

Senate File 144 - Introduced

SENATE FILE _____
BY McCOY

Passed Senate, Date _____ Passed House, 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 2018SS 82
5 ec/je/5

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1 1 Section 1. Section 123.30, Code 2007, 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 person holding a license to sell
1 5 alcoholic liquors for consumption on the licensed premises may
1 6 permit a customer to remove one unsealed bottle of wine for
1 7 consumption off the premises if the customer has purchased and
1 8 consumed a portion of the bottle of wine on the licensed
1 9 premises. The licensee or the licensee's agent shall securely
1 10 reseat such bottle in a bag designed so that it is visibly
1 11 apparent that the resealed bottle of wine has not been
1 12 tampered with and provide a dated receipt for the resealed
1 13 bottle of wine to the customer. A wine bottle resealed
1 14 pursuant to the requirements of this subsection shall not be
1 15 deemed an open container subject to the requirements of
1 16 sections 321.284 and 321.284A.

1 17 EXPLANATION

1 18 This bill provides that a person holding a liquor control
1 19 license allowing the consumption of alcohol for on-premises
1 20 consumption can permit a customer to remove one unsealed
1 21 bottle of wine for consumption off the premises if the
1 22 customer has purchased and consumed a portion of the bottle of
1 23 wine on the licensed premises. The bill provides that the
1 24 licensee shall place the bottle in a bag with a receipt for
1 25 the wine of the customer. The bill also provides that the
1 26 resealed bottle of wine is not considered an open container
1 27 for purposes of those Code sections prohibiting open
1 28 containers of alcohol in vehicles.
1 29 LSB 2018SS 82
1 30 ec:nh/je/5