

House Study Bill 298 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON BLOOMINGDALE)

A BILL FOR

- 1 An Act concerning alcoholic beverage control.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 123.30, subsection 4, Code 2025, is
2 amended to read as follows:

3 4. Notwithstanding any provision of this chapter to the
4 contrary, a person holding a retail alcohol license to sell
5 alcoholic beverages for consumption on the licensed premises
6 may permit a customer to remove one unsealed bottle of wine
7 for consumption off the premises if the customer has purchased
8 and consumed a portion of the bottle of wine on the licensed
9 premises. The licensee or the licensee's agent shall securely
10 reseal such bottle in a bag designed so that it is visibly
11 apparent that the resealed bottle of wine has not been tampered
12 with and provide a dated receipt for the resealed bottle of
13 wine to the customer. A wine bottle resealed pursuant to the
14 requirements of this subsection is subject to the requirements
15 of sections 321.284 and 321.284A. ~~A person holding a retail
16 alcohol license to sell alcoholic beverages for consumption on
17 the licensed premises may permit a customer to carry an open
18 container of wine from the person's licensed premises into
19 another immediately adjacent licensed premises that is covered by
20 a license or permit that authorizes the consumption of wine, a
21 temporarily closed public right-of-way, or a private place.~~

22 Sec. 2. Section 123.30, Code 2025, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 5. a. Notwithstanding any provision of this
25 chapter to the contrary, a person holding a retail alcohol
26 license to sell alcoholic beverages for consumption on the
27 licensed premises may permit a customer to carry an alcoholic
28 beverage in an open container from the licensed premises to any
29 of the following immediately adjacent locations:

- 30 (1) A licensed premises authorized to sell the same type of
31 alcoholic beverage for consumption on the licensed premises.
32 (2) A temporarily closed public right-of-way.
33 (3) A private place.

34 b. The licensee of the immediately adjacent licensed
35 premises, or owner of the immediately adjacent private place, may

1 refuse to allow the customer to enter the licensed premises or
2 private place with an alcoholic beverage in an open container.

3 Sec. 3. Section 123.43A, subsection 6, paragraph a, Code
4 2025, is amended to read as follows:

5 a. Notwithstanding any provision of this chapter to the
6 contrary or the fact that a person is the holder of a class
7 "A" native distilled spirits license, a native distillery may
8 be granted a class "C" retail alcohol license as defined in
9 section 123.30 for the same premises licensed under a class
10 "A" native distilled spirits license where the manufacturing
11 of native distilled spirits occurs. A native distillery may
12 be granted not more than ~~two~~ three class "C" retail alcohol
13 licenses. A native distillery may be issued a class "C" retail
14 alcohol license regardless of whether the native distillery is
15 also a manufacturer of beer pursuant to a class "A" beer permit
16 or a manufacturer of native wine pursuant to a class "A" wine
17 permit.

18 Sec. 4. Section 123.45, subsection 3, paragraph b, Code 2025,
19 is amended to read as follows:

20 b. Notwithstanding any other provision of this chapter or the
21 fact that a person is the holder of a class "A" beer permit, a
22 native brewery may be granted a class "C" retail alcohol license
23 or a special class "C" retail alcohol license, both as defined
24 in section 123.30, for the same premises licensed under a class
25 "A" beer permit where the manufacturing of beer occurs. A
26 native brewery may be granted not more than ~~two~~ three class "C"
27 retail alcohol licenses or ~~two~~ special class "C" retail alcohol
28 licenses. A native brewery may be issued a class "C" retail
29 alcohol license or a special class "C" retail alcohol license
30 regardless of whether that person is also a manufacturer of
31 native distilled spirits pursuant to a class "A" native distilled
32 spirits license or a manufacturer of native wine pursuant to a
33 class "A" wine permit.

