

Senate File 158 - Introduced

SENATE FILE _____
BY ZAUN, HAMERLINCK, MCKINLEY,
BEHN, and DOTZLER

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

A BILL FOR

1 An Act relating to exemptions from the prohibitions of the
2 smokefree air Act for some bars.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2081XS 83
5 pf/rj/5

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1 1 Section 1. Section 142D.2, subsections 1 and 17, Code
1 2 2009, are amended to read as follows:
1 3 1. "Bar" means an establishment where one may purchase
1 4 alcoholic beverages, as defined in section 123.3, for
1 5 consumption on the premises and in which ~~the serving of food~~
~~1 6 is only incidental to the consumption of those sixty percent~~
~~1 7 or more of the gross revenue of the establishment is derived~~
~~1 8 from the sales of such beverages.~~

1 9 17. "Restaurant" means ~~an eating establishments~~
1 10 ~~establishment~~, including a private and public school
1 11 ~~cafeterias cafeteria~~, which ~~offer offers~~ food to the public,
1 12 guests, or employees, including the kitchen and catering
1 13 facilities in which food is prepared on the premises for
1 14 serving elsewhere, and including ~~a bar an~~ area within a
1 15 restaurant ~~where one may purchase alcoholic beverages, as~~
~~1 16 defined in section 123.3, for consumption on the premises.~~

1 17 Sec. 2. Section 142D.3, subsection 2, paragraph b, Code
1 18 2009, is amended by striking the paragraph.

1 19 Sec. 3. Section 142D.4, Code 2009, is amended by adding
1 20 the following new subsection:

1 21 NEW SUBSECTION. 12. A bar to which only individuals
1 22 twenty-one years of age and older are invited and allowed
1 23 entrance.

EXPLANATION

1 24 This bill amends the smokefree air Act (Code chapter 142D)
1 25 relating to bars. The bill redefines "bar" under the Act to
1 26 provide that a bar is an establishment in which alcoholic
1 27 beverages may be purchased for consumption on the premises and
1 28 in which at least 60 percent of the gross revenue of the
1 29 establishment is derived from the sales of such beverages.
1 30 The bill changes the definition of "restaurant" to include
1 31 areas of the restaurant where alcoholic beverages can be
1 32 purchased and consumed rather than referring to the new
1 33 definition of "bar". The bill exempts bars to which only
1 34 individuals 21 years of age and older are invited and allowed
2 1 entrance from the smoking prohibitions of the Act. The bill
2 2 also eliminates the provision prohibiting smoking in the
2 3 outdoor seating and serving areas of restaurants.
2 4 LSB 2081XS 83
2 5 pf/rj/5