

House File 2358 - Introduced

HOUSE FILE 2358

BY WINCKLER, MURPHY, and
LENSING

A BILL FOR

1 An Act relating to the authority of a liquor control licensee
2 to keep certain mixed drinks or cocktails on the licensed
3 premises.

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

1 Section 1. Section 123.49, subsection 2, paragraphs d and e,
2 Code Supplement 2011, are amended to read as follows:

3 *d.* Keep on premises covered by a liquor control license
4 any alcoholic liquor in any container except the original
5 package purchased from the division, and except mixed drinks
6 or cocktails mixed on the premises for ~~immediate~~ consumption
7 on the licensed premises. This prohibition does not apply to
8 common carriers holding a class "D" liquor control license.

9 *e.* Reuse for packaging alcoholic liquor or wine any
10 container or receptacle used originally for packaging
11 alcoholic liquor or wine; or adulterate, by the addition of any
12 substance, the contents or remaining contents of an original
13 package of an alcoholic liquor or wine; or knowingly possess
14 any original package which has been so reused or adulterated.
15 This paragraph "e" shall not apply to mixed drinks or cocktails
16 mixed on the premises for consumption on the licensed premises
17 as authorized under paragraph "d".

18 EXPLANATION

19 This bill concerns the authority of a liquor control
20 licensee to keep any alcoholic liquor in any container except
21 the original package purchased from the alcoholic beverages
22 division of the department of commerce. Under current law,
23 a liquor control licensee can only permit mixed drinks or
24 cocktails mixed on the premises if they are for immediate
25 consumption. The bill allows drinks or cocktails to be mixed
26 on the premises and kept in a separate container or in the
27 original container of alcohol or wine so long as the mixed
28 drink or cocktail is consumed on the licensed premises.