

House File 494 - Introduced

HOUSE FILE 494
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 132)

(COMPANION TO SF 123)

A BILL FOR

1 An Act prohibiting a person or club holding a liquor control
2 license or retail wine or beer permit from selling or
3 possessing alcoholic liquor in powdered or crystalline form
4 for consumption and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.3, subsection 5, Code 2015, is
2 amended to read as follows:

3 5. "*Alcoholic liquor*" or "*intoxicating liquor*" means the
4 varieties of liquor defined in subsections 3 and 43 which
5 contain more than five percent of alcohol by weight, beverages
6 made as described in subsection 7 which beverages contain more
7 than five percent of alcohol by weight or six and twenty-five
8 hundredths percent of alcohol by volume but which are not wine
9 as defined in subsection 47 or high alcoholic content beer as
10 defined in subsection 19, and every other liquid, ~~or~~ solid,
11 powder, or crystal, patented or not, containing spirits and
12 every beverage obtained by the process described in subsection
13 47 containing more than seventeen percent alcohol by weight or
14 twenty-one and twenty-five hundredths percent of alcohol by
15 volume, and susceptible of being consumed by a human being,
16 for beverage purposes. Alcohol manufactured in this state
17 for use as fuel pursuant to an experimental distilled spirits
18 plant permit or its equivalent issued by the federal bureau of
19 alcohol, tobacco and firearms is not an "*alcoholic liquor*".

20 Sec. 2. Section 123.49, subsection 2, Code 2015, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *m.* Sell, give, possess, or otherwise supply
23 for human consumption powdered or crystalline alcoholic liquor.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill prohibits a person or club holding a liquor control
28 license or retail wine or beer permit, or their agents or
29 employees, from selling, giving, possessing, or supplying for
30 human consumption powdered or crystalline alcoholic liquor.
31 Pursuant to the provisions of Code section 123.50, a violation
32 of the provisions of the bill is a simple misdemeanor and
33 is grounds for the revocation or suspension of the person's
34 license or permit.