

House Study Bill 631 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON BLOOMINGDALE)

A BILL FOR

1 An Act relating to exceptions to the penalty for supplying an
2 alcoholic beverage to certain persons under legal age.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.50, subsection 5, Code 2024, is
2 amended to read as follows:

3 5. If an employee of a retail alcohol licensee violates
4 section 123.49, subsection 2, paragraph "h", the licensee
5 shall not be assessed a penalty under [subsection 3](#), and the
6 violation shall be deemed not to be a violation of section
7 123.49, subsection 2, paragraph "h", for the purpose of
8 determining the number of violations for which a penalty may
9 be assessed pursuant to [subsection 3](#), if, at the time of the
10 violation, the employee holds a valid certificate of completion
11 of either the alcohol compliance employee training program
12 pursuant to [section 123.50A](#) ~~at the time of the violation or~~
13 a nationally recognized responsible alcohol service program
14 completed through in-person or online training within the prior
15 two years, and if the violation involves selling, giving,
16 or otherwise supplying any alcoholic beverage to a person
17 between the ages of eighteen and twenty years of age. A
18 violation involving a person under the age of eighteen years
19 of age shall not qualify for the bar against assessment of a
20 penalty pursuant to [subsection 3](#), for a violation of section
21 123.49, subsection 2, paragraph "h". A licensee may assert
22 only once in a four-year period the bar under [this subsection](#)
23 against assessment of a penalty pursuant to [subsection 3](#), for a
24 violation of [section 123.49, subsection 2](#), paragraph "h", that
25 takes place at the same place of business location.

26 EXPLANATION

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

29 This bill relates to an exception to the penalty for
30 supplying an alcoholic beverage to a person between 18 and
31 20 years of age. Under current law, if an employee of a
32 retail alcohol licensee violates Code section 123.49(2)(h),
33 the licensee may avoid being assessed a penalty and have
34 the violation deemed not to be a violation for purposes of
35 determining the number of violations for which a penalty may

1 be assessed if the employee holds a valid certificate of
2 completion of the alcohol compliance employee training program
3 pursuant to Code section 123.50A at the time of the violation,
4 and if the violation involves selling, giving, or otherwise
5 supplying any alcoholic beverage to a person between 18 and 20
6 years of age. A certificate issued under Code section 123.50A
7 is valid for two years or until the holder commits a violation.

8 The bill expands this exception to include an employee
9 who holds a valid certificate of completion of a nationally
10 recognized responsible alcohol service program completed
11 through in-person or online training in the two years prior to
12 the violation. Current law limits a licensee to asserting the
13 exception only once in a four-year period for violations that
14 take place at the same place of business location.