

House File 2109 - Introduced

HOUSE FILE 2109

BY LUNDGREN

A BILL FOR

1 An Act establishing a charity beer and wine event permit.

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

1 Section 1. Section 123.32, subsection 1, paragraph b, Code
2 2020, is amended by adding the following new subparagraph:
3 NEW SUBPARAGRAPH. (7A) A charity beer and wine event permit
4 as provided in section 123.173B.

5 Sec. 2. NEW SECTION. **123.173B Charity beer and wine event**
6 **permit.**

7 1. For purposes of this section, "*authorized nonprofit*
8 *entity*" includes a nonprofit entity which has a principal office
9 in the state, a nonprofit corporation organized under chapter
10 504, or a foreign corporation as defined in section 504.141,
11 whose income is exempt from federal taxation under section
12 501(c) of the Internal Revenue Code.

13 2. An authorized nonprofit entity may, upon application
14 to the division and receipt of a charity beer and wine event
15 permit from the division, conduct a charity event which allows
16 for the sale of beer and wine for consumption on the premises
17 of the event. The completed application shall specify the
18 date and time when the charity beer and wine event is to be
19 conducted and the premises in this state where the charity beer
20 and wine event is to be physically conducted. The completed
21 application shall also specify that the premises where the
22 charity beer and wine event is to be conducted has a valid
23 class "B" beer permit and that the authorized nonprofit entity
24 has entered into an agreement with the person holding the class
25 "B" beer permit allowing the charity beer and wine event to
26 be conducted on the premises. The applicant shall certify
27 that the objective of the charity beer and wine event is to
28 raise funds solely to be used for educational, religious, or
29 charitable purposes and that the entire proceeds from the
30 charity beer and wine event are to be expended for any of the
31 purposes described in section 423.3, subsection 78.

32 3. An authorized nonprofit entity shall be eligible to
33 receive only two charity beer and wine event permits during a
34 calendar year and each charity beer and wine event permit shall
35 be valid for a period not to exceed thirty-six consecutive

1 hours.

2 4. The authorized nonprofit entity conducting the charity
3 beer and wine event shall obtain the beer and wine to be sold
4 for consumption on the premises of the charity beer and wine
5 event from the person holding the class "B" beer permit for the
6 premises.

7 5. Any violation of the requirements of this chapter or the
8 rules adopted pursuant to this chapter shall subject the permit
9 holder to the general penalties provided in this chapter and
10 shall constitute grounds for imposition of a civil penalty,
11 suspension of the permit, or revocation of the permit after
12 notice and opportunity for a hearing pursuant to section 123.39
13 and chapter 17A.

14 EXPLANATION

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

17 This bill authorizes a nonprofit entity to conduct a charity
18 beer and wine event.

19 New Code section 123.173B provides for the issuance of a
20 charity beer and wine event permit to an authorized nonprofit
21 entity that allows the permit holder to sell beer and wine at a
22 charity beer and wine event for consumption on the premises.
23 The bill requires the nonprofit entity to specify the date and
24 time and the premises where the charity beer and wine event
25 is to be conducted. The bill provides that the completed
26 application shall also specify that the premises has a valid
27 class "B" beer permit and that the authorized nonprofit entity
28 has entered into an agreement with the person holding the class
29 "B" beer permit allowing the charity beer and wine event to be
30 conducted on the premises. The bill requires proceeds from
31 the event to be expended for charitable purposes and allows
32 only two charity beer and wine event permits during a calendar
33 year with each charity beer and wine event permit valid for a
34 period not to exceed 36 consecutive hours. The bill requires
35 the authorized nonprofit entity to obtain the beer and wine to

1 be sold for consumption on the premises of the charity beer
2 and wine event from the person holding the class "B" beer
3 permit for the premises. The bill also provides that any
4 violation of the requirements of Code chapter 123 or the rules
5 adopted pursuant shall subject the permit holder to the general
6 penalties provided in Code chapter 123 and shall constitute
7 grounds for imposition of a civil penalty, suspension of the
8 permit, or revocation of the permit.