

House Study Bill 274

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON SHOMSHOR)

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

A BILL FOR

1 An Act relating to a watercraft's eligibility for a class "D"
2 liquor control license.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1853HC 83
5 av/nh/5

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1 1 Section 1. Section 123.30, subsection 3, paragraph d,
1 2 subparagraph (1), Code 2009, is amended to read as follows:
1 3 (1) A class "D" liquor control license may be issued to a
1 4 railway corporation, to an air common carrier, and to
1 5 passenger-carrying boats or ships for hire with a capacity of
1 6 twenty-five persons or more operating in inland or boundary
1 7 waters, and shall authorize the holder to sell or furnish
1 8 alcoholic beverages, wine, and beer to passengers for
1 9 consumption only on trains, watercraft as described in this
1 10 section, or aircraft, respectively. Each license is valid
1 11 throughout the state. Only one license is required for all
1 12 trains, watercraft, or aircraft operated in the state by the
1 13 licensee. However, if a watercraft is an excursion gambling
1 14 boat licensed under chapter 99F, the owner shall obtain a
1 15 separate class "D" liquor control license for each excursion
1 16 gambling boat operating in the waters of this state. For the
1 17 purposes of eligibility for issuance of a class "D" liquor
1 18 control license pursuant to this subparagraph, a watercraft is
1 19 not a passenger carrying boat or ship for hire if the
1 20 watercraft is not an excursion gambling boat licensed under
1 21 chapter 99F, the sale of alcoholic liquor, wine, or beer is a
1 22 primary part of the ownership or operation of the watercraft,
1 23 and the transport of passengers for hire is only an incidental
1 24 part of that ownership or operation.

1 25 EXPLANATION
1 26 This bill amends Code section 123.30 of the Iowa alcoholic
1 27 beverage control Act to provide that a watercraft is not a
1 28 passenger carrying boat or ship for hire that is eligible to
1 29 receive a class "D" liquor control license if the watercraft
1 30 is not an excursion gambling boat licensed under Code chapter
1 31 99F, the sale of alcoholic liquor, wine, or beer is a primary
1 32 part of the ownership or operation of the watercraft, and the
1 33 transport of passengers for hire is only an incidental part of
1 34 that ownership or operation.
1 35 LSB 1853HC 83
2 1 av/nh/5