

Senate File 2107 - Introduced

SENATE FILE 2107
BY LOFGREN

A BILL FOR

1 An Act permitting a city to create entertainment districts
2 allowing for the possession or consumption of alcoholic
3 beverages in certain public places.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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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) An entertainment district, if the
4 holder of the retail alcohol license is a participating licensee
5 within an entertainment district and in compliance with the
6 ordinance adopted under section 414.34.

7 Sec. 2. Section 123.32, Code 2026, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 3A. *Licensed premises for entertainment*
10 *districts.* A local authority that is a city may define, by
11 ordinance as provided in section 414.34, licensed premises
12 which shall be used by holders of retail alcohol licenses in
13 an entertainment district. The licensed premises defined by
14 ordinance shall be used by the holders of a class "C" or a
15 special class "C" license.

16 Sec. 3. Section 123.46, subsection 2, Code 2026, is amended
17 to read as follows:

18 2. a. A person shall not use or consume alcoholic liquor,
19 wine, or beer upon the public streets or highways. A person
20 shall not use or consume alcoholic liquor in any public place
21 except premises covered by a retail alcohol license. A person
22 shall not possess or consume alcoholic liquors, wine, or beer on
23 public school property or while attending a public or private
24 school-related function. A person shall not be intoxicated in a
25 public place. A person violating this subsection is guilty of a
26 simple misdemeanor.

27 b. Notwithstanding paragraph "a", a person may possess or
28 consume alcoholic liquor, wine, or beer upon the public streets,
29 highways, or public places within an entertainment district if
30 the possession or consumption complies with the ordinance adopted
31 under section 414.34.

32 Sec. 4. NEW SECTION. **414.34 Entertainment districts.**

33 1. As used in this section:

34 a. "Entertainment district" or "district" means licensed
35 premises that allow for the possession and consumption of

1 alcoholic liquor, wine, and beer on public streets, sidewalks,
2 and other public spaces within the boundaries of the district
3 that are consistent with this section.

4 *b. "Licensed premises"* means the same as defined in section
5 123.3, except that it is limited to a place that is wholly within
6 the confines of contiguous grounds.

7 *c. "Marked container"* means a nonglass container that
8 identifies the retail alcohol licensee providing the alcoholic
9 liquor, beer, or wine in the container to the consumer within the
10 entertainment district.

11 *d. "Retail alcohol licensee"* means the holder of a class "C"
12 or special class "C" license issued under section 123.30.

13 2. A city may define licensed premises by ordinance that
14 designates an entertainment district for use by retail alcohol
15 licensees.

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

18 *a.* A legal description or map of the district.

19 *b.* The days and hours the possession and consumption of
20 alcoholic liquor, wine, and beer are permitted within the
21 district.

22 *c.* Requirements for marked container identification.

23 *d.* Participation requirements for retail alcohol licensees
24 within the district.

25 *e.* Enforcement provisions and penalties for violations.

26 *f.* Procedures for the revocation or suspension of all of the
27 following:

28 (1) The participation of retail alcohol licensees for
29 violations.

30 (2) The entertainment district itself for public safety
31 concerns or other matters.

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

34 *a.* Consumption of an alcoholic beverage in a motor vehicle or
35 on the public streets, sidewalks, and other public spaces during

1 vehicle or on public streets, sidewalks, and other public spaces
2 during the times when the ordinance is not in effect, or the
3 possession or consumption of alcoholic beverages in a manner
4 contrary to the provisions of Code chapter 123 (alcohol beverage
5 control).

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