

Senate File 447 - Introduced

SENATE FILE _____
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SF 251)

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

A BILL FOR

1 An Act concerning off-premises consumption of resealed bottles of
2 wine.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2528SV 83
5 ec/nh/5

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1 1 Section 1. Section 123.30, Code 2009, 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 is subject to
1 15 the requirements of sections 321.284 and 321.284A.

1 16 EXPLANATION
1 17 This bill provides that a person holding a liquor control
1 18 license allowing the consumption of alcohol for on-premises
1 19 consumption can permit a customer to remove one unsealed
1 20 bottle of wine for consumption off the premises if the
1 21 customer has purchased and consumed a portion of the bottle of
1 22 wine on the licensed premises. The bill provides that the
1 23 licensee shall place the bottle in a bag with a receipt for
1 24 the wine of the customer. The bill provides that the resealed
1 25 bottle of wine is still considered an open container for
1 26 purposes of those Code sections prohibiting open containers of
1 27 alcohol in vehicles.
1 28 LSB 2528SV 83
1 29 ec/nh/5