

**House File 2325 - Introduced**

HOUSE FILE 2325  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 2074)

**A BILL FOR**

1 An Act permitting a city to create social districts allowing  
2 for the possession or consumption of alcoholic beverages in  
3 certain public places.

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

unofficial

1 Section 1. Section 123.30, subsection 5, paragraph a, Code  
2 2026, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (4) A social district, if the holder of  
4 the retail alcohol license is a participating licensee within  
5 a social district and in compliance with the ordinance adopted  
6 under section 414.34.

7 Sec. 2. Section 123.46, subsection 2, Code 2026, is amended  
8 to read as follows:

9 2. a. A person shall not use or consume alcoholic liquor,  
10 wine, or beer upon the public streets or highways. A person  
11 shall not use or consume alcoholic liquor in any public place  
12 except premises covered by a retail alcohol license. A person  
13 shall not possess or consume alcoholic liquors, wine, or beer on  
14 public school property or while attending a public or private  
15 school-related function. A person shall not be intoxicated in a  
16 public place. A person violating this subsection is guilty of a  
17 simple misdemeanor.

18 b. Notwithstanding paragraph "a", a person may possess or  
19 consume alcoholic liquor, wine, or beer upon the public streets,  
20 highways, or public places within a social district if the  
21 possession or consumption complies with the ordinance adopted  
22 under section 414.34.

23 Sec. 3. NEW SECTION. **414.34 Social districts.**

24 1. As used in this section:

25 a. "Marked container" means a nonglass container that  
26 identifies the retail alcohol licensee providing the alcoholic  
27 liquor, beer, or wine in the container to the consumer within the  
28 social district.

29 b. "Retail alcohol licensee" means the holder of a class "C"  
30 or special class "C" license issued under section 123.30.

31 c. "Social district" means a defined area in which the  
32 possession and consumption of alcoholic liquor, wine, and beer  
33 is allowed on public streets, sidewalks, and other public spaces  
34 within the boundaries of the district that are consistent with  
35 this section.

1 2. A city may define an area by ordinance that designates a  
2 social district for use by retail alcohol licensees.

3 3. An ordinance adopted pursuant to this section must include  
4 all of the following:

5 a. A legal description or map of the district.

6 b. The days and hours the possession and consumption of  
7 alcoholic liquor, wine, and beer are permitted on public streets,  
8 sidewalks, and other public places within the district.

9 c. Requirements for marked container use and identification.

10 d. Participation requirements for retail alcohol licensees  
11 within the district.

12 e. Enforcement provisions and penalties for violations.

13 f. Procedures for the revocation or suspension of all of the  
14 following:

15 (1) The participation of retail alcohol licensees for  
16 violations.

17 (2) The social district itself for public safety concerns or  
18 other matters.

19 4. An ordinance adopted by a city shall not be construed to  
20 authorize any of the following:

21 a. Consumption of an alcoholic beverage in a motor vehicle or  
22 on the public streets, sidewalks, and other public spaces during  
23 the times when the ordinance is not in effect.

24 b. Possession or consumption of an alcoholic beverage in  
25 a manner contrary to the provisions of chapter 123 except as  
26 otherwise provided by an ordinance adopted pursuant to this  
27 section.

28 c. A prohibition on any participating retail alcohol licensee  
29 or other establishment located within the social district from  
30 denying entry to the premises of the licensee or establishment to  
31 persons who possess alcoholic beverages from other participating  
32 retail alcohol licensees.

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**EXPLANATION**

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

1 This bill permits a city to create social districts (district)  
2 allowing for the possession or consumption of alcoholic beverages  
3 in certain public places.

4 A city may define by ordinance an area which may be used  
5 by holders of class "C" or special class "C" retail alcohol  
6 licenses in a district. A class "C" license allows commercial  
7 establishments like bars and restaurants to sell alcoholic  
8 liquor, wine, and beer, and a special class "C" license allows  
9 such establishments to sell just wine and beer.

10 The bill defines a "district" to mean a defined area that  
11 allows for the possession and consumption of alcoholic liquor,  
12 wine, and beer on public roadways, sidewalks, and other public  
13 spaces within the boundaries of the district.

14 An ordinance adopted pursuant to the bill is required to  
15 include the following: (1) a legal description or map of the  
16 district, (2) the days and hours the possession and consumption  
17 of alcoholic beverages is permitted, (3) the requirements  
18 for containers containing alcoholic beverages consumed in the  
19 district and the use of such containers, (4) the requirements  
20 for retail alcohol licensees participating in the district,  
21 (5) enforcement provisions, and (6) revocation and suspension  
22 provisions for the retail alcohol licensees and the district.

23 The bill specifies an ordinance shall not be construed to  
24 authorize the consumption of alcoholic beverages in a motor  
25 vehicle or on public streets, sidewalks, and other public spaces  
26 during the times when the ordinance is not in effect; authorize  
27 the possession or consumption of alcoholic beverages in a manner  
28 contrary to the provisions of Code chapter 123 (alcohol beverage  
29 control); or prohibit a participating retail alcohol licensee in  
30 the district or other establishment in the district from denying  
31 entry to persons who possess alcohol from other participating  
32 retail alcohol licensees in the district.