxide filters. The bill also provides that the  
22 manufacturer shall be responsible for the costs of any filters  
23 provided under this new section.

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SENATE FILE 2368

S-5030

1 Amend Senate File 2368 as follows:  
2 1. By striking everything after the enacting  
3 clause and inserting the following:  
4 "Section 1. Section 123.186, Code 2005, is amended  
5 to read as follows:  
6 123.186 FEDERAL REGULATIONS ADOPTED AS RULES.  
7 1. The division shall adopt as rules the substance  
8 of the federal regulations 27 C.F.R. pt. 6, 27 C.F.R.  
9 pt. 8, 27 C.F.R. pt. 10, and 27 C.F.R. pt. 11 as they  
10 relate to transactions between wholesalers and  
11 retailers.  
12 2. The division shall adopt as rules the substance  
13 of 27 C.F.R. § 6.88, to permit a manufacturer of  
14 alcoholic beverages, wine, or beer, or agent of such  
15 manufacturer, to provide to a retailer without charge  
16 wine and beer coil cleaning services, including carbon  
17 dioxide filters and other necessary accessories to  
18 properly clean the coil and affix carbon dioxide  
19 filters. The rules shall provide that the  
20 manufacturer shall be responsible for paying the costs  
21 of any filters provided."  
22 2. By renumbering as necessary.

By PAT WARD

S-5030 FILED MARCH 7, 2006

SENATE FILE 2368  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 3140)

(COMPANION TO LSB 6381HV)

(AS AMENDED AND PASSED BY THE SENATE MARCH 14, 2006)

ALL New Language by the Senate

Passed Senate, Date \_\_\_\_\_ Passed House, Date 4-6-06  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 97 Nays 0  
Approved \_\_\_\_\_

A BILL FOR

1 An Act concerning alcoholic beverage control relating to  
2 manufacturers providing free cleaning services to retailers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 2368

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1 Section 1. Section 123.186, Code 2005, is amended to read  
2 as follows:

3 123.186 FEDERAL REGULATIONS ADOPTED AS RULES.

4 1. The division shall adopt as rules the substance of the  
5 federal regulations 27 C.F.R. pt. 6, 27 C.F.R. pt. 8, 27  
6 C.F.R. pt. 10, and 27 C.F.R. pt. 11 as they relate to  
7 transactions between wholesalers and retailers.

8 2. The division shall adopt as rules the substance of 27  
9 C.F.R. § 6.88, to permit a manufacturer of alcoholic  
10 beverages, wine, or beer, or agent of such manufacturer, to  
11 provide to a retailer without charge wine and beer coil  
12 cleaning services, including carbon dioxide filters and other  
13 necessary accessories to properly clean the coil and affix  
14 carbon dioxide filters. The rules shall provide that the  
15 manufacturer shall be responsible for paying the costs of any  
16 filters provided.

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Danielson Co-chair  
Ward Co-chair  
Hancock  
Kettering

SSB# 3140

Succeeded By  
HF 2368

State Government

SENATE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CO-CHAIRPERSONS HORN  
and McKIBBEN)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

### A BILL FOR

1 An Act concerning alcoholic beverage control relating to  
2 manufacturers providing free cleaning services to retailers  
3 and prohibiting wholesalers from providing certain coupons to  
4 retailers and making penalties applicable.

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

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SSB 3140

~~S.F.~~

H.F. \_\_\_\_\_

1 Section 1. NEW SECTION. 123.45A PERMISSIBLE CLEANING  
2 SERVICES -- MANUFACTURERS.

3 Notwithstanding any provision of this chapter to the  
4 contrary, a person engaged in the business of manufacturing,  
5 bottling, or wholesaling alcoholic beverages, wine, or beer,  
6 or any jobber, representative, broker, employee, or agent of  
7 such a person may, consistent with 27 C.F.R. § 6.88, provide  
8 to a retailer without charge wine and beer coil cleaning  
9 services, including carbon dioxide filters and other necessary  
10 accessories to properly clean the coil and affix carbon  
11 dioxide filters.

12 Sec. 2. Section 123.49, Code 2005, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 5. A wholesaler shall not provide in-  
15 store instantly redeemable coupons to retailers for  
16 discounting the purchase of any alcoholic beverage. The  
17 prohibition in this subsection shall not apply to mail-in  
18 coupons or other cross-promotional coupons.

19 EXPLANATION

20 This bill concerns permissible activities by manufacturers  
21 and wholesalers of alcoholic beverages as such activities  
22 relate to retailers.

23 The bill creates new Code section 123.45A permitting  
24 manufacturers to provide retailers, consistent with federal  
25 law, free wine and beer coil cleaning services.

26 Code section 123.49 is amended to provide that a wholesaler  
27 shall not provide in-store instantly redeemable coupons to  
28 retailers for discounting the purchase of alcohol. Mail-in  
29 coupons or cross-promotional coupons are not prohibited.

30 Pursuant to Code section 123.50, a person who violates this  
31 provision is guilty of a simple misdemeanor.

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manufacturer shall be responsible for paying the costs of any filters provided.

SENATE FILE 2368

AN ACT

CONCERNING ALCOHOLIC BEVERAGE CONTROL RELATING TO MANUFACTURERS  
PROVIDING FREE CLEANING SERVICES TO RETAILERS.

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

Section 1. Section 123.186, Code 2005, is amended to read as follows:

123.186 FEDERAL REGULATIONS ADOPTED AS RULES.

1. The division shall adopt as rules the substance of the federal regulations 27 C.F.R. pt. 6, 27 C.F.R. pt. 8, 27 C.F.R. pt. 10, and 27 C.F.R. pt. 11 as they relate to transactions between wholesalers and retailers.

2. The division shall adopt as rules the substance of 27 C.F.R. § 6.88, to permit a manufacturer of alcoholic beverages, wine, or beer, or agent of such manufacturer, to provide to a retailer without charge wine and beer coil cleaning services, including carbon dioxide filters and other necessary accessories to properly clean the coil and affix carbon dioxide filters. The rules shall provide that the

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JEFFREY M. LAMBERTI  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2368, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2006

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THOMAS J. VILSACK  
Governor