34 Sec. 5. Section 123.130, subsection 1, paragraph a, Code
35 2025, is amended to read as follows:

1 a. Any person holding a class "A" beer permit issued by
2 the department shall be authorized to manufacture and sell, or
3 sell at wholesale, beer for consumption off the premises, such
4 sales within the state to be made only to persons holding a
5 subsisting class "A" beer permit, or retail alcohol licenses,
6 excluding a special class "B" retail native wine license, issued
7 in accordance with the provisions of this chapter. However, a
8 person holding a class "A" beer permit issued by the department
9 who also holds a brewer's notice issued by the alcohol and
10 tobacco tax and trade bureau of the United States department of
11 the treasury shall be authorized to sell, at wholesale, no more
12 than ~~thirty~~ thirty-eight thousand barrels of beer on an annual
13 basis for consumption off the premises to ~~a licensee~~ licensees
14 authorized under this chapter to sell beer at retail.

15 Sec. 6. Section 123.130, subsection 2, Code 2025, is amended
16 to read as follows:

17 2. Pursuant to section 123.45, subsection 3, a native brewery
18 may be granted not more than ~~two~~ three class "C" retail alcohol
19 licenses or not more than ~~two~~ three special class "C" retail
20 alcohol licenses.

21 Sec. 7. Section 123.173, subsection 2, Code 2025, is amended
22 to read as follows:

23 2. A class "A" wine permit allows the holder to manufacture
24 and sell, or sell at wholesale, in this state, wine. The
25 holder of a class "A" wine permit may manufacture in this state
26 wine having an alcoholic content greater than seventeen percent
27 by weight or twenty-one and twenty-five hundredths percent of
28 alcohol by volume for shipment outside this state. All class "A"
29 premises shall be located within the state. However, a native
30 winery holding a class "A" wine permit issued by the department
31 who also holds a basic permit issued by the alcohol and tobacco
32 tax and trade bureau of the United States department of the
33 treasury shall be authorized to sell, at wholesale, no more than
34 one hundred fifty thousand gallons of wine on an annual basis for
35 consumption off the premises to licensees authorized under this

1 right-of-way, or a private place. The bill allows the licensee
2 of the immediately adjacent licensed premises, or owner of
3 the immediately adjacent private place, to refuse to allow the
4 customer to enter the licensed premises or private place with an
5 open container.

6 Under current law, the following retail alcohol licenses may
7 be issued to native manufacturers for the same premises where
8 manufacturing occurs: a native distillery may be granted not
9 more than two class "C" retail alcohol licenses, a native brewery
10 may be granted not more than two class "C" retail alcohol
11 licenses or two special class "C" retail alcohol licenses, and
12 a native winery may be granted not more than two class "C"
13 retail alcohol licenses or two special class "C" retail native
14 wine licenses. A class "C" retail alcohol license allows for
15 the sale and on-premises consumption of alcoholic liquor, wine,
16 or beer and the sale of alcoholic liquor, wine, and beer in
17 original unopened containers for consumption off the premises.
18 A special class "C" retail alcohol license allows for the sale
19 and consumption of wine and beer on the premises and the sale
20 of wine and beer in original unopened containers for consumption
21 off the premises. A special class "C" retail native wine license
22 allows beer and native wine to be sold for on- or off-premises
23 consumption. The bill allows native manufacturers to be issued
24 not more than three of the currently authorized retail alcohol
25 licenses.

26 Under current law, a class "A" beer permit holder who also
27 holds a brewer's notice issued by the alcohol and tobacco tax
28 and trade bureau of the United States department of the treasury
29 (bureau), also known as a native brewery, is authorized to sell,
30 at wholesale, no more than 30,000 barrels of beer on an annual
31 basis to off-premises licensees. The bill increases this to no
32 more than 38,000 barrels of beer.

33 The bill imposes a limit on a class "A" wine permit holder who
34 also holds a basic permit issued by the bureau, also known as a
35 native winery, of no more than 150,000 gallons of wine annually

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1 that may be sold at wholesale to off-premises retailers of wine.
2 The bill eliminates the \$5,000 bond requirement for class "A"
3 wine permit holders.

